

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

130th Legislative Day

June 19, 1986

Speaker Breslin: "Ladies and Gentlemen, the House of... the hour of 12:00 having arrived, this House will come to order. The Chaplain for today will be the Reverend Danny O'Guin, Pastor of Tabernacle Baptist Church of Decatur. Reverend O'Guin is a guest of Representative John Dunn. Will the guests in the gallery rise for the invocation?"

Pastor O'Guin: "Shall we pray? Our Father, as we come to You today, Lord, we love You. We praise You. We thank You, Lord, for this day. It is the day You've made and we praise You for it. We thank you, Father, for this Assembly. We pray, Father, that You will give them wisdom in their deliberations today, making the decisions. And, Lord, just watch over, lead, guide and direct and may You be magnified and glorified as the result of the business transacted here today. In Jesus' Name we pray. Amen."

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

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

Speaker Breslin: "Roll Call for Attendance. Have all Members recorded themselves as 'present' who wish? Mr. Clerk, take the Roll. 118 Members answering the Roll Call, a quorum is present. Representative Goforth, for what reason do you rise?"

Goforth: "Point of personal privilege, Madam Speaker."

Speaker Breslin: "State your point."

Goforth: "Thank you, Madam Speaker. If the Assembly... May I have your attention just a moment, please? As all of you know, the divorce rate in this country is probably one out of every three couples. If you would just give me a

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minute, I have a couple here beside of me that has been married longer than most of the Members of this Assembly is old. Would you please give a hand to Mr. and Mrs. "Stump"? Today is their fortieth year anniversary. Thank you."

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

Matijevich: "Good afternoon. Wayne, you'll never last that long, but good afternoon, Members. We have no recorded absences on this side of the aisle."

Speaker Breslin: "Representative Piel, the Republican side have any recorded absences? Couldn't be if we had 118 Members answering present, right?"

Piel: "We have 118, Madam Speaker."

Speaker Breslin: "Right. Ladies and Gentlemen, the Chair is prepared to start on the Order of Senate Bills Second Reading, Short Debate Calendar. It's on page eight on your Calendar. The first Bill to appear under Senate Bills Second Reading, Short Debate is Senate Bill 1517. Representative Terzich - McGann. Do you wish to call that Bill, Gentlemen? Out of the record. Senate Bill 1520, Representative Ewing and Ropp. Remember, we have very few days now to move these Bills from Second to Third. If you are serious about these Bills, be in your chair and be ready to call your Bill. Senate Bill 1520, Representative Ewing. Read the Bill."

Clerk O'Brien: "Senate Bill 1520, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, if I could make a request of the Sponsor. The

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Amendment that was filed may have some technical flaws and the second Amendment is being prepared. So, as a courtesy, even though the Sponsor, I understand, is not in favor of the Amendment, if he could take it out of the record, I certainly would be appreciative."

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

Ewing: "Madam Speaker, I would be glad to do that. As he said, I'm not in favor of the Amendment and will oppose it, but I would like your assurances that you'll get back to the bill and..."

Speaker Breslin: "You have it."

Ewing: "Thank you."

Speaker Breslin: "Senate Bill 1612, Representative Keane. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1612, a Bill for an Act to amend the Public Community College Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 12... Senate Bill 1662, Representative Hastert. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1662, a Bill for an Act to amend the Illinois Enterprise Zone Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Motions filed or Floor Amendments?"

Clerk O'Brien: "No Committee Amendments or no Floor Amendments."

Speaker Breslin: "Representative Tate, for what reason do you seek recognition?"

Tate: "Yes, Madam Speaker. I seek recognition on a point of order."

Speaker Breslin: "With... pertaining to this Bill."

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Tate: "No, on a different subject."

Speaker Breslin: "Okay, we'll get back to you, then. There being no Amendments filed on 1662, the bill will move to Third Reading. Representative Tate, for what reason do you rise? State your point."

Tate: "Yes, Madam Speaker. In Rules, under the appointment process, Rule 13(b), 'Appointments of Members to Committees shall be entered on the Journal. A Member may be temporarily replaced on a Committee, due to illness.' In the last two days in the Appropriations Committee, apparently a serious case of dysentery has hit the Democratic side of the aisle and we have had somewhat in the neighborhood of 35 Members participating in that Committee. And in accordance to the rules, if the action taken in those Committees the last two days, I would assume that the... all those 35 Members that have been replaced were ill and on this side of the aisle, we would just like to..."

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

Matijevich: "I have a point of order."

Speaker Breslin: "State your point."

Matijevich: "He is making no point of order. This is no business of the House right now. It's not a personal privilege, and he's completely out of order."

Speaker Breslin: "Representative Matijevich, I think he is about to state his point. State your point, Sir. Representative Tate."

Tate: "Thank you, Madam Speaker. My point is the actions taken in the last two days, we were wondering... we were questioning the legality of those and we would like, on this side of the aisle, to have at least some notification of what the illnesses were and the Members and... because

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we would like to be able to send them a get well card on this side of the aisle."

Speaker Breslin: "Representative Tate, we will check into the matter for you and get back to you. Representative Mays, for what reason do you rise?"

Mays: "Well, thank you very much, Madam Speaker. On that point, I would ask the Parliamentarian to comment on this. Would there be a cloud cast on the validity of the Amendments that were adopted by Members that were appointed clearly in contradiction to that rule for appointment of Members on Committees... temporary appointments on Committee. Would there be a cloud cast on the validity of those Amendments?"

Speaker Breslin: "Representative Mays, we have already told Representative Tate that we will look into the matter. As you know, the Parliamentarian does not give advisory opinions. Representative Giorgi, for what reason do you rise?"

Giorgi: "Well, on that point, Madam Speaker, I was one of the persons that Mr. Tate and Mays is talking about and I want to tell him that I am not down in the General Assembly at their invitation. I'm sent here by my people in spite of them and I'll serve on that Committee when I'm appointed and I'll make the decisions I'm voting as I have done in the past. I'm not there at their invitation. My people send me here."

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

Bowman: "Just to point out that the... I think the Gentleman's inquiry is dilatorious because many of the... I mean, several Members of our side of the aisle appeared as guests. Representative Currie was there as a guest, asked questions, was not replacing anybody. I was there as a guest. Representative Levin was there as a guest. I

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believe that the inquiry is superfluous."

Speaker Breslin: "Representative Mays, do you have a further inquiry on some other matter?"

Mays: "Well, I think we have to clarify a couple things that have just been raised here. I would like, number..."

Speaker Breslin: "Representative Mays. Representative Mays, your comments have been ruled out of order. When we get back to Representative Tate, if there is further need for discussion, we will certainly contact you as well. Now, that everybody is awake for the day, we are on the Order of Senate Bills Second Reading, Short Debate Calendar. With leave of the Body, we will go back to Representative Terzich's Bill, since he is now in the chamber, and that is Senate Bill 1517. Hearing no objection, read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1517, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, this is a Amendment that we passed on another Bill yesterday. Representative Cowlshaw was kind enough to explain the Amendment to the Members of the General Assembly in a much more effective fashion than I could. It basically deals with the changing of the definition of a qualifying pupil to be a full time pupil enrolled in kindergarten through 12th grade. They have to reside within one and a half miles of the school. They must not have access to transportation that is public transportation and they must be..."

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

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Amendment #1 to Senate Bill 1517, and on that question, the Gentleman from DeWitt, Representative Vinson. Representative Vinson. You'll have to go to the microphone next to you. Maybe across the way."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. Madam Speaker, I think it's most important that you ensure that there is a degree of attention and order in the Assembly on this particular Amendment. And I say that because this is an issue that has frequently in the past divided the General Assembly on lines other than partisan lines and I would not want Members to fail to understand the nature of the issue under debate here. As I understand the Amendment placed before the House at this time by Mr. Cullerton and Mr. Madigan, it is an increase and an expansion in assistance for parochial school education by the State of Illinois. Now, I don't know that that is in any way a partisan issue and it generally has not been a partisan issue in the past, but I do think that all Members ought to be aware of the fact that we are debating here additional assistance for parochial school education."

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

Ropp: "Madam Speaker, would the Sponsor yield?"

Speaker Breslin: "Representative Cullerton will yield to a question."

Ropp: "It has been a little bit noisy here and I really didn't hear the explanation of this, but would you briefly... does this expand the territory or expand the service that is currently being provided under Senate Bill 730 of last year?"

Cullerton: "The reason why you may not have heard the full explanation was because right in the middle of my explanation, for some reason, the Speaker cut me off."

Ropp: "Well, I think you have the floor now, if you'd like to

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follow through, why we are all eagerly waiting."

Cullerton: "Could you... Could you repeat your question?"

Ropp: "Okay, now, would... are you listening?"

Cullerton: "Well, you said it was noisy and I agree with you."

Ropp: "Okay. Well, obviously you didn't hear the question because of the noise. My question to you..."

Cullerton: "All I heard was... All I heard was that you didn't hear the explanation."

Ropp: "That's right. The question is, under your Amendment does it expand the mileage or the distance or the cost of the current program that is being provided for transportation to private and parochial schools?"

Cullerton: "Does not expand the mileage. Does not expand the mileage, but it expands the application and, therefore, the cost."

Ropp: "The application to what? What way does it expand it to?"

Cullerton: "It expands... so as to apply to private schools."

Ropp: "Well, what did we have before? Didn't we have kind of private school or was that only parochial?"

Cullerton: "Just public schools. Just public schools."

Ropp: "Public schools before? I thought it dealt with..."

Cullerton: "The Bill we passed only applied to public schools. This Amendment makes it apply to both public and private."

Ropp: "For the transportation?"

Cullerton: "Yes, assuming that the Department of Transportation certifies that there is a hazard. I really don't know what the controversy is. We passed the same Amendment yesterday with full explanation."

Ropp: "Well, I think the noise level was high and we didn't understand it then, just as we don't understand it now. Thank you."

Speaker Breslin: "Is there any further discussion? Hearing none, Representative Cullerton, to close."

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Cullerton: "Yes, I just ask for a favorable vote."

Speaker Breslin: "The question is, 'Shall Amendment #1 to Senate Bill 1517 be adopted?' All those in favor say 'aye', all those opposed say 'no'. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 56 voting 'aye', 49 voting 'no', and 1 voting 'present', and the Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I want to make this explanation as clear as I can because this issue came up in the Transportation Committee and the people in the Transportation Committee got tired of seeing me, I think, because I kept on coming back and talking about seat belts and school buses. And, in the end, what happened was I surrendered and I made it clear to the Members of the Transportation Committee that I was not going to advance a Bill requiring or even having anything to do with seat belts in school buses. As a result of those hearings, the opponents to the idea of having seat belts on school buses talked about the issue of compartmentalization in school buses and how because there is compartmentalization, you don't need seat belts, or that's a less of a reason to have seat belts. Compartmentalization is basically the fact that there is a seat in front of a pupil when they are riding on a bus and that seat keeps them from, you know, from going through the windshield and keeps them from... further injury. What came out at that hearing was that the size, the height of the back of the seat is important. The higher the back of

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the seat, the safer it is and the... it's consistent with the theory of compartmentalization. The witness' name was Noel Barry, from an organization that testified against the Bill, who, in testimony, made it clear that he was in favor of compartmentalization and would be in favor of a Bill that increased the back of the seats to 28 inches. That Bill passed out of the Transportation Committee, but it was not called on Third Reading. This Amendment is the same as the Bill that passed out of the Transportation Committee. So, it does two things. The first thing then is to require on new school buses only, that they... those manufactured after July 30, 1987, they must have these high backed seats. Now, the second thing it does deals with the issue of seat belts in school buses because there are some districts in Illinois that are voluntarily on their own and at their own expense putting in seat belts on school buses. There's about 12 of them, I believe, so far. There are no standards, there are no standards applicable to the installation of those seat belts. There are no federal standards that govern the quality or the design of those seat belts on the large school buses. Smaller school buses do have seat belts and there are federal standards that apply. So, the only thing that the second part of the Amendment does is to say that the federal standards that apply for the seat belts on smaller buses also apply to the larger buses. So, once again, the Bill does not require the installation of seat belts on school buses. It only deals with the standards for those people that do want to do it and it does talk about this higher backed seat which is consistent with the theory of compartmentalization. So, I will be happy to answer any questions and appreciate your support."

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

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Amendment #2 to Senate Bill 1517, and on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Madam Speaker, Ladies and Gentlemen of the Assembly. Madam Speaker, I rise initially on a point of parliamentary inquiry."

Speaker Breslin: "State your inquiry."

Vinson: "The Bill that we are dealing with, Senate bill 1517, is an Act to amend a particular Section of the School Code, and that particular Section of the School Code deals only with the subdistrict advisory councils to the school board. And it only narrowly even amends that particular Section. The Amendment #1, which was adopted to the Bill, dealt with reimbursement for an expansion of parochi-aid in the State of Illinois. Amendment #2, which the Gentleman now offers, is an Amendment that deals with school buses and seat backs and such... and such reimbursement for those things. It is clearly nongermane to the Bill, and I would ask the Chair to so rule."

Speaker Breslin: "We will look at the Bill. In the meantime, we will recognize Representative Friedrich. For what reason do you rise?"

Friedrich: "Madam Speaker, I wonder if we could have a little order. It's just like trying to work in a boiler factory. I can't hear what's going on around here."

Speaker Breslin: "Your point is well taken. Representative Friedrich and Members, it is very difficult for other Members to hear the debate on this question. Please lower your voices. If you are not doing House business, please cease it or take it outside the room. Representative Vinson, the Chair is going to rule that Amendment #2 is germane because Amendment #1 went on the Bill. We agree that the original Bill did not deal with transportation, but since Amendment #1 was adopted which deals with

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transportation, that makes this Amendment germane. Do you wish to speak to the Bill, Sir?"

Vinson: "Yes."

Speaker Breslin: "Proceed."

Vinson: "Madam Speaker, Ladies and Gentlemen of the Assembly, what the Amendment does is to require state reimbursement for seat belts for school buses if districts choose to have seat belts for school buses. Now, the problem with that proposal..."

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

Cullerton: "I don't know if that was deliberate, but I spent a lot of time explaining what this Amendment does not do and what it does do. Now, he's... he is not... did not listen to the explanation if that... I'd be very happy to explain it again to him."

Speaker Breslin: "Representative Cullerton. Representative Cullerton, you will have an opportunity to rebut the speaker at the close. Representative Vinson, continue with your address on the Amendment."

Vinson: "Thank you, Ladies and Gentlemen of the Assembly, and I would call your attention particularly to page four of the Amendment, Section 2917 which provides for the reimbursement and says that districts shall be reimbursed by the State Board of Education for any approved additional costs as a result of the installation of passenger seat belts. Now, the problem with that proposal is that it is... it has opportunity costs. I do not necessarily oppose the concept of seat belts in school buses. I do have a big problem with taking money away from educational purposes which improve the reading, writing, basic fundamental education skills of students in the schools at a time when we are facing dealing with a state budget that

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is sufficiently tenderly balanced so as to perhaps require a reduction in the proposed amount of increased spending for schools. I think we ought to want to put as much money as we can into the classroom performance of the kids in our schools. I don't think that we ought to try to take... create competing uses for state money for education. I think that we ought to try to focus state money for education on that purpose, and I don't think that our schools, our teachers and our school boards are going to look favorably on a proposal that takes money away from legitimate educational purposes for another purpose, and that is what the Gentleman's proposal does. That is why we ought to abandon this proposal and we ought to defeat the Gentleman's Amendment. If you care about properly funding your local schools this year, you'll vote against this Amendment."

Speaker Breslin: "The Gentleman from Kankakee, Representative Pangle, on the Amendment."

Pangle: "Will the Sponsor yield?"

Speaker Breslin: "He indicates he will."

Pangle: "I apologize, Representative. I also couldn't hear your explanation, but maybe you can answer a question for me. Is it going to be mandatory for new school buses to have seat belts?"

Cullerton: "Absolutely not, and I don't know if Representative Vinson deliberately misrepresented the Amendment or whether he inadvertently misrepresented it. The Amendment deals with high backed seats. It deals with the size of the seat, the height of the seat in front of a pupil sitting on a bus. It is entirely consistent with all of the groups, the bus manufacturers who have come down and testified against the seat belt law on school buses. They say we have compartmentalization. This Bill only deals with the

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size of the height of the back of the seat and it says it should be 28 inches, which is about four inches higher than the current back of the seats on school buses."

Pangle: "And that's for new school buses only? I mean, you don't have to go back to the old school buses?"

Cullerton: "That's right. There's no... because of the... because the cost would be too high, there is no requirement that they retrofit old buses. By the way... Well, I hope that answers your question. With regard to the cost, the Bluebird Bus Manufacturing Company says that if you order a bus with high backed seats, a new bus, it will cost you an additional \$230. The bus costs \$36,000. If you have the high backed seats, it costs an additional \$230. The state, under current law, reimburses a school district that would order such a bus 80 percent of the cost. So, under current law, they would get 80 percent of the cost of that \$230 expense. This Bill would say that the additional 20 percent or \$46 per bus would have to be picked up by the state. So, the cost is so minimal that it's almost... it's silly to even talk about the additional cost to the state."

Pangle: "Again, Representative, I... you did mention something earlier about seat belts and I just want to get that clarified because it's a little difficult to hear on the House floor today."

Cullerton: "What I did mention about seat belts was first of all, that the Bill did not require seat belts on school buses and secondly, that the... for school districts that do require... do want to put seat belts in their school buses, there are no federal standards that apply to those... the installation on large buses and as a result, in this Amendment, we're saying that the standards that apply for the smaller school buses that have seat belts should apply for the larger ones. But that's all it has to do with the

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issue of seat belts. The Bill deals with requiring the installation on new buses of the higher 28 inch seat backs."

Pangle: "All of the testimony that you have heard, as far as the higher seat, would indicate that it would, in fact, be a life-saving thing for students in school buses and so forth?"

Cullerton: "That's right. There was absolutely no... no one that says that this is not a good idea."

Pangle: "Thank you."

Speaker Breslin: "Representative Vinson, on a point of personal privilege."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. In my comments on this Bill, I represented that the Bill required reimbursement for seat belts and I apologize to the Sponsor of the Amendment for saying that. What the Bill requires is reimbursement for seat backs, not seat belts. I believe that the thrust of my comments is still accurate, but it is seat backs that he seeks reimbursement for, not seat belts."

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

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

Speaker Breslin: "He will."

Mays: "This is the same content as the Bill that we had... several Bills that we had in Committee. What was the disposition of those Bills?"

Cullerton: "It was House Bill 1."

Mays: "Okay."

Cullerton: "I, finally, after several unsuccessful attempts at passing the Bill out of Committee, amended it to be identical to this Amendment and it came out of Committee, but it went on the Order of Postponed Consideration because that's where the Bill had been the previous year. So, I

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had never called it. So, we never had a vote on the floor on this Amendment, but this Amendment was approved by the Committee that you are the Minority Spokesman on."

Mays: "So, we... after Committee, it came out to the floor. There was..."

Cullerton: "I never called it because it was on the Order of Postponed Consideration and we just didn't get to it."

Mays: "Okay, well, to the Bill, Madam Speaker. In Committee, I expressed my appreciation at the Sponsor for trying to work with the various interest groups involved in this issue; however, I expressed my reservation that the state should not be getting involved in a reimbursement when it seems to me so clear that the local communities involved can make this decision in an of their own right and should bear the responsibility for their decision, financial and otherwise. Should they decide not to select to go with this high back, which in my mind would be a mistake, that's still their decision and they should have the responsibility to justify it financially and every other way that they can. The state should not be involved in this particular issue beyond the reimbursements that we already provide to the transportation... for transportation costs in the various school districts. That, in my mind, was why I had voted 'no', and that is why I would continue to urge opposition to this Amendment."

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

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

Speaker Breslin: "Proceed."

Harris: "Representative, you stated, in answer to an earlier question, that these high seat backs provide... well, the reference was a life-saving device for the students. If they are beneficial in school buses, why aren't they

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standard? Why is it an option? I don't have an option, as an example, whether I want a seat belt in my car. It's there. I pay for it. Why is it an option that is an additional expense?"

Cullerton: "Well, it's... like anything else, there is progress that is made in regard to school bus safety. There are federal standards that are... that... back in 1977, dramatically improved the safety of school buses by requiring that the gas tank be more secure, that sort of thing. This is under consideration by the Federal Department of Transportation, the higher back seats. They are required in New York. It's just a process... just a matter of people coming around to it. It's an additional cost, minor additional cost. \$230 per bus, but it's just a... something which hasn't been required by the Federal Government yet."

Harris: "Well..."

Cullerton: "But I want you to know that there's no debate over the... as there is a debate with seat... use of seat belts on school buses. There's a tremendous debate over whether they are beneficial or not. I happen to think they are, but that's very controversial. This is not controversial."

Harris: "I understand. Either de facto or de jure... by... if we enact this Amendment, subsequently pass the Bill and it's signed into law, aren't we then saying that all school buses sold in the State of Illinois have to have that higher seat back? And are we not then, as the state, going to reimburse every school district that purchases one of these... one of these buses?"

Cullerton: "There's something that most people don't know. Right now, we reimburse 80 percent of the transportation cost of a school district. So, if someone goes out right now and buys a bus with a high backed seat, right now, we subsidize

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80 percent of that \$230 cost. What this Amendment does, says that it's a hundred percent subsidy, which is a very... \$46 dollars per bus additional cost, but we are requiring... the substance... the real guts of the Bill is that we are requiring that they get these higher back seats because we know that it's a safer way to transport children."

Harris: "So then, all seat... then all school buses in Illinois, then, will really, for all practical purposes..."

Cullerton: "All new school buses would have these higher... higher backed seats, right."

Harris: "All new school buses after 1987 will be... it will be state policy that they will have the four inch higher seat?"

Cullerton: "Right."

Harris: "Thank you very much."

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

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

Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the main question is put. Representative Cullerton, to close."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. I would appreciate your support for this Amendment. I think that we are taking a step forward in pupil transportation safety. I would remind you that not too long ago, down in Representative Ryder's district on a road near Hardin, Illinois, in Calhoun County, that a school bus was involved in an accident with a truck, I believe, and many students were injured, several severely. Perhaps if we had these higher seat backs, they

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wouldn't have been injured as severely as they were. I think that it's a... it's a very... and I made it clear, it's a very, very small amount of money. In the... in the long run, we are going to save lives and I think it's - for that reason - an excellent idea. Appreciate your support."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #2 to Senate Bill 1517?' 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 63 voting 'aye', 44 voting 'no', and 5 voting 'present', and the Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker. This is a technical change to the previous Amendment. There was a technical problem with the Section being misnumbered. So, I'd move for the adoption of Amendment #3."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 1517, and on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Madam Speaker, Ladies and Gentlemen of the Assembly. I question the germaneness of Amendment #3. Changes the entire title of the Bill, thrust of the Bill and I would ask the Chair rule it's not germane."

Speaker Breslin: "Representative Cullerton, on the question."

Cullerton: "Yes, I'm sorry, I was... my instructions were to withdraw the Amendment, not try to pass it. The previous one was the one that was correct. So, I withdraw the Amendment."

Speaker Breslin: "Very good. Amendment #3 is withdrawn. Are

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there any further Amendments? Representative Piel, for what reason do you rise?"

Piel: "I'm sorry, Madam Speaker. Obviously, he's already withdrawn the Amendment, but the problem that we have... that was why I had my light on before. He should have withdrawn 2 and gone with 3 because 3 deals with the Section that Amendment #1 put in. Amendment #2 does not deal to that Section and it was supposed to. 29.5, John."

Speaker Breslin: "Are there any further Amendments, Mr. Clerk?"

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

Speaker Breslin: "Representative Terzich."

Terzich: "Yes, Madam Speaker. Amendment #4 repeals the Urban School Improvement Act which set up advisory council to increase parental participation in Chicago school systems. The provision of House Bill 2188 were internally inconsistent and unworkable. If, for instance, members are to include representatives from councils which are receive planning grants, yet there is no provision or even describing. So, what this does is simply clear up the intent and I would move for its adoption."

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

Piel: "I don't believe this Amendment has been printed and distributed yet, Madam Speaker."

Speaker Breslin: "Mr. Clerk. That is correct. Representative Terzich, the Amendment has not been printed and distributed at this time, so it cannot be heard at this time. Would you... What is your pleasure? Would you like to take the Bill out of the record and come back to it or... yes, okay. The Bill is out of the record with the agreement to get back to it as soon as the Amendment is printed and distributed. The next Bill on this call is Senate Bill

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1673, Representative Kubik. Representative Stange or Representative Parcells. Representative Kubik is here. Okay. Read the Bill, Mr. Clerk. Representative Matijevich, would you come to the podium, please?"

Clerk O'Brien: "Senate Bill 1673, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Amendments filed or Motions?"

Clerk O'Brien: "No Motions filed. Floor Amendment #2, offered by Representative Saltsman - et al."

Speaker Breslin: "Representative Saltsman. And Representative Matijevich, in the Chair."

Saltsman: "Thank you, Madam Speaker. This Amendment amends the Illinois Vehicle Code. It authorizes the Department of Transportation... Excuse me. This Amendment redrafts the Bill to add the Sections of the Illinois Vehicle Code related to the regulations of the towing industry by the State of Illinois. There were many provisions and changes made that will... that was agreed upon between the PTROI Towing Association, which is predominantly a northern Illinois Chicago-based agency and the Independent Tow Truck Operators which is a downstate agency for our towing vehicles. This is an agreed Amendment and there's been a lot of time spent on this with the Republican staff, the Democrat staff and the Illinois Commerce Commission, and I ask for its passage."

Speaker Matijevich: "Representative Saltsman has moved the adoption of Amendment #1 to Senate Bill 1673. Is there any discussion? Representative Mays."

Mays: "Thank you very much, Mr. Speaker. I simply want to rise and second what the Gentleman has already said and only add that I certainly commend him for his many hours of effort in spearheading the whole issue that was brought before us

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by the towing industry laws we passed last year. He did a fantastic job and it was the first time in my five and a half years down here that I have been able to work with him on a Bill and I certainly appreciated it."

Speaker Matijevich: "Further discussion? There being none, the question is, 'Shall the House adopt Amendment 21 to Senate Bill 167 (sic - 1673)... Amendment 22?' All in favor say 'aye', opposed 'nay', and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment 23, offered by Representative Berrios."

Speaker Matijevich: "Gentleman from Cook, Representative Berrios, on Amendment 23."

Berrios: "This Amendment simply is designed to prevent businesses from having vehicles towed off their property without either notifying the vehicle owner or the law enforcement official or properly posting notices that a vehicle may be towed away. This Amendment also provides for specific requirements for posting notices and it's agreed by the towing industry."

Speaker Matijevich: "Representative Berrios has moved for the adoption of Amendment 23 to Senate Bill 1673. There being any discussion... being none, all in favor say 'aye', opposed 'nay'. Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment 24, offered by Representative Breslin."

Speaker Matijevich: "The Lady from LaSalle, Representative Breslin, on Floor Amendment 24. They tell me you're on, Peg."

Breslin: "Withdraw Amendment 24."

Matijevich: "Withdraw Amendment 24. Further Amendments?"

Clerk O'Brien: "Floor Amendment 25, offered by Representative Ronan."

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Speaker Matijevich: "Gentleman from Cook, Representative Ronan, on Amendment #5. With... Representative Ronan, Gentleman from Cook."

Ronan: "Yeah, I'd like to withdraw Amendment #5."

Speaker Matijevich: "Leave to withdraw Amendment #5. Further Amendments?"

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

Speaker Matijevich: "The Lady from LaSalle, Representative Breslin, on Amendment #6."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, Amendment #6 is offered on behalf of the Secretary of State's Office. It eliminates the exemption for payment of quarterly fees for those trucks which register in the last month of the Calendar year. You'll remember we passed a Bill to do this earlier in the Session. It passed 110 to 0. It's gotten caught up in the Senate. I see... I don't believe it's controversial at all. I'd ask for an 'aye' vote."

Speaker Matijevich: "Representative Breslin has moved for the adoption of Amendment #6. Is there any discussion? Being none, all in favor say 'aye', opposed 'nay', and Amendment #6 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Ronan."

Speaker Matijevich: "Gentleman from Cook, Representative Ronan, on Amendment #7."

Ronan: "Thank you, Mr. Speaker and Members of the House. Amendment #7 to Senate Bill 1673 has been worked out with the Secretary of State's Office. I asked them to address an issue that was brought to me by some policemen in my district concerning the mailing of drivers' license records. There was a concern about the need to clarify the

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existing statute. Secretary of State's Office drafted the Resolution... or drafted the Amendment. I think it's going to go a long way in cleaning up a potential problem. I move for the adoption of Amendment #7 to Senate Bill 1673."

Speaker Matijevich: "Representative Ronan has moved for the adoption of Amendment #7 to Senate Bill 1673. Representative Hawkinson."

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

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

Hawkinson: "Representative, I don't have the Amendment in front of me. Does it any way concern or restrict the mailing of drivers license records to state's attorney's offices or other law enforcement agencies?"

Ronan: "No, none whatsoever."

Hawkinson: "Thank you."

Speaker Matijevich: "Being no further discussion, the question is, 'Shall Amendment #7 be adopted?' All in favor say 'aye', opposed 'nay' and Amendment #7 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative Stern."

Speaker Matijevich: "The Lady from Cook, Representative Grace Mary Stern, on Floor Amendment #8."

Stern: "Just a correction, Mr. Speaker. Lady from Lake, not Cook."

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

Stern: "This Amendment #8 to Senate Bill 1673 passed the House 111 to 0 in the guise of House Bill 2599. It safeguards youngsters using... going to day camp and using school buses and requires that those who drive those school buses using the protective devices be licensed school bus drivers. It's a very simple, uncontroversial Amendment

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that the Department of Transportation accepted."

Speaker Matijevich: "The Lady has moved for the adoption of Amendment #8. There being no discussion, all in favor signify by voting 'aye', opposed 'no', and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "There's been a request for a fiscal note and the Bill will be held on Second Reading, and Representative Breslin in the Chair."

Speaker Breslin: "Okay, fiscal note was filed, so the Bill is being held on Second, Representative Kubik. The next Bill is Senate Bill 1783. Representative Richmond. Representative Richmond and Masara and Black. Out of the record. Senate Bill 1798, Representative Friedrich. Dwight Friedrich and McPike. Out of the record. Senate Bill 1848, Representative Steczo or Cowlshaw. Okay, out of the record. Representative Friedrich is back in his chair, so let's go back, if there are no objections, to Senate Bill 1798. Any objections? Hearing none, read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1798, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yeah, I better withdraw the Amendment."

Speaker Breslin: "Withdraw Amendment #1. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1848, Representative Steczo or Cowlshaw. Representative

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Cowlshaw, do you want to call this Bill? Out of the record. Senate Bill 1854, Representative Flinn. Monroe Flinn. You want to call the Bill? Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1854, a Bill for an Act concerning the hunting of game and the handling of aquatic life in Illinois. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1917, Representative DeLeo. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1917, a Bill for an Act in relation to the General Assembly. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker. This makes a technical change to a Section pertaining to hearings before the Commissions. It simply says unless 'at least' two members of the Commission are present and current law is simply 'unless' two members. So, it's a technical change and I'd appreciate your support."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 1917. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Breslin: "Third Reading. Senate Bill 1945, Representative Ryder. Representative Ryder or McPike. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1945, a Bill for an Act to amend Sections of the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Churchill, on Amendment #1 to Representative Ryder's Bill. Representative Ryder."

Ryder: "Madam Speaker, are you certain that Amendment #1 was filed by Churchill? I... I filed an Amendment and perhaps there was an error."

Speaker Breslin: "We understand that Amendment #2 was filed by Ryder. The Clerk has Amendment #1."

Ryder: "See, folks mistake me for the good-looking Bob Churchill all the time and I'm flattered by it on most occasions, but perhaps this occasion is not one of those."

Speaker Breslin: "Okay, Amendment #1 is a three line Amendment and the last three numbers are 01... LRB... the whole number, LRB-8403899GLTCAM01."

Churchill: "Madam Speaker."

Speaker Breslin: "Yes, Representative Churchill."

Churchill: "Is that a House Bill or a Senate Bill?"

Speaker Breslin: "House Bill... ah-hah."

Churchill: "We're on a Senate Bill."

Speaker Breslin: "That's the problem. Mr. Clerk. Does Senate Bill 1945 have any Amendments filed on it?"

Clerk O'Brien: "Senate Bill 1945 has a Floor Amendment numbered Amendment #2, offered by Representative Ryder."

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

Ryder: "Thank you, Madam Speaker. This..."

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Softball Champions for 1986. They went 38 and 0. Because of the time factor, we will not introduce all the girls, but I would like to introduce the two coaches and maybe have the athletic director say a word or two. The two assistant coaches are Art 'Cassack' and Jeff Norris and the athletic director is Mr. Larry Smith. Larry, would you please make a few remarks?"

Larry Smith: "Thank you very much. On behalf of our young ladies, we appreciate the opportunity to come before you and accept your proclamation and we appreciate the support that you give to high school athletics. This is a first for Morton. It's a first in terms of our girls winning a state championship. Again, thank you very much."

Kubik: "Thank you all very much. Representative Mulcahey."

Mulcahey: "Thank you very much, Representative. I see a very lovely group of people up there and I was wondering what they thought of the no pass/no play provision we have been talking about in Illinois. How many favor that? Probably... I bet they all do, don't they?"

Kubik: "According to the athletic director, they are all opposed."

Mulcahey: "Okay. Thank you."

Capparelli: "Ladies and Gentlemen, if I have your attention one moment, yesterday, we were victorious. We beat the Senate 15 to 4. Not only that, but the House also did a great job in raising funds. We had the great Representative DeLeo who went on this side and muscled about \$350 from this side of the aisle and we had Ropp muscle you fellows for about \$300 on that side of the aisle. We have a few more Members right now. The House is going to donate to Pete Miller... where are you? Here's the roll right here... about a thousand dollars because we got a few checks also. So, Pete, for the kids of Springfield, here's a thousand

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dollars. Good luck to you."

Pete Miller: "First, I want to congratulate the House on their splendid victory yesterday. I think maybe next year we ought to play these girls against the Senate. The Senate may win that game. But again, I want to thank... I want to thank the kids of Springfield for the House... the Senate will give us their money tomorrow or next week, and as I said, please keep this game going. It's been in... It's been in operation since '41 and if you keep on doing it, guys like Ralph Capparelli, they don't make them any better... and Rock and Pate, let's keep the game alive. Thank you."

Ropp: "Madam Speaker and Members of the House, it is a great deal of pleasure that we have the opportunity to present this shirt to the Minority Leader and I only regret that it happens to be Iowa colors rather than the fighting Illini or something like that, but, Lee, on behalf of the House Members and everybody, we want to present you with your shirt and I know that you will wear it proudly as we have so eloquently displayed that on the diamond in beating the Senate for the four hundredth time. Thank you."

Daniels: "Thank you very much, and of course, as a graduate of the University of Iowa, it's only appropriate that our colors be the sign of a bumblebee which... that's what we are going to be doing in the next few days is stinging you."

Capparelli: "That's not right now. Right now we are in a humble, giving sort of thing here, and to our Speaker, who was kind enough to give us the time to play and his support at this game every year since he's been down here, Mike Madigan, Mr. Speaker, here's your shirt and your hat and we thank you for your cooperation."

Madigan: "Let me simply thank and compliment Ralph Capparelli and

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Gordon Ropp and Pete Miller and all the others who were involved in once again putting on a great softball game. Ralph tells me that it was very successful and so for the... what year I can't remember, congratulations to everybody. Thank you."

Speaker Breslin: "Okay, Ladies and Gentlemen, we are going back on page nine on Senate Bills Second Reading, Short Debate Calendar. The next Bill is Senate Bill 1946, Representative Ryder. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1946, a Bill for an Act to amend an Act in relation to nursing care facilities. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

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

Speaker Breslin: "Representative Ryder."

Ryder: "Thank you, Madam Chairman. There's been an extensive negotiation. We have a Floor Amendment which will take the place and it is an agreed Amendment and that's the reason that I ask to table Committee Amendment 1."

Speaker Breslin: "The Gentleman moves to table Committee Amendment #1. Is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have and the Amendment is tabled. Are there any further Amendments?"

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

Speaker Breslin: "Representative Ryder."

Ryder: "Thank you, Madam Speaker. As I indicated, this is the result of a negotiation including such folks as the Nurses' Association and others representing the nursing homes and Public Health, I believe, all have agreed to this and I

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would indicate that I think I can safely say it's an agreed Bill. Ask for a green vote."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 1946. Is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 2038, Representative McGann. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2038, a Bill for an Act in relation to the disposition of interest from the investment on deposits of money received by the state. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Braun. Representative Braun. Representative Braun. The Lady wants to withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 2074, Representative White or Bowman or Currie. Out of the record? Out of the record. Senate Bill 2084, Representative Capparelli. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2084, a Bill for an Act to amend an Act in relation to trusts, trustees and trust companies. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third... Third Reading. Senate Bill 2136, Representative Keane. Clerk, read the Bill."

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Clerk O'Brien: "Senate Bill 2136, a Bill for an Act to amend an Act relating to certain investments of public funds by public agencies. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 2177, Representative Terzich. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2177, a Bill for an Act to amend the Illinois Enterprise Zone Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Terzich, on Amendment #1."

Terzich: "Yeah, Amendment #1 is a Amendment that was requested by DCCA and what it does is it expands the enterprise zones from 12 to 13, and I would move for its adoption."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #1 to Senate Bill 2177, and on that question, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Breslin: "He indicates he will."

Cullerton: "Representative Terzich, was this Bill on the Consent Calendar? Was this the Bill that was on the Consent Calendar?"

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

Terzich: "Yes."

Cullerton: "And so they... someone took it off so that they could put this Amendment on?"

Terzich: "Yes."

Cullerton: "I haven't had a chance to look at it. It looks like

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it's just a couple of sentences long, one... couple lines long."

Terzich: "Right, what it does, it expands the enterprise zone from 12 to 13 and also there's a provision on the labor and management cooperation to extend the participation from one year to two years."

Cullerton: "Alright, fine, thank you."

Speaker Breslin: "Is there any further discussion? Hearing none, the question is, 'Shall Amendment #1 to Senate Bill 2177 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 2210. Read the Bill a second time, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2210, a Bill for an Act to amend the Unemployment Insurance Act. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Or Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Representative McPike, do you want to move this Bill? Okay, Bill moves to Third Reading. Ladies and Gentlemen, the Chair is now prepared to go to the Special Orders of Business. The hour of 10:00 having long since arrived, we will go to the Order of State Administration. It appears on page two on your Calendar. The first Bill under that Special Order of Business is Senate Bill 1837. Representative Johnson. Representative Johnson. Leverenz and Satterthwaite. We are going to do the Special Order of Business, Ladies and Gentlemen, on State Administration, so

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be in your chairs and prepared to present your Bill. Representative Leverenz or Representative Satterthwaite, would you like to present this Bill? Okay, we'll take the Bill out of the record. Senate Bill 2173, Representative McGann. Representative McGann, your Bill, Senate Bill 2173. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2173, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Breslin: "Representative McGann."

McGann: "Thank you, Madam Speaker, Members of the Assembly. Senate Bill 2173 provides more time for taxpayers to notify the Department of revenue changes in their federal tax returns and there is an immediate effective date. The Bill is an initiative of the Illinois State Chamber of Commerce. It has passed out of Committee with the unanimous support. Passed out of the Senate and I would ask a favorable vote."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 2173. Is there any discussion? Hearing none, the question is, 'Shall Senate Bill 2173 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage, Ladies and Gentlemen. Have all voted who wish? Representative DeJaegher, on the Bill... to explain your vote. One minute to explain your vote."

DeJaegher: "I just wanted to be recorded as 'aye'. My switch does not seem to be working, Peg."

Speaker Breslin: "Mr. Clerk, would you record Representative DeJaegher as voting 'aye' and Mr. Electrician, would you investigate Representative DeJaegher's switch? Have all voted who wish? The Clerk will take the record. On this question... on this question there are 114 voting 'aye', none voting 'no' and none voting 'present'. This Bill,

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having received the Constitutional Majority, is hereby declared passed. House Bill (sic - Senate Bill) 2197, Representative Mays. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2197, a Bill for an Act to amend the Wildlife Code. Third Reading of the Bill."

Speaker Breslin: "Representative Mays."

Mays: "Thank you very much, Madam Speaker. Amendment...or Senate Bill 2197 does several things. It touches on the area of nonresident deer permits allowing those people that own land, but may not live on that given piece of land, to, if they qualify, apply to the Department for permits. It also changes the law in regards to deer quotas. It would allow two bow shots, bow permits in the event that... instead of one bow and one shotgun and then it would also, through the Amendment that we adopted yesterday, allow steel shot, T size, to be used in the hunting of water fowl. I know of no objections to the Bill and I would move for its passage."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 2197, and on that question, the Gentleman from Macon, Representative Tate."

Tate: "Yes, thank you, Madam Speaker. Would the Gentleman yield for a question?"

Speaker Breslin: "He indicates he will."

Tate: "Representative Mays, was... is Senate Bill 2197 the Bill that you had to promise a couple Members of this House that we would not amend the wildlife preemption Bill too?"

Mays: "Representative Tate, that question is clearly out of line. It doesn't apply to this Bill whatsoever and any kind of innuendo you would like to make as to deals is clearly out of line and not appropriate."

Tate: "Thank you."

Speaker Breslin: "Is there any further discussion? Hearing none,

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the question is, 'Shall Senate Bill 2197 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye'... Representative DeJaegher wishes to vote 'aye', Mr. Clerk. So, there are therefore 115 voting 'aye', none voting 'no' and one... Representative Laurino wishes to vote 'aye', as well, and Representative Hait wishes to vote 'aye'. There are therefore 117 voting 'aye', none voting 'no' and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2274, Representative Mays. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2274, a Bill for an Act to amend the law concerning veterans' affairs. Third Reading of the Bill."

Speaker Breslin: "Representative Mays."

Mays: "Yes, Madam Speaker. I would like to pull that Bill out of the record temporarily."

Speaker Breslin: "Out of the record. Senate Bill 2288, Representative Mautino. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2288, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. The Bill, in its original form, of which it still has the embodiment is one that allows the bureau of Employment Security and the Department of Revenue to share information as it pertains to provisions under the Unemployment Compensation Act and other pertinent information. Yesterday, Amendment #3 was added to the Bill by Representative Homer that provided for a funding mechanism that would establish training funds for entities in the State of Illinois to train employees who

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are in the State of Illinois. Currently, those training funds can be used for employees of a multi-national corporation outside the state. This allows only for the training funds to be used on employees within the State of Illinois. We accepted that Amendment and I move for passage of Senate Bill 2288, as amended. Happy to answer any questions."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 2288, and on that question, the Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Madam Speaker. Will the Gentleman yield for a question?"

Speaker Breslin: "He will."

Churchill: "Did I hear you say that this has Floor Amendment #1 on it? Floor Amendment #1 is on the Bill, right?"

Mautino: "Yes, Floor Amendment #1 is on it."

Churchill: "Yeah, and Floor Amendment #1, that was the subject of another Bill previously in this Session, I believe?"

Mautino: "May I refer to Representative Homer? It was his Amendment and his Bill. Representative Homer."

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

Mautino: "Homer."

Speaker Breslin: "Excuse me, Representative Homer, to answer the question."

Homer: "Thank you. Yes, Representative Churchill. It was Senate Bill 2104."

Churchill: "Alright, and that... that was the Bill that Caterpillar Tractor and some other business groups wanted to put in to provide some tax credit for training and educational expense, correct?"

Homer: "Yes, to change it from a deduction to a credit."

Churchill: "Right, and that was also one that I think we discussed when the Amendment was up, how that labor was

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very supportive of this and I believe the UAW had even come out and said that they were supportive of this Bill. Is that not correct?"

Homer: "I know of no opposition. I believe it has the universal support of both business and labor, is my understanding."

Churchill: "Okay, but this was one of those Bills that was killed in the Rules Committee, I believe, and never came out of the Rules Committee because the Speaker was punishing one of the parties who is a Member of the ICIC group?"

Homer: "Well, Representative Churchill, I don't have any insight into why the Bill did not come out of the Rules Committee. I know that it did not come out, and... but I don't have any insight as to the reasons for that."

Churchill: "Oh, I see, so but we are all supportive of this now, then? Everybody is on line right now, right?"

Homer: "Well, I know that I support it. I know of no opposition."

Churchill: "Okay, thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 2288 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 116 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. With consent of the group, we will go back to Senate Bill 2274 for Representative Mays. Hearing no objection, read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2274, a Bill for an Act to amend the law concerning veterans' affairs. Third Reading of the Bill."

Speaker Breslin: "Representative Mays."

Mays: "Thank you very much, Madam Speaker, Ladies and Gentlemen

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of the House. I apologize for not being prepared to present this Bill at the time when it was called, but I would like to present it at this point. What this Bill does is simply change the admissions requirements for entrance into the veterans' home to one day of honorable service during a time of hostilities. Currently, Manteno, where we have just established a new veterans' facility, has a 90 day entrance requirement and the veterans' home in Quincy has a 30 day requirement and what we would like to do is simply reduce that on both counts to one day of honorable service and the Department is for it. I know of no opposition."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 2274. Is there any discussion? Hearing none, the question is, 'Shall Senate Bill 2274 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Represent... Have all voted who wish? The Clerk will take the record. On this question, there are 116 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, there is one Bill on this Order of Business that is still on Second Reading. We will read it a second time. Senate Bill 2185. Who is the Sponsor, Mr. Clerk?"

Clerk O'Brien: "Representative Homer."

Speaker Breslin: "Representative Homer. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2185, a Bill for an Act to revise various Acts to resolve multiple Amendments or additions or technical... correct technical errors. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "There is Amendment #1 filed by you, Representative Homer. Are you prepared to present it now? Yes, Representative Homer."

Homer: "This is a revisionary Bill and the Amendment #1 was submitted to the Executive Committees of both Houses and prepared by the Legislative Reference Bureau. It's simply a technical Amendment to a revisionary Bill and I would ask for support."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 2185. Is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Ladies and Gentlemen, with leave of the Body, we'll do Senate Bill 1837, since Representative Johnson, I believe, is here. Yes, he is. Okay. Senate Bill 1837, appearing on page two on your Calendar. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1837, a Bill for an Act designating a portion of the middle fork of the Vermilion River a protected river in Illinois. Third Reading of the Bill."

Speaker Breslin: "Representative Johnson."

Johnson: "Thank you, Mr. Speaker... Madam Speaker and Members of the House. This Bill... culmination of many months of talk and discussion and the result is a unanimous Bill of the Senate, unanimous Bill out of the House Energy, Environment and Natural Resources Bill. Senate Bill 1837 would designate certain portions of the middle fork of the

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Vermilion River as a permanent protected river of the State of Illinois. That's the substance of the Bill. Protects it, saves us \$50,000,000 that we might have spent ten years ago. I think it's a good Bill. It's environmentally sound. It's fiscally sound. Other than a few selected, perhaps, Legislators and a few citizens in the area, it has overwhelming support, not only in my district and that part of the state, but I think in the General Assembly, as well, and I would ask for your support."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1837, and on that question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you, Madam Speaker. Will the Sponsor yield for questions?"

Speaker Breslin: "He will."

Black: "Representative Johnson, I have three questions I'd like for you to answer, if you would. I think, as you are well aware, there is a private land owner in the middle of the segments you are attempting to designate as a wild and scenic river. I would like to ask you these questions and note your answers for the record as to the intent of this Bill. Question number one; until an easement for inclusion of that land into this program is signed by the Illinois Department of Conservation on behalf of the state and that private land owner on a voluntary basis, that land owner's rights are not to be hindered in any way, yes or no?"

Johnson: "That's correct."

Black: "Thank you very much. Question number 2; that private land cannot be forced into this designated program, can it, yes or no?"

Johnson: "That's correct."

Speaker Breslin: "The answer was that's correct, Representative."

Black: "Thank you, Madam Speaker, and question number three; is

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it the intent of this Bill to not interfere, restrict or limit the rights of that private land owner to continue to use and develop that land?"

Johnson: "Yeah, the legislation provides for that. The prerogative is with the land owner, depending upon his intentions. So, yes, you are correct."

Black: "Thank you very much. If I may, Madam Speaker, to the Bill. Ladies and Gentlemen of the House, I have the greatest respect for the Sponsors of this Bill. They are good and decent people, but I would submit to you that we have an honest difference of opinion on this issue. Upon reflection, Illinois is a diverse state. From the beautiful and dynamic City of Chicago on the north with its invaluable lake front to the scenic beauty of Shawnee National Forest in the south, our diversity is one of our greatest strengths, but it is also one of our greatest challenges. We are a water-rich state, an asset that we can use to pay dividends in the future, if we plan wisely, because while we have water, it is often not distributed where it can be put to the best possible use. As I'm sure you are aware, we are bombarded every day by ads and jingles urging us to wake up to Missouri, escape to Wisconsin, to say yes to Michigan and to wander Indiana. Recreation and tourism is, indeed, big business today and much of that business is generated by water based recreation such as lakes and reservoirs. We had high hopes in my district for a major reservoir in the Middle Fork River ten years ago, but we lost that hard fought battle here. This Bill may well eliminate the dreams of many people in my district for a 3,500 acre lake to be established by constructing a dam on the Middle Fork River. Because of that, I cannot in good conscience support this Bill. I would hope that if this Bill passes, the Sponsors

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and supporters will join me in working toward a reasonable development package along this river and to help us establish a water based project in a district desperately in need of job, economic development and factors what will enhance our quality of life. I submit to you that the Middle Fork reservoir may well have done this. I can only hope that a scenic river will be able to address our concerns and help meet our very real needs. Thank you, Ladies and Gentlemen. I cannot support this Bill."

Speaker Breslin: "Representative Matijevich, on the Bill."

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House, I rise in opposition to this Bill because of that ten year ago battle that we had, and those of us who were here ten years and even before that, the issue of the middle fork was before us, and as I recall, it was the vocal opposition of the citizens of Danville that stuck out so strongly in my mind, and the Gentleman who just spoke refreshed my memories of that long battle that we had and those of us who stood on the floor of the House to support the conservationists and people who believed so strongly on that issue. So, I would urge Members on this side of the aisle, if you believe like many of us did ten years ago and before that, to vote against this Bill, because it will work to the detriment of the people in that area, I believe."

Speaker Breslin: "The Lady from Champaign, Representative Satterthwaite, on the Bill."

Satterthwaite: "Madam Speaker and Members of the House, I rise in support of this legislation. What we have found is that over the ten year period since the battle on this issue before, we now have the support of many of the groups from Danville who are actively in support of this piece of legislation because we now have identified other

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alternative water supplies for the City of Danville. And so, it is foolish for us to go back to ten years ago and refight a battle that is no longer necessary. There is no substantial opposition to this project. What we are finding is that the opponents are saying, 'Leave the river as it is.' And in fact, this Bill does exactly that. It says that we will leave the river as it is. It will be protected for future generations, and in the meantime, we have identified water supply sources for the City of Danville. The fact that all of the funding has not been put in place for that project should not deter us from supporting this measure here before us now. We have relatively few places of scenic beauty within the State of Illinois that we can use as attractions for bringing other people to our state. This is one of the rare areas, and we should keep it as it is today by passing this piece of legislation."

Speaker Breslin: "The Gentleman from Kankakee, Representative Pangle, on the Bill."

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

Speaker Breslin: "He indicates he will."

Pangle: "Representative Johnson, is there any additional expense or any taxpayers' cost in this matter?"

Johnson: "No cost at all. That's one of the beauties of this effort is that the alternative project that Representative Black has alluded to, cost estimates range between 50 and 60 million dollars. No cost at all to this."

Pangle: "Do you feel if we should pass this legislation, that in fact, that the river will stay at its natural state and the homeowners and the people that use that river and the water supply that comes out of that river will continue to be as it is today?"

Johnson: "Yes, and that's again part of the beauty of this

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legislation. This is a unique, absolutely unique asset to the people of Illinois to protect its species and a whole variety of other environmentally unique features to the middle fork, and that's part of the reason it's supported by the Department of Conservation, the Sportsmen's Club, the Illinois Environmental Council, the Committee on the Middle Fork, and so forth."

Pangle: "One other question. This.. Will this restrict the current hunting or fishing or any laws dealing with the river?"

Johnson: "No limitation is intended or phrased in the Bill."

Pangle: "To the Bill, Madam Speaker. I think there's no doubt that we have an opportunity today to continue the beautification of Illinois and especially of the rivers, and I think this is the type of legislation that we need to, in fact, protect those, and I would certainly urge the passage of this Bill."

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

Friedrich: "Well, Madam Speaker, Members of the House, I've been involved in this project one way or another for a number of years when Representative Chuck Campbell was here, and I think Representative Satterthwaite is right in saying that at the immediate time there is no cause to use this for a reservoir. But I think the thing that's fascinating about to me... this is all the people from some other county are moving into Vermilion county and trying to tell them what to do with their waterways. I don't think... I think this is the business of the people in Vermilion County, not the people in Champaign County and other counties."

Speaker Breslin: "The Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Madam Speaker and Ladies and Gentlemen of

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the House. I rise in support of this legislation, and I'm proud to be a Cosponsor of it because I would... I would answer the concerns of Representative Friedrich, my seatmate... my seatmate here, who has indicated that others are coming in and... and trying to tell the people of Vermilion County what to do with their assets, but I would also indicate that the Economic Development Council from the City of Danville has supported this legislation and is in support of this designation. This Bill would make the middle fork of the Vermilion River a protected river and a necessary step leading to recognition by the United States Department of the Interior. It is important that they have this recognition so that in the future, it can be developed. There is a plan, and the Governor certainly supports a plan that would develop this area for more job and economic opportunities. The... Representative Black did bring up some very important concerns of the people of the area, but there are the promises of many who are involved in the issue that the area will be developed for more economic opportunities and; therefore, I certainly do rise in support of this legislation."

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

Black: "Madam Speaker, a clarification of the Sponsor, if I might."

Speaker Breslin: "You mean to ask a question?"

Black: "Yes."

Speaker Breslin: "That would be inappropriate since you spoke in debate. You might, however, speak to him and ask him to address your question in his close, if you wish. There are no further people seeking recognition. Representative Johnson is recognized to close."

Johnson: "Thank you, Madam Speaker and Members of the House."

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This isn't ten years ago, this is 1986. There is absolutely no chance whatever that the Middle Fork Reservoir is going to be revived. Everybody in the State of Illinois, with the exception of maybe ten or fifteen people, recognize that. I've committed myself, as Senator Weaver has and as Senator Woodyard has, and I can't speak for others, to exploring the... the... exploring and, from my standpoint, supporting a project at the north fork that would still provide the alternative water supply and the recreational benefits that the Middle Fork Reservoir would have. It's important to point out, Representative Friedrich, that I represent half of the geographical area of Vermilion County including a substantial portion of the area that the Middle Fork Reservoir would have included, as Senator Weaver does. And that Senator Woodyard represents the other part of Vermilion County that's affected, and that three of the four Legislators that serve Vermilion County have supported this Bill. I consider myself equally as much a Legislator representing Vermilion County as I do Champaign County, and I don't consider that by supporting Bills that are fiscally sound and environmentally sound, and I don't think you really intended your comments that way, that I'm going as a Champaign County resident telling people in Vermilion County what to do. We're at a stage now where we can preserve a unique asset in American... in the American environment by a simple, costless step. We can look to an alternative project that will still meet the needs of the City of Danville. There are 47 alternative water supplies available to the City of Danville, and I'm committed myself, along with others, to pursuing those matters. Within Vermilion County itself, among others, the Danville Chamber of Commerce, the Danville Area Economic Corporation and others have supported this Bill and the

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overall approach to the problem. There are those unique, I'm sure, very sincere people within the Vermilion County community who oppose it because they simply don't believe that after ten or twelve years, that something that at one time was viable is really dead. If you want to take 60 million dollars out of the schools and revive the Middle Fork Reservoir, I guess we can do that, but nobody really wants to do that. This is a reasonable, middle ground step. It not only does things environmentally, it also sets us apart in terms of preserving this as a permanent protected river. In requiring the U.S.... I mean requiring our Department of Conservation to apply to the U.S. Department of Interior for inclusion of these portions in the National Wild and Scenic River System in a very real sense, that adds to the attractiveness of the Middle Fork and to Illinois for people from out of state to stop here and see our unique asset. This came out of the Committee unanimously. It has bipartisan support from Representative Satterthwaite, Representative Leverenz and Kulas on that side, Representative Koehler and myself on this side, Senator Weaver in the Senate. It's a good Bill, and I would urge your support."

Speaker Breslin: "The question is, 'Shall Senate Bill 837 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Leverenz, one minute to explain your vote."

Leverenz: "It appears that that is unnecessary. With the green votes that we have, I'd certainly like to have it unanimous in the House as we had it in the Senate. Thank you."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 95 voting 'aye', 19 voting 'no', and 1 voting 'present'. And this Bill, having received the

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Constitutional Majority, is hereby declared passed. The last Bill on this Special Order of Business is House Joint Resolution 198. It appears on the Order of Speaker's Table on page 18 on your Calendar. Mr. Clerk, read the Resolution."

Clerk Leone: "House Joint Resolution 198, creates a Select Joint Committee on State Regulation of Professions and Occupations."

Speaker Breslin: "Are there any Motions or Amendments?"

Clerk Leone: "Floor Amendment #1, offered by Representative Keane."

Speaker Breslin: "Representative Keane on Amendment #1."

Keane: "Thank you, Madam Speaker. Amendment #1 to House Joint Resolution 198 is a technical Resolution (sic - Amendment). The way the Resolution was written, it violated the Auditing Act, and this just clears up that."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Joint Resolution 198. Is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Representative Bowman, please explain the Resolution as amended."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. As amended, House Joint Resolution establishes a Joint House-Senate Committee on Professional Occupations modeled after the Utility Reform Committee which we had created in a previous Session and which functioned so well in drafting the present Utility Act. This Joint Committee would review the Medical Practice Act, the Nursing Act, the

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Physicians' Assistance Act, the Optometric Act, the Podiatry Act, the Pharmacy Practice Act, the Nursing Home Administrators' Licensing Act, the Psychologists' Act and the Social Workers' Act, all of which are due to expire next year pursuant to the Sunset Law. It is necessary that we pass this at this time so that we have an adequate amount of time to review these various professions and to determine under what legislative statutory authority people will practice these professions for the decade to come. I move for its adoption as amended."

Speaker Breslin: "The Gentleman has moved for the adoption of House Joint Resolution 198 as amended. And on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Madam Speaker, Ladies and Gentlemen of the Assembly, I rise in opposition to the Gentleman's Motion that the House do adopt House Joint Resolution 198, and I oppose the Gentleman's Motion because what he would, in effect, do, is recreate a Commission system. Completely beyond the question of whether you want to recreate Commissions is the question of whether we ought to waste the time of the General Assembly with a matter of this nature. The concept of sunset which we experimented with at some length in this General Assembly simply doesn't work. Didn't lead to the repeal of regulation of professions. Did not lead to somehow enhancing or improving the regulation of professions. All it led to was an organized system of Members getting the attention of certain regulated professions. It turns out not to be good government, but a sophisticated form of fetcherism. That's a bad idea. We ought not do that. We ought to abandon this entire proposal, as the General Assembly chose to do last year. I would urge a 'no' vote on this... on this Resolution."

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

Friedrich: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Friedrich: "Last year, Speaker Madigan joined with the other Leaders in saying that let's don't have any more Interim Commissions. Let's just use the regular standing Committees for... to study substantive matters. I would ask the Sponsor or the... Representative Bowman if Representative Madigan is abandoning his position to eliminate Commissions."

Bowman: "No, Sir."

Friedrich: "Well then, how can you say that if he's sponsoring this one?"

Bowman: "This is not a Commission, Sir. This a Joint House-Senate Committee that will expire upon the completion of their work. The Commissions which Speaker Madigan so vigorously chased out of existence were permanent commissions with permanent staff. This, however, is a temporary Joint Committee of the House and the Senate. It will have a couple of public members and the Director of the Governor's Planning Office on it, but it will expire upon the completion of its work."

Friedrich: "On the... On the Resolution, Madam Speaker. There is nothing that can be done by this Commission that can't be done by the standing Committees of this House. We've got six months to do something and report back in January. I oppose the Resolution."

Speaker Breslin: "Representative Currie, on the question."

Currie: "Thank you, Madam Speaker and Members of the House. I rise in support of the Gentleman's Motion. I served as a Member of the Special Committee... Joint Committee created especially to look at the rewrite of the Public Utilities

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Act. The work of that Committee was long work, arduous work, but work that I think served well the interests of the people of the state. I don't think that the task set out in House Joint Resolution 198 can be met by existing standing Committees of this Legislature who already have full agendas on their own tables. It seems to me that to create a Joint Committee for the purpose of responding to statutes that require a careful look at the Act the Gentleman defined is a very sensible, a very cost-effective, and a realistic approach to our responsibilities."

Speaker Breslin: "Representative McCracken. How's your ankle?"

McCracken: "Hurts."

Speaker Breslin: "Hurts. Too bad. You are recognized on the Resolution."

McCracken: "Thank you. Ladies and Gentlemen of the body, I also rise in opposition to the Resolution. The Resolution, indeed, is a return to the commission form of government by which this chamber conducted its matters prior to their abolition in 1984. The fact of the matter is that the reasoning behind the abolition of the Commissions applies equally to this situation. The fact of the matter is that the proposed public input which was to be served by the Sunset Commission did not effectively create the oversight necessary. The sunseting just never happened. All that was done was that the life of these regulatory Acts was extended and extended. There was never a time when they were recommending that there be deregulation of these Acts which... which regulate so many of the occupations and professions, and to return to a modified form of it glorifies form over substance. The fact of the matter is, regardless of what you call it, this is to set up a Sunset Commission, which we abolished in 1984 and which we did so

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moment, and I'll talk to Representative Ewing about this."

Speaker Breslin: "Out of the record."

Ewing: "Thank you."

Speaker Breslin: "On the Order of Senate Bills Third Reading..."

Clerk Leone: "Supplemental Calendar #1 is now being distributed."

Speaker Breslin: "Ladies and Gentlemen, we are going to page 17 on your Calendar, the Order of Nonconcurrences. Senate Bill 1200. Representative Greiman on Senate Bill 1200, Motion to nonconcur."

Greiman: "Yes, thank you, Speaker. I move that the House non... do refuse to recede from House Amendment #2 and ask for the appointment of a Conference Committee."

Speaker Breslin: "The Gentleman has moved to refuse to recede from House Amendment #2 to Senate Bill 1200. And on that question, is there any discussion? The Gentleman from DeWitt, Representative Vinson."

Vinson: "Madam Speaker, first of all, I think you ought to restore some sense of order in the House. This is a most important topic."

Speaker Breslin: "Ladies and Gentlemen, this issue deals with insurance crisis problems. Please give Representative Vinson your attention."

Vinson: "Second, Madam Speaker, I request a Roll Call vote on this issue. Third, to the Motion. I oppose the Motion. I think individual Members who may agree or who may disagree with my position on tort reform issues ought to have some particular interest in this Motion. What the Gentleman proposes to do is to create a Conference Committee with the Senate with this particular Bill as the vehicle in that Conference Committee. This particular Bill happens to be a vehicle for tort reform or the absence of tort reform. The question is whether you, as a Member of the General Assembly, has an interest or a desire to see tort reform

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enacted as in a Conference Committee Report. If you have only the alternative before you of tort reform being dealt with in a Conference Committee, then ultimately you will have one choice - whether you vote 'yes' or whether you vote 'no' on whatever particular form of tort reform six people choose for you. Last year, we dealt with medical malpractice, and in fact, this Bill was one of the Bills that was intended at one point to be the vehicle for medical malpractice reform. Because the medical malpractice legislation and the summit agreement on medical malpractice originated in the House Judiciary Committee and then came to the House floor, it was amended, debated and fully discussed. As a matter of fact, Members of this chamber who had a different view of malpractice reform than I do were able to change and amend, to some degree, the malpractice agreement reached at the summit. You might recall, for instance, the collateral source rule was changed as a result of debate on the floor of this House. If you go to a Conference Committee with Senate Bill 1200, no such alternative exists. The output of the Conference Committee is your final selection. What a group of people in a... in a summit meeting and a group of people in a Conference Committee decide upon becomes your only choice on tort reform. That is not as it should be. This chamber ought to have the chance to debate, discuss and educate itself on tort reform. You ought to have the chance to know what's in the Bill. You ought to have the chance to change what's in the Bill, and that is what the Sponsor of this Motion would deny you. That is the program you're asked to vote upon - a true railroad. Many of you who have not been in the General Assembly for very long have not seen how the Speaker can operate a railroad. You might recall, though, some of the older hands around here, and

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you might ask some of the older hands around here if you haven't been here too long, how the Speaker handled the education Bill in 1977 when Mr. Taylor and Mr. Pouncey had to stand in front of that podium to protect the Speaker from the Membership, not from Republican Members, but from Democrat Members who charged the podium. That is the situation you may see at the end of this Session if you're not careful. This decision... "

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

Preston: "Thank you, Madam Speaker. I rise on a point of order. The Gentleman seems not to be addressing this Motion but seems to be addressing previous positions that the Speaker of this House has taken on other subject matters and other legislation, which is not germane to the discussion that is before us."

Speaker Breslin: "Your point is well taken. Representative Vinson, confine your remarks to whether or not this House should concur or not concur in Amendment #2 to Senate Bill 1200. Proceed, Sir."

Vinson: "I shall. Now, as I was saying, what you do today will determine the options this House has later in the Session, and it will determine whether this House can thoroughly debate the issue and can control the issue or whether, in fact, you want to turn the issue over to a small group of men presided over by the Speaker. That is your choice. That is the only choice before the House on this Motion. As I said, I request a Roll Call vote on the Motion, and if you care about shaping tort reform in whatever way you care to shape it, then you'll vote 'no' on the Gentleman's Motion."

Speaker Breslin: "The Gentleman from Hill, Representative Davis, on the Motion."

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Davis: "Well, thank you, Madam Speaker and Members of the House.

I wish to associate myself with the remarks of Representative Vinson. Not only is he right, but it goes further. The summit started this morning, the real summit, since the summit convened by the Speaker about three or four weeks ago produced no agreement whatsoever, in the basic problems that confront us in civil justice change. I always hesitate to use the word 'tort reform' because most people think it's a piece of chocolate cake at Baur's or whatever. But one of the reasons they think that, by the way, Madam Speaker, is the fact that it's never been debated on this House floor. The Senate has had a thorough, open debate. Never been debated here. The Speaker has already said publicly that he's going to put everything into a Conference Committee Report and pass it on one vote, up or down, without... without the ability to amend. Well, we don't know what everything is. The summit does, and recently as 11:00 this morning when the summit convened in the Governor's Office, I was one of the negotiators for our side, and I asked Representative Greiman, who was negotiating for the other side, why this Bill could not be held, because if it's put into a Conference Committee today, it sends a very clear signal, in my judgment, to the business community of this state, to the insurance industry in this state, to the consumers in this state, and to everyone in this state, that this is a backroom deal in the making, that the summit in the Governor's Office is of no consequence and meaningless, that it has no chance to survive and that Mr. Madigan is going to appoint three people who are sympathetic to whatever everything is in his mind or in the trial lawyers' mind, and then he will just simply put that back out with three Democrat Senate Members, and it will be one vote, up

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or down. It seems a small thing to ask, not... not that we don't do it in a Conference Committee, necessarily, but that we have a chance for this summit to bring an agreement back to the Conference Committee, an agreement between the trial lawyers and the business community, an agreement between insurance and consumers, an agreement between municipalities, counties, park districts and all the legislative process. However, you can't do that if you send this signal, you will have wounded that process. I was told by Mr. Greiman at 11:00 that that's okay. You opposed the Motion to extend the three Bills in the House. Yes, we did do that because there was no summit at that point, and now there is one that the Speaker and Mr. Madigan has agreed to send his Representatives in to attend, but this is just wrong. We're doing the wrong thing, here. You know it, I know it, the Members know it. It's a procedural vote so the Democrats will probably vote in lock step with the Speaker. I appeal to them not to do that. I appeal to those on our side, whatever side of the issue you're on, not to do that. Give the summit a chance to work. It has just begun its deliberations. There was already some positive things said this morning, in my judgment. It seems to me we have a chance to do something without sending these kind of adverse signals. Madam Speaker, I'm in opposition to the Motion, and I would join Representative Vinson in requesting a Roll Call vote."

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

Friedrich: "Madam Speaker, I find myself in a very embarrassing position. I'm getting dozens of letters from home saying, 'What are you doing about the insurance crisis?' I said, 'Hell, don't worry about it. We've introduced a series of Bills in the House and Senate, and they'll be heard and

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we'll come out with something. But lo and behold, when the House Bills were... come up in the Rules Committee, the Democrat Majority of 11 to 7 refused to let them out, and I said, 'Well, don't worry. We've got Senate Bills that are coming over, and you're still in good hands.' The Senate Bills came over and the 11 to 7 Democrat vote killed those Bills in Committee. And here we are now... here we are now with a Bill voted out by the same Rules Committee, and I have good information that at least part of this Conference Committee Report has already been written. I represent 100,000 people, just like each one of you. What are their rights around here? What are their rights to have you speak for them on this crisis? None, because the Speaker has elected to handle it in the back room. I say to you, this is bad government. I think the press, at least if they're the protectors of the people, ought to be up in arms and saying something about this."

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

Ewing: "Madam Speaker and Ladies and Gentlemen of the House, it probably does little good to add my voice to those already crying about this very important issue. To all of us in this state, this is the number one issue outside of doing our work with the budget this year. All of us have constituents who have contacted us and have asked for their help... our help in solving this important problem. This is not just whether insurance is available or the cost. It goes much beyond that. It goes beyond and into the type of business climate that we project for this state. Now, we work so hard down here. We consider so much legislation down here to improve our business climate, and yet, when we come to an issue which is really to the heart of that, the Speaker says he'll tell us exactly what we're going to

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have, he'll tell us what the Bill is going to be, and we can take that home and like it. Ladies and Gentlemen, that doesn't help us when we're trying to sell Illinois. That doesn't... that doesn't help us when we're trying to create jobs in this state, and that's the most important thing we can be doing down here, besides the budget. When we attack a problem, we need to look at it from an economic standpoint and what is it going to do to create jobs for all the people in this state. What's it going to do to our business climate. Now, all of that leads to the point that we need to discuss the insurance issue. There is a difference of opinion, but we need to discuss it. We need a full discussion of it. We all need to have our say. I'm a lawyer, and I don't always look at it the same way as other people, but there are many lawyers in this House who know that insurance reform, tort reform is needed to make insurance available and affordable in this state. It's not the only answer. The insurance companies have their responsibility, but we know that Illinois needs to look at its tort system. That doesn't mean we're going to destroy it. It doesn't mean we're going to wipe it away. Let's have the opportunity. I certainly commend the Speaker for bringing many important issues to this floor, but let's not let him just bring the ones he wants. Let's let him use...

"

Speaker Breslin: "Representative McCracken on the question."

McCracken: "Madam Speaker, I make a substitute Motion that the House do recede from House Amendment 2. Needs no second. I'd like to address the substitute Motion."

Speaker Breslin: "Representative McCracken, you have filed a Motion to recede, which we will... we will take care of after we have taken care of this Motion. This Motion is presently pending properly before this Body, and we will

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not allow a substitute Motion, but we will get to your Motion if this Motion fails. Do you wish to speak to the issue, Sir?"

McCracken: "Yes."

Speaker Breslin: "Proceed."

McCracken: "Hadam Speaker, not less than a half hour ago, the Republican side of the aisle offered to Speaker Madigan the opportunity to extend by agreement the three shell bills which are currently on Second Reading. The answer we got was the Nonconcurrency Motion to Senate Bill 1200. The importance of these two sets of bills or these two procedural devices for addressing this issue is all too clear. On House Bills Second Reading, one has the opportunity to amend those bills and have them considered by the full House on their merits. Each Amendment can pertain to a particular subject of the tort reform issue. Each Amendment can pertain to a particular subject of the insurance industry crisis in which we find ourselves. Instead, rather than allowing full debate by all the Members of this Body, this Motion, in effect, is a slap at our face. It says you will have one opportunity to vote, and what you will vote on is a single... a single Bill. Now, you can only do that in a Conference Committee because there would be no way to stop this Amendment process if this were handled in an orderly manner. All of those people who think that this is a subject one should decide on the merits of his stand is wrong. This gives everybody to decide... the opportunity to decide whether they are going to vote for any particular issue. What if you find the Conference Committee Report coming out and saying that on the one hand, the insurance industry should be regulated, and on the other hand, joint and several liability should be abolished. Those are the two extremes

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which could find their way into this bill, and that is why this Nonconcurrency Motion should be defeated. The fact of the matter is, whether you agree with any particular position or not, whether you even care about this position, what is at stake here is not the subject, but what is at stake here is the integrity of the process. This is the public forum for the State of Illinois. This is the place at which Amendments and issues of this import are to be discussed in open debate. Now, because the Governor has called a summit meeting, the Republican side of the aisle has withdrawn its opposition to the shell Bills previously extended for action. Instead, now we are faced with this, and the fact of the matter is that all of us, Republican and Democrat, trial lawyer and insurance representative, all of us should be voting against this Motion so that the issue can be decided on its merits so that when you go back to your home, you can look your constituents in the eye and tell them that you decided it on its merits. You didn't fall for some political scam, you didn't agree to violate the integrity of this House, you decided it on the merits, and that's why this Motion should be defeated."

Speaker Breslin: "Representative Ewing, for what reason do you seek recognition?"

Ewing: "I'd like to question the Chair. My debate was cut short before the last speaker. We are allowed five minutes?"

Speaker Breslin: "You're allowed 10 minutes. You've been using the 10 minutes..."

Ewing: "I think you must have had your timer... No, Ma'am. I think your timer must have been on, and I would maybe have expected that from some others in the Chair, but I think it points out how you're trying to ramrod this through. Without even an apology, I was cut off. You didn't allow me to finish. I know that I didn't speak for 10 minutes,

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and yet, you went right on. I think that just shows the attitude of the Speaker, the attitude of the Chair, and I'm very surprised at you, Representative Dreslin, a colleague of many years, would be a part of that type of shenanigan."

Speaker Breslin: "Representative... "

Ewing: "And I would like to have my... my objection registered in the record because of that action."

Speaker Breslin: "Representative, I'm sure you don't realize, but you have spoken almost a minute just now. The next person to be recognized is the Gentleman from Cook, Representative Pedersen. Every person has 10 minutes to explain their position on the issues."

Pedersen: "Thank you, thank you, Madam Speaker and Ladies and Gentlemen of the House. Right or wrong, it was my sense of those of us who attended the task force hearings that those people who came there overwhelmingly favored some form... some form of tort reform. Now, the coalition represents many diverse interests. Now, you may not agree with all of them, but this is a very visible issue. This fall, all of us are going to have to answer to what goes on here. Without consideration of all the issues, without full debate, it may be very difficult for us to answer our constituents on this important question. so, for those reasons, I recommend that we oppose the Gentleman's Motion."

Speaker Breslin: "The Gentleman from Cook, Representative Piel, to explain your position."

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would ask just for a second that the Members of the House not look at themselves as Democrats, Republicans, Independents, Liberals. What I would ask is that we sit here and look at ourselves as representatives of the people. We, each one of us, all 118 have rights, the right

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to vote the way you feel on a specific issue, and then answer to your constituents how you feel, yes or no. We've all been receiving plenty of mail on this subject, and many of us have, you know, notions, exactly how we want to vote on specific parts of the packages that have been introduced. Unfortunately, many times, even in debate today, it has become a partisan issue. I don't believe that we, as Representatives of the people of Illinois, can sit here on a very, very touchy issue like this and get down to partisan bickering. We are sitting here today in the midst of a very sincere, serious crisis - the insurance crisis. And I think what we have to do is work together - Republicans, Democrats, Independents - work together to resolve this problem. There's going to be times when you come up on this House floor, if you vote 'no', you will be able to show the people who you have committed to, how you feel on specific issues. I feel that we, as Members, have the right to express how we feel on this issue. You might be in favor of one part, or against another part. But if you only have one vote on a Conference Committee Report, you have to either take it or leave it. You cannot express how you feel about specific areas of the entire insurance problem. I think that we, in just conscience, have got to vote 'no', come up, we have vehicles. We have started today. We have vehicles that can be amended, and then we can express to our constituents, to our supporters, to our opponents, how we feel about the issues at hand, not necessarily on a partisan basis, but as far as how we feel on the entire issue of insurance. I would ask the Members of this House to vote 'no' on this. We are in the process right now. They have set a task force meeting in the Governor's Mansion. It started today. This task force is made up of the entire spectrum on the insurance issue.

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It's not one side, it's not the other, it's the entire spectrum. They are going to come back with recommendations, and then we can express how we feel, which is our right, our right as Representatives of the people of Illinois to show them how we feel on the issue, not just to have something shoved down our throats, and I think it's very unfair to both sides of the aisle to have an issue shoved down the throats of us and the people of Illinois who we are elected to represent, and I would ask for a 'no' vote."

Speaker Breslin: "The Gentleman from Hill, Representative Regan."

Regan: "Thank you, Madam Speaker, Members of the House. I'd like really to address both sides of the aisle and both sides of this issue, the most important issue that the state is going to deal with this year. Those of you who like to defend the legal position, those of you who like to defend the insurance position, those of you who like to defend injured parties, the Speaker says, 'No, you can't do that.' The Speaker says no debate, no input, no representation. Maybe we should throw tea in Lake Springfield. No debate calls for a 'no' vote. Please give it to us."

Speaker Breslin: "The Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. As is often the case when the House considers important issues, they come forward in the form of procedural issues, and indeed, we have with Senate Bill 1200, a procedural issue that is before us today indicating that a Motion has been made to refuse to recede from the Amendments, and as a consequence, to place this Bill into a Conference Committee Report. If that were all that were being debated today, if that were the sum and substance of the Motion, then I don't believe that it would engender the

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kind of discussion that we are hearing and will hear on this particular issue. Rather, this is the first step... I'm sorry, this is the second step. The first step was yesterday. The second step in the railroad process that means that you will have a 'yes' or a 'no' vote on the entire Conference Committee package, a Conference Committee package that neither you nor I had any input, any participation, and if our information is correct, no opportunity to change, whatsoever, the content. It's an ironic situation that those who favor massive tort reform and those who favor no tort reform can be together on this one vote. Let us talk about it. Let us come together and discuss. Let us come together and debate the issues. In this, what is known as an emergency Session, it seems ironic that the one absolute emergency that we face, the insurance crisis, has yet to be debated word number one. We haven't talked about it in Committees. We haven't talked about it on Second Reading with Amendments. We haven't talked about it on Third Readings. In fact, the only time we that may be able to discuss it is a take it or leave it in a Conference Committee Report. That's not correct. That's not fair. That's not the reason that you or I and everyone else in this House was elected. We're not here to be rubber stamps. We're here to influence. We're not here to vote 'yes' or 'no'. We're here to debate and develop that which we vote on. It's a short change to the people back home that sent us here. It's a short change to the people that are being significantly harmed by this issue. And whether you're on one side or the other as to the solution to the problem, please understand that the railroad is leaving the station, and if you agree today, you're as much at fault for the end result as if you were the conductor of that train. This is not the right time.

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This is not the right place. This is the wrong way to discuss an issue that is so vitally important to every single person that you and I represent. To the millions of people in Illinois, this is the single most important issue of the Session, and we're not addressing it. We're putting it on a railroad which you and I cannot control. It's going out of our... out of our control. This is not the right procedure. I urge you to vote against the Motion. I urge you to be responsible to those people that sent you here. I urge you to have a full debate on the issue. This is the wrong way to proceed."

Speaker Breslin: "The Gentleman from DuPage, Representative Hensel."

Hensel: "Thank you, Madam Speaker. I have an inquiry of the Chair."

Speaker Breslin: "State your inquiry."

Hensel: "Would it be possible that under this... Amendment #2 that I could relinquish my time to a colleague of mine, and he could use the balance of my time?"

Speaker Breslin: "I believe that is allowed under the rules, Sir."

Hensel: "Would Representative Tom Ewing continue his debate?"

Speaker Breslin: "Representative Ewing, Representative Hensel has given you his time in debate."

Ewing: "That's extremely generous of Representative Hensel, and he... he is always a Gentleman, and on this side of the aisle, we practice the old values, and I think that it would do little good for me to continue. You seem to, as well as your Leadership, be blind to any kind of reason on this issue, and why should I exhaust myself here if you're not going to listen. But I do appreciate Representative Hensel giving me that time. Thank you."

Speaker Breslin: "The Lady from Cook, Representative Parcells, on

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the question."

Parcells: "Thank you, Madam Speaker. Ladies and Gentlemen of the Assembly, I respect all four of our Leaders and the Governor of this state, and they are all very fine, intelligent Gentlemen who are entitled to their opinions on the tort reform, as we are. But they were not elected by your constituents. You were elected by your constituents, and you have to carefully decide what is right for your constituents, for your business community, your schools, your villages, your park districts, your day care centers. You should take their input on each of the many issues involved in this tort reform, and you cast your votes on each issue as you think best serves their interests. The Leaders, together or singly, should not make that decision for your constituents. You should. That's why they elected you, and you owe it to them to give them your best effort."

Speaker Breslin: "The Gentleman from Lake, Representative Churchill."

Churchill: "Point of Order, Madam Speaker."

Speaker Breslin: "State your point."

Churchill: "I believe that there had been offered, a substitute Motion, and there was a ruling of the Chair that the substitute Motion was not in proper form. I believe if you look on pages 128 and 129 of Roberts' Rules of Order, 'Scott Foresman' Newly Revised, you'll find that it provides for the substitute Motion to prevail in favor of the original Motion."

Speaker Breslin: "We will certainly look at it. The Gentleman from Macomb... Macon, Representative Tate."

Tate: "Thank you, Madam Speaker. Since this is probably one of the most critical issues facing the state, I would request that the Chair have a Oral Verified Roll Call on this

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Motion."

Speaker Breslin: "Representative Tate, Rule 57 provides that only the Speaker shall determine whether or not we will have an Oral Verified Roll Call. So, you're not the Speaker yet, so you're not quite at that position. But we will certainly consider your request. Representative Tate, do you wish to speak to the issue?"

Tate: "Yes, thank you, Madam Speaker. Since the last two days, we have had 14 different illnesses in the Appropriation Committee. I then would request, in the unlikely event that this Motion would receive the requisite number of votes, that I would ask for a verification."

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

Vinson: "Madam Speaker, I have already spoken to the Motion. It's on a parliamentary inquiry."

Speaker Breslin: "State your inquiry."

Vinson: "My understanding is that under Rule 55, any 10 Members may request and demand an Oral Verified Roll Call, and I would like to ask 10 Members to join with me in so requesting right now. Madam Speaker, if you would look out at the chamber, you would see that the requisite number of Members have joined me."

Speaker Breslin: "Representative Vinson, you should read the rule again before we look at people's hands. That rule applies to getting a Verified Roll Call, not getting an Oral Verified Roll Call. Now, Representative Tate has already requested for a verification of the Roll Call if that was necessary, and we will certainly allow that. Representative Vinson."

Vinson: "Let me read you what the rule says. 'Upon such demand, the Speaker shall order a Verified Oral Roll Call.' You should read the rule, if it would make a difference."

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

McCracken: "To the Point of Order. The second and third sentences of Subparagraph (d) of Rule 55 should be read in their entirety. *Prior to the commencement of the vote on any question, any 10 Members may demand a Verified Roll Call vote in lieu of the electrical Roll Call vote. Upon such demand, the Speaker shall order a Verified Oral Roll Call.* I respectfully submit that Representative Vinson is absolutely correct. Tate. Tate, I'm sorry."

Speaker Breslin: "Okay, we're going to agree. We'll have an Oral Verified Roll Call. Hurray. Now, we still have to answer Representative Churchill's question. He still wants to go back to a substitute Motion. Representative McCracken, do you still seek recognition? For what reason do you rise?"

McCracken: "To the Motion that the substitute Motion precede a vote on this Motion. I would like to address myself to that issue briefly."

Speaker Breslin: "Go right ahead."

McCracken: "As... As you know, Madam Speaker, when the House Rules are silent on an issue, and Roberts' Rules speaks on those... on that same issue, then Roberts' Rules of Order will apply. The question of the precedence of the Motion is not addressed in our rules, and therefore, Roberts' Rules of Order should apply. Roberts' Rules of Order describes a substitute Motion as a Motion which takes precedence in order over the underlying Motion, and for that reason, I believe that it's proper that the substitute Motion be voted on first."

Speaker Breslin: "Representative Greiman on the issue."

Greiman: "Yes, Speaker, first I would comment that we have faced this problem before in the parliamentary rulings of this House, and we... and it has been held several times that is

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the custom of this House and the orderly process of this House to provide for consideration of the Motion so that the Sponsor of that Motion may proceed, and we have held that often. However, in Section Rule 72 does provide for a precedence in Motions, and it says that no Motion shall be entertained while a matter is under debate except for a series of Motions which deal with tabling the previous question... a number of other things, striking the enacting clause and such other things. So that, in fact, we do have... our rules do speak to this issue, and I think that the Speaker was correct in her original ruling, and I would ask that we proceed with this debate."

Speaker Breslin: "Representative Greiman, you are exactly correct. Representative Churchill... Where is Representative Churchill? The Chair is going to rule that under Rule 72, that we are going to proceed with Representative Greiman's Motion, that your Motion does not take precedence under Rule 72. And we also think that that advances the orderly consideration of this Motion. And we are prepared to go to that Motion at this time. Representative Greiman, you are recognized to close."

Greiman: "Thank you, Speaker. I... I have a Calendar I own, and I look at it every now and then, and I noticed that hearing... some of the Representatives talk about the... today's conference down in the Governor's Office, it sounds like it's the first... very first conference that we've had. The truth of the matter is that last Wednesday, there was a summit conference of the Legislative Leaders and the Governor of this state regarding this issue, and that on the day following that, on the day following that, the Members on the other... many Members on the other side of the aisle - not all, just a few, actually - determined that they would not allow the vehicle Bills to be extended.

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Now, a week later, they come to the conclusion that, 'My God, maybe we should.' Never mind that 81 people voted for that Motion last week and that it won with a lot of Republican Help as well as Democratic help, and that people... that the... the very speakers who were talking about this process who somehow forgot that there was a summit meeting last week, who somehow forgot about that Motion last week, indeed, are crying about this week. This is just one of the many things that are possible to be used as a... as a... for consideration of the insurance liability crisis, if you will. Make no mistake. Make no mistake. We understand the importance of legislation to address the issue of affordability and accessibility of insurance for Illinois residents. We understand that, and we are deeply committed to providing Illinois residents with the kind of legislation that will indeed make insurance accessible and affordable and not strip individuals of their rights before the law. And so, the truth of the matter is that this is much ado about nothing. This is no substance today we pass. Indeed... meetings are going on. Indeed, there will be a debate in this floor, and I'm sure it will be a long... there will be long and hard debates on this floor. And indeed, the process will work. I hear about people over... some of the folks who spoke talking about something about vehicles. Some of those have driven more vehicles than are on the average highway in the course of a morning... in this General Assembly. And the truth is that it's almost humorous to think that they... they are somehow shamed and shocked by that sort of thing. But the truth is, we are committed to address this issue. This is one of the places where the issue can be addressed, and it's appropriate, and I ask for thinking people to give this an 'aye' vote. Thank you."

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Speaker Breslin: "The... The question is, 'Shall the House refuse to recede from House Amendment 41 to Senate Bill 120C?' All those in favor will vote 'aye' and all those opposed will vote 'no'. This will an Oral... This will be an Oral Verified Roll Call. The Clerk will open the call now, close it immediately, then Members will be called by person... Representative Churchill what is your point of order?"

Churchill: "Madam Speaker, you made a ruling a moment or two ago on the Motion to substitute. I would call to your attention and to the attention of the Parliamentarian, Rule 72, which permits a Motion to amend to be entertained when a question is under debate. The Section that I referred you to in Roberts' Rules of Order claims that a Motion to substitute is a Motion to strike, that being a Motion to amend, which properly puts it in the position where a Motion to substitute can take precedence over the Motion on the floor. And I would ask that you take another look at it."

Speaker Breslin: "The Chair disagrees with you, Representative Churchill. Your Point of Order is not well taken. As I was saying, in this Oral Verified Roll Call, your name will be called. You are to tell us how you wish to vote, and the Clerk will vote you. You are not to push the button yourself. Okay? We are ready to proceed on the Motion before us. All those in favor will vote 'aye', all those opposed will vote 'no'. Proceed, Mr. Clerk."

Clerk Leone: "Representative Alexander. Alexander votes 'aye'. Representative Barger. Representative Barger votes 'no'. Representative Barnes. Representative Barnes votes 'no'. Representative Berrios. Representative Berrios votes 'aye'. Representative Black. Representative Black votes 'no'. Representative Bowman. Representative Bowman votes

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'aye'. Representative Braun. Representative Braun votes 'aye'. Representative Breslin. Representative Breslin votes 'aye'. Representative Brookins. Representative Brookins votes 'aye'. Representative Brunsvold. Representative Brunsvold votes 'aye'. Representative Bullock. Representative Bullock votes 'aye'. Representative Capparelli. Representative Capparelli votes 'aye'. Representative Christensen. Representative Christensen votes 'aye'. Representative Churchill. Representative Churchill votes 'no'. Representative Countryman. Representative Countryman votes 'no'. Representative Cowlshaw. Representative Cowlshaw. Representative Cowlshaw votes 'no'. Representative Cullerton. Representative Cullerton votes 'aye'. Representative Curran. Representative Curran votes 'aye'. Representative Currie. Representative Currie votes 'aye'. Representative Daley. Representative Daley votes 'aye'. Leader Daniels. Daniels votes 'no'. Representative Davis. Representative Davis votes 'no'. Representative DeJaegher. Representative DeJaegher votes 'aye'. Representative DeLeo. DeLeo votes 'aye'. Representative Deuchler. Representative Deuchler votes 'no'. Representative Didrickson. Representative Didrickson votes 'no'. Representative Dunn. Representative Dunn votes 'aye'. Representative Ewing. Representative Ewing votes 'no'. Representative Farley. Representative Farley votes 'aye'. Representative Flinn. Representative Flinn votes 'aye'. Representative Flowers votes 'aye'. Representative Virginia Frederick. Representative Virginia Frederick votes 'no'. Representative Dwight Friedrich. Representative Dwight Friedrich votes 'no'. Representative Giglio. Representative Giglio votes 'aye'. Representative Giorgi. Representative Giorgi votes 'aye'. Representative

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Goforth. Representative Goforth votes 'no'.
Representative Greiman. Representative Greiman votes
'aye'. Representative Hallock. Representative Hallock
votes 'no'. Representative Hannig. Representative Hannig
votes 'aye'. Representative Harris. Representative Harris
votes 'no'. Representative Hartke, 'aye'. Representative
Hasara. Representative Hasara votes 'no'. Representative
Hastert. Representative Hastert votes 'no'.
Representative Hawkinson. Hawkinson votes 'no'.
Representative Hensel. Representative Hensel votes 'no'.
Representative Hicks. Hicks votes 'aye'. Representative
Hoffman. Representative Hoffman votes 'no'.
Representative Homer. Representative Homer votes 'aye'.
Representative Huff. Representative Huff votes 'aye'.
Representative Johnson. Representative Johnson votes 'no'.
Representative Keane. Representative Keane votes 'aye'.
Representative Kirkland. Representative Kirkland votes
'no'. Representative Klemm. Representative Klemm passes.
Representative Koehler. Representative Koehler votes
'no'. Representative Krska. Representative Krska votes
'aye'. Representative Kubik. Representative Kubik votes
'no'. Representative Kulas. Representative Kulas votes
'aye'. Representative Laurino. Representative Laurino
votes 'aye'. Representative LeFlore. Representative
LeFlore votes 'aye'. Representative Leverenz.
Representative Leverenz votes 'aye'. Representative Levin.
Representative Levin votes 'aye'. Representative
Martinez. Representative Martinez votes 'aye'.
Representative Matijevich. Representative Matijevich votes
'aye'. Representative Mautino, 'no'. Representative
Mautino votes 'no'. Representative Mays. Representative
Mays votes 'no'. Representative McAuliffe. Representative
McAuliffe votes 'no'. Representative McCracken.

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Representative McCracken votes 'no'. Representative McGann. Representative McGann votes 'aye'. Representative McMaster. Representative McMaster votes 'no'. Representative McNamara. Representative McNamara votes 'aye'. Representative McPike. Representative McPike votes 'aye'. Representative Mulcahey. Representative Mulcahey votes 'aye'. Representative Nash. Representative Nash votes 'aye'. Representative O'Connell. Representative O'Connell votes 'aye'. Representative Olson. Representative Olson votes 'no'. Representative Panayotovich. Representative Panayotovich passes. Representative Pangle, 'aye'."

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

Pangle: "Thank you, Madam Speaker. At the beginning of the debate, I sat here and I listened to the other side of the aisle saying, 'The importance of this issue is nonpolitical. Both sides have to work together. We've got to consider the issues for the people, the businesses, industry.' It said, 'This is not a political issue.' I agreed with that philosophy to the point that the other side then said, 'We will have an Oral Verified Vote.' And to me, that meant that this is a political issue and in fact, they are making it a political issue, and I vote 'yes'."

Clerk Leone: "Pangle votes 'aye'. Representative Parcells. Parcells votes 'no'. Representative Parke. Parke votes 'no'. Representative Bernard Pedersen. Pedersen votes 'no'. Representative William Peterson. Peterson votes 'no'. Representative Phelps. Phelps votes 'aye'. Representative Piel. Piel votes 'no'. Representative Preston. Representative Preston. Representative Preston votes 'aye'. Representative Pullen. Pullen votes 'no'."

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Representative Rea. Rea votes 'aye'. Representative Regan. Regan votes 'no'. Representative Rice. Rice votes 'aye'. Representative Richmond. Richmond votes 'aye'. Representative Ronan. Representative Ronan votes 'aye'. Representative Ropp. Representative Ropp votes 'no'. Representative Ryder. Ryder votes 'no'. Representative Saltsman. Saltsman votes 'aye'. Representative Satterthwaite. Satterthwaite votes 'aye'. Representative Shaw. Shaw votes 'aye'. Representative Slater. Slater votes 'no'. Representative Stange. Stange votes 'no'. Representative Steczo. Steczo votes 'aye'. Representative Stephens. Stephens votes 'no'. Representative Stern. Stern votes 'aye'. Representative Sutker. Sutker votes 'aye'. Representative Tate. Tate votes 'no'. Representative Terzich. Terzich votes 'aye'. Representative Tuerk. Tuerk votes 'no'. Representative Turner. Turner votes 'aye'. Representative Van Duyne. Van Duyne votes 'no'. Representative Vinson. Vinson votes 'no'. Representative Wait. Wait votes 'no'. Representative Washington. Representative Washington votes 'aye'. Representative Weaver. Representative Weaver votes 'no'. Representative White. White votes 'aye'. Representative Williamson. Williamson votes 'no'. Representative Wojcik. Representative Wojcik votes 'no'. Representative Wolf. Wolf votes 'aye'. Representative Anthony Young. Anthony Young votes 'aye'. Representative Hyvetter Younge. Hyvetter Younge votes 'aye'. Representative Zwick. Representative Zwick votes 'no'. Mr. Speaker. Speaker votes 'aye'."

Speaker Breslin: "Representative Klemm votes 'aye'... votes 'no'. I don't mean to tell you how to vote. On this question, there are 64 voting 'aye', 53 voting 'no', and none voting 'present', and the Motion carries. Ladies and Gentlemen,

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knowing that this would be the case, that these Acts would come up for review and in the absence of review or extension, they would expire by their own terms, something that is long overdue, and I rise in opposition to the Bill."

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

Ewing: "Would the Sponsor yield?"

Speaker Breslin: "He will."

Ewing: "I'm not sure who's handling this."

Speaker Breslin: "Representative Bowman."

Ewing: "Thank you. Representative Bowman, can you tell me... this... did this Joint... House Joint Resolution go to a Committee? Was it considered by a Committee?"

Bowman: "It went only through the Rules Committee."

Ewing: "Did we, then, bypass any other Committee to bring it here to the floor, or was that necessary?"

Bowman: "Yes. Yes, we bypassed Committee to bring it directly to the floor."

Ewing: "Do you know... Do you know when that action was taken?"

Bowman: "No, I don't recall, but it's in your synopsis and digest. I can... I can look it up, but you could look it up probably just as fast."

Ewing: "Well, it would take more time if you looked it up."

Bowman: "I'll have our staff work on it. Would you have another question? I'll have our staff look it up while we discuss the matter."

Ewing: "Yes, I was wondering if you could tell me why this... why we chose to bypass Committee on this important issue?"

Bowman: "Well, Representative Ewing and Madam Speaker, it seems to me that some questions have been raised about this that maybe we could just discuss without taking everybody else's time. So, I'd like to take this out of the record at the

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the next Order of Business is Senate Bills Third Reading - Local Government. It appears on page three on your Calendar. The first Bill is Senate Bill 1814, Representative Phelps. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1814, a Bill for an Act in relationship to... "

Speaker Breslin: "Excuse me. Excuse me, Mr. Clerk. With regard to Senate Bill 1200, the Membership should know that we refuse to recede, and we are establishing a Conference Committee Report on... establishing a Conference Committee on Senate Bill 1200. Proceed, Mr. Clerk."

Clerk Leone: "Senate Bill 1814, a Bill for an Act in relationship to county Jails. Third Reading of the Bill."

Speaker Breslin: "Representative Phelps."

Phelps: "Madam Chairman, Ladies and Gentlemen of the House, a question. Was there not an Amendment filed... circulated on this?"

Speaker Breslin: "There is an Amendment #2 filed that is still waiting action. Do you wish to move it back to Second Reading for that purpose?"

Phelps: "Yes, I would."

Speaker Breslin: "Representative Phelps moves to return this Bill to the Order of Second Reading for the purposes of an Amendment. Is there any objection? Hearing none, the Gentleman has leave. Read the Bill on Second, Mr. Clerk."

Clerk Leone: "Senate Bill 1814 on the Order of Second Reading. Amendment #2, offered by Representative Hawkinson."

Speaker Breslin: "Representative Hawkinson."

Hawkinson: "Thank you, Madam Speaker. The Amendment was discussed in Committee. It deals not with the Revolving Loan Fund, the main portion of the Bill, but rather with a day-to-day good time provision that's currently in the Bill. This Amendment would provide that that day-to-day

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good behavior would not apply to a sentence of periodic imprisonment unless it was so authorized by the sentencing Judge. I would move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 1814. Is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Representative Phelps now asks leave for immediate consideration of Senate Bill 1814 as amended. Are there any objections? Representative McCracken. The Gentleman then moves for immediate consideration of Senate Bill 1814 as amended. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Gentleman is seeking immediate consideration for a Bill that was just amended by Representative Hawkinson. Representative McCracken."

McCracken: "Parliamentary inquiry. Does this require 71 votes?"

Speaker Breslin: "Yes, it does, I believe."

McCracken: "I'll be seeking a verification."

Speaker Breslin: "Remember, the Gentleman has requested a verification of this Roll Call. It requires 71 votes for passage. For immediate consideration, I mean. Have all voted who wish? The Clerk will take the record. On this question, there are 69 voting 'aye', 45 voting 'no', and none voting 'present'. The Gentleman does not have leave. Senate Bill 1930, Representative Wojcik. Clerk, read the Bill. Representative Wojcik?"

Wojcik: "Yes."

Speaker Breslin: "Have you read the Bill, Mr. Clerk?"

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Wojcik: "I'm waiting for the Bill to be read."

Clerk Leone: "Senate Bill 1930, a Bill for an Act to amend the Intergovernmental Cooperation Act. Third Reading of the Bill."

Speaker Breslin: "Representative Wojcik."

Wojcik: "Yes, Madam Speaker and Members of the House. What this Bill does, it amends the Intergovernmental Cooperations Act to revise the structure and powers of municipal joint action agencies which are formed by intergovernmental agreement to provide for the collection and disposal of municipal waste. It also allows counties to become members of such agencies, specifies that property and income of such agencies are tax exempt."

Speaker Breslin: "The Lady has moved for the passage of Senate Bill 1814. And on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill... Shall Senate Bill 1930 pass?' That is the question. Senate Bill 1930. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 111 voting 'aye', none voting 'no', and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2022, Representative Bowman. Clerk, read the Bill. Representative Giglio in the Chair."

Clerk Leone: "Senate Bill... Senate Bill 2022, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill... Senate Bill 2022 deals with townships which are coterminous with cities. There are approximately

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18 of these statewide. It deals primarily with those that are paying the maximum grant levels that are at their maximum tax rates and might wish to pay beneficiaries more than... more than the state law requires and pay that additional amount out of their own pockets. The bill would provide that in that case, they may do so out of their own resources without being penalized by the state by a total withdrawal of all state support for the general assistance program. This would most immediately apply to townships such as my own, but also to townships such as Alton and Freeport and Bloomington and Urbana, Macomb and several others. So, it indeed is a Bill that, while limited in nature, does have a good distribution throughout the state in its... in its support, and will cost approximately 700,000 dollars according to the fiscal note filed by the Department. I believe it is a reasonable proposal. Provides for a maximum amount of local control, and I support... I mean, move for its passage."

Speaker Giglio: "The Gentleman moves for the passage of Senate Bill 2022. And on that question, Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Bill for two reasons, both related to the fact that it costs money. It is an expensive program. It is not something that can be done free. The first reason is that there is no valid reason for the distinction that this Bill calls upon the General Assembly to make. Coterminous townships are not townships that are particularly likely or liable to have welfare populations. Coterminous townships are not unique in that regard. And so, there is no reason for a special welfare program targeted toward coterminous townships which ignores the other townships in this state. As a matter of fact, if you look at the townships in this state that are

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coterminous, in many cases, they're relatively wealthy townships, as opposed to townships like the township that Robbins is in, some of the other townships which have substantial public aid populations, substantially... substantial indigent populations. So, there is no rational reason on a reasonable distinction basis for making this program, for creating this program. Secondly and more importantly, if we are ever going to deal with the problems of poverty in this state, we should do so by putting money into education, money into the common schools, and what this program does is to set up another alternative to spending on the common schools, another competitor for the common schools. If you want to go home to your teachers, to your school districts, to the citizens in your Legislative District and say, 'I chose to spend more money on welfare and less on education,' then you ought to vote 'yes' on this Bill. But if you want to go home and say that education's my priority. I think money ought to be put behind education and I'm willing to make the hard decisions necessary, then you ought to vote 'no' on this Bill. I'd urge a 'no' vote."

Speaker Giglio: "Any further discussion? Representative Bowman... Excuse me. Representative Ryder."

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

Speaker Giglio: "He indicates he will."

Ryder: "Representative, it's my understanding that this Bill is limited only to coterminous townships. Is that correct?"

Bowman: "That is correct."

Ryder: "So that only those townships that are coterminous would receive this extra money and in many cases, those are the richest areas of the state, rather than those areas that are the most needy."

Bowman: "Wait a minute, Representative Ryder. Let me point out

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something. In order... "

Ryder: "I'm listening."

Bowman: "Well, in order to receive whatever state support this provides, one... the township has to pay the recipients more than the amount the state would otherwise authorize and...and do so out of its own pocket. So, I want to point out that this is not necessarily an automatic... the effect of this is not necessarily automatic, and by the way, the other way of looking at it is that this avoids a state penalty if the township wishes to be more generous, but anyway, proceed with your question."

Ryder: "Does any of these funds go to the City of Chicago?"

Bowman: "No, because the City of Chicago's program is run entirely by the State Department of Public Aid."

Ryder: "So none of these funds go to the City of Chicago and we are, in essence, expanding the state's welfare costs. Is that also correct?"

Bowman: "By 700,000 dollars. 700,000 dollars out of the... "

Ryder: "700,000 is the cost of this?"

Bowman: "700,000 dollars."

Ryder: "Okay. Now, but we're doing this through townships. We're not doing it through public aid."

Bowman: "Well, it's the general assistance program run through townships."

Ryder: "General assistance through townships?"

Bowman: "Yes. Yes."

Ryder: "Which is to say that the rules and regulations and the rights of the individuals that are established under public aid do not necessarily apply to those who are receiving this through the townships' general assistance program?"

Bowman: "Well, Representative Ryder, the whole point of this is to permit townships to pay more than the state authorizes and... and as we all know, \$154 or a \$149 in some cases is

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quite low, and it doesn't preclude the Department from writing rules and regulations. I mean, they, after all, have to spend the money."

Ryder: "Thank you, Representative. To the Bill. I also stand in opposition for the reasons that I have expressed in the discussion on these. We're spending additional state funds for some of the riches areas of the state. Areas such as Evanston comes to mind for some reason, and these are areas that have some of the highest per capita. We're not spending this money where the money may be needed which may be the City of Chicago, may be downstate. We're taking away part of these funds, \$700,000, from the State of Illinois through their normal processes and we're allowing it to be spent in other ways. It's a dangerous precedent, and I stand opposed to it and urge a 'no' vote."

Speaker Giglio: "Further discussion? Representative Ropp."

Ropp: "Thank you, Mr. Speaker. Just to clarify some of the thoughts that it only goes to the wealthiest, if you want to read down some of the other townships and counties that receive funds, certainly, I come from a county that doesn't claim to be the poorest, but it certainly doesn't claim to be the wealthiest. It is one of those coterminous areas, one that has found some problems in the last several years in trying to resolve some of their financial differences and this does provide for giving some added assistance to those people in need. So, it is not necessarily Evanston, but, there are other counties that are downstate that are very much in support of this proposal."

Speaker Giglio: "Representative Piel, the Gentleman from Cook."

Piel: "Thank you, Mr. Speaker. Will the Gentleman yield to a question?"

Speaker Giglio: "He indicates he will."

Piel: "Representative Bowman, just out of curiosity, how does

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AFSME stand on this bill?"

Bowman: "I don't think AFSME has a position on this Bill."

Piel: "Do you realize why I'm asking the question?"

Bowman: "Why don't you just tell us?"

Piel: "No, no, I'm just... because this was part of the AFSME contract with the state. It was because that it was agreed that if any municipality, township received state funds that they would have to go with the prevailing rate. Now, your Bill circumvents that."

Bowman: "Hey, I've got news for you, Representative Piel."

Piel: "Let's not get testy, Woody. Don't get testy. Don't get testy. Don't get testy. You don't have to raise your voice to me, I can hear you. Just relax."

Bowman: "Most of these townships pay more than the townships that the state regulates. This... well, Representative Piel let's just keep the discussion on track and not introduce extraneous issues. Go ahead."

Piel: "No, I'm just asking a question. I'm not. Basically, what you are doing, we're sitting right here with a situation that if we use state funds that we will pay the prevailing rate. But, your Bill is opposite where they can pay the going rate which is less than the prevailing rate that we pay AFSME employees. Don't shake your head no, I'm right. I'm right. You better check into it before you sit here because this will be a lower rate than what we are required under law, right now, to pay. And I just thought I would ask the question. Obviously, you don't know the answer. Thank you very much."

Speaker Giglio: "Further discussion. The Gentleman from Lake, Representative Peterson."

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

Speaker Giglio: "Indicates he will."

Peterson: "Representative, would you elaborate on the 700,000

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dollars that has been talked about regarding the cost of this particular piece of legislation? Isn't it a fact that the townships who are levying the one mil and who are not, for various reasons, opting to become a receiving township, aren't they entitled to that 700,000 if they would so desire to become a receiving township?"

Bowman: "Yes, you are absolutely right, Representative Peterson."

Peterson: "So, what we're saying is that at the local level these townships are taking the state off the hook for 700,000 dollars because they would rather transfer money from revenue sharing, from their corporate fund into the GA fund to make up the additional cost over one mil that they can levy."

Bowman: "That's absolutely right, Representative Peterson. Right now, these townships are taking the state off the hook for that amount. And, one of these days, if we don't pass this Bill, one of these days, those townships are just going to walk away and hand the state a bill. And, they'll say, 'Okay, we'll do it your way. Here's the bill.'"

Peterson: "So, in essence were not really taking money away from education or any other area because these townships that are levying the one mil are entitled to the 700,000 if they so opt to. So, we really, those people are saving the state 700,000 dollars and what they are saying is, 'We would like the state to come in and we would like to have them help us as a receiving township. All we would like to do out of our own local revenues is to pay an additional amount to raise that stipend or that grant.'"

Bowman: "That's absolutely right, Representative Piel (sic - Peterson). It's either pay now or pay later and the advantage of this Bill... really this Bill doesn't have a cost effect, from that point of view. And, the real advantage of

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the Bill is it maximized local control, and after all, that is one of the things that every one of us on the floor of this House, has at one time or other has gotten up and made a speech on, because, I think all of us cherish the idea of maintaining as much local control as possible, and that is exactly what this Bill provides."

Peterson: "Thank you, Mr. Speaker, to the Bill. I would encourage a 'yes' vote for this piece of legislation."

Speaker Greiman: "Further discussion? The Gentleman from Kendall, Representative Hastert."

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

Speaker Greiman: "He indicates he will."

Hastert: "Representative Bowman, a couple of questions on this. First of all, it allows coterminous townships, okay, to give a larger stipend, right, than what the state allows?"

Bowman: "Yes, that's right. Without... by the way, without withdrawal of state support for the basic program that is to say the floor on the grant, yes."

Hastert: "And, the cost of 700,000 dollars then you're saying will never come out of state funds?"

Bowman: "No, what I said... I think the exchange between me and Representative Peterson pointed out that at the present time the state is being, really, saved this amount of money by the generosity of the local townships and they are really paying very dearly for it and all we're really saying with the Bill is that the state will not penalize a local township if they decide to pay more to the beneficiary out of their own resources, that's all. That's all."

Hastert: "So, now those townships can do this now, right?"

Bowman: "Well, for example my own township; yes, we pay more than

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the state authorized \$154, and it... in Evanston, it is more expensive to live and \$154 doesn't do anything. So, that we feel obliged to supplement and what do we get for it? We get a kick in the teeth. The state says, 'Well, because you are not going to play it our way, because you want to pay more, even if you're willing to do that out of your own resources, we're just going to withdraw all state support 100 percent. And I think that's unfair. It's unfair to my township and to the other townships involved.'

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

Speaker Giglio: "Proceed."

Hastert: "I understand what the Sponsor of this Bill are trying to do and certainly, if I was from his township, I think there would be some credibility in trying to do this. But, I think philosophically we have to look at what we're doing in the State of Illinois and what we are doing with township government. When we raise the stipend of those recipients, what we're saying is, 'Yes, we're going to take care of you. The State of Illinois will take care of you. The township that you live in will take care of you. But, we're going to pay you more and more and more dollars to be on public aid.' It's a... to me, a reverse of what should happen. What we should do is say, you know, give people the incentives to go to work, give people the incentives to get off of public aid, and the bigger that you make that stipend and the bigger you make the dollar award or the dollar amount, the more people that we are going to attract to be on public assistance. And, so, I would think it would be a good fiscal policy to vote 'no' on this issue."

Speaker Giglio: "Further discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "To request a verification if this appears to get the

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requisite number of votes."

Speaker Giglio: "Further discussion? Representative Bowman, to close."

Bowman: "Thank you, Ladies and Gentlemen of the House. I really... I have a hard time believing that we are actually having a controversy over this Bill. Number one, the basic principle of the Bill says that the state's role is to establish a minimum grant. If a local area running a local general assistance program wants to be more generous and wants to do so out of its own resources, that it can do so without getting a kick in the pants from the state, without having the state saying, 'Okay, we're taking away all support from you, every way, shape or form. If you want to do... go over the threshold by one dollar, we're withdrawing all of our support. We're taking our marbles and going home.' That's what the local area gets for its efforts to meet the needs of its own citizens. This Bill maximizes local control over the program, and it does so in an equitable way. The townships that are involved cover the state. They are in the north. They are in the south. They're in the suburban areas, and they're in central Illinois and southern Illinois. So, everybody has an opportunity to take advantage of this, if they're a conterminous township. Now, I, if this Bill passes and is signed, I will be happy to expand the program based on our experience in that... in those townships. My feeling is that there would be a relatively small number of townships statewide that would take advantage of this, but, in those townships, the principle... it seems to me the principle is important. The people, the citizens in those townships will be cared for in accordance with locally determined need levels. We... it is not the intention, my intention to change the eligibility standards in any way, shape, or

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form. I don't think the Bill speaks to the eligibility standards. It is certainly my intention to keep the eligibility standards so that we are not narrowing eligibility. I think it is a fair bill. It is one that does benefit various parts of the state. It is one that most of all benefits the general assistance recipients, and for that reason, I ask for your 'aye' vote."

Speaker Giglio: "The question is, 'Shall Senate Bill 2022 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. In the opinion... Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I think that it is unconscionable that we ask people of the State of Illinois to live on an income of \$154, which is what it is in Champaign County. There is no way that anyone can stretch that amount of money to cover the housing cost for the housing that would be available in that area. For an area that does have a high cost of living, if they choose, at the township level, to provide additional assistance, they should certainly not be penalized for giving that additional assistance. If you have any moral standards, you should be permitting local areas to give more than that meager amount."

Speaker Giglio: "The Gentleman from Cook, Representative Bowman."

Bowman: "Just to explain my vote. Okay, I know that not every one of us on the floor of this House is going to be able to take advantage of the program as it is established in here. It is limited to coterminous townships. I did that to be fiscally responsible. However, we all have our own projects. You have yours, I have mine. We rarely come to this House with a program that literally affects everybody

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in the state absolutely equally. All I'm asking for in this piece of legislation is for my citizens and for those from other townships similarly situated to be able to pay a public aid recipient, general aid recipient, more than the state minimum out of our own resources, 100 percent, without the state withdrawing its support for the minimum grant. That is all the Bill does. It doesn't hurt anybody's township. There is no attempt here, and in fact, no way that this Bill can hurt anyone's township, and it does benefit some, and it is fair, and that is why I'm asking for your vote."

Speaker Giglio: "Representative Rice, one minute to explain your vote."

Rice: "Mr. Speaker and Members of this House, if an individual receives \$154 and he deals with a landlord who gets according to the... Section 8, \$211 per room, he's automatically sacrificing his food stamps to have a piece of shelter over his head. And, it is certainly ridiculous for us to sit here and say that that person is not going to steal and do the other kind of things to just keep shelter over his head. Now, \$154 and taking another x-amount of money out of his food stamps is ridiculous to pay the national normal rent of \$211 without heat and gas and light. And, I think we are ridiculous in our effort in not putting a 'yes' up on that board."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 44 voting 'yes', 64 voting 'no', 5 voting 'present', and this Bill fails. We're going to return to page two of the Calendar under Local Government, Senate Bill 937. This Bill is on Second Reading."

Clerk Leone: "Senate Bill 937, on page 10 of your Calendar,

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amends an Act in relationship to certain projects financed through the issuance of certain bonds. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Any floor Amendment."

Clerk Leone: "Floor Amendment #1 is being offered by Representative Dunn."

Speaker Giglio: "Representative Dunn."

Dunn: "Amendment #1... Hold it a minute. Some of these, we have to withdraw. There's a... I would like to withdraw Amendment #1."

Speaker Giglio: "The Gentleman withdraws Amendment #1. Further Amendments."

Clerk Leone: "Floor Amendment #2, offered by Representative Dunn."

Speaker Giglio: "Representative Dunn, on Amendment #2 to Senate Bill 937. Representative Dunn."

Dunn: "Amendment #2 becomes the Bill. It deletes everything after the enacting clause and becomes the Bill. This Amendment would incorporate into this piece of legislation, a Bill which we discussed earlier which supplements the Illinois Emergency Employment Development Act which we passed a year or so ago and is now law. That legislation provides for incentives for employers to employ those who are out of work and receiving welfare benefits. It does not involve job training. It simply says, if an employer wishes to hire someone who isn't working, the State of Illinois will subsidize the employer and the subsidy will be half of the hourly wage up to a subsidy of \$4.00. So, an hourly rate up to \$8.00 could be subsidized. This Amendment... well, I should give one more historical situation, one more piece of background. The original Bill, as it went into law, met with some resistance because the Bill provides for employment for six months - the law

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does - and if the employee is not kept during the second six months, there can be a penalty. Employers said, 'Why should I hire someone and try to be a good person and take someone off the rolls even though I get a subsidy, if I'm exposed to a penalty?' Amendment 2 to this Bill will correct that situation and provide for the original six month subsidy, but if the... and no penalty. The penalty provision is removed, and if an employer chooses to keep an employee on the welfare... on the employment rolls for an additional six months, there will be a one-time subsidy, and it will be equal to one month of subsidy, which was received previously. So, I would ask for adoption of Amendment #2 to Senate Bill 937."

Speaker Giglio: "The Gentleman moves for adoption of Amendment 2 to Senate Bill 937. And on that question, Representative McCracken. Representative McCracken, you seeking recognition? Representative Mays."

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

Speaker Giglio: "He indicates he will."

Mays: "I missed part of your presentation, Representative. Is this... the content of this Amendment similar to content we saw on the House floor about a month ago in a House Bill?"

Dunn: "Yes."

Mays: "What was that House Bill number?"

Dunn: "I don't recall, right now."

Mays: "And, it provides incentives to people that..."

Dunn: "I recall that you were opposed to it."

Mays: "Yes, I think I was opposed to it, as a matter of fact, and I was going ask you if you could recall the reasons I was opposed to it, because I can't right now."

Dunn: "Yeah, well I... there is a price tag and it's not in the Governor's budget. That's probably why. And there is a

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two million dollar appropriation for this project and I would suspect that that was the bottom line with regard to the opposition. Nevertheless, it is a good program. It is... the reason that... I don't know why it's not in the Governor's budget, frankly, because this Bill became law a year ago this time, and there was a general understanding that the Governor's Office would support funding for this program. However, there was not a Supplemental last fall and it did not show up in the Governor's budget this year. I don't know what happened. It is a good program. It's my understanding it met with his support, and it is law. So, we should get it going, and when we tried to get it going there was some opposition because there is a penalty provision in the current law. This Amendment would take the penalty out and insert a bonus."

Mays: "Now what... was the penalty that we're talking about? If a person gets benefits fraudulently or..."

Dunn: "I think the... no, no, no, no, no. There was a penalty in the original Bill. The original Bill provided for a subsidy during the first six months of employment, but then, I think the employer had to keep the employee on a second six months without subsidy and if during that second six months the employee was discharged or laid off the employer could forfeit the subsidy. Hay have to pay it back. And, the employer said that... 'We don't know what our layoff situation will be down the road. We don't want to be exposed to a penalty. If we are going to be subsidized, that's one thing, but we don't want to be exposed to a penalty.' That seemed like a reasonable position, so the penalty provision was removed and this Amendment would provide for a flat-out subsidy with no penalty, and a bonus if you keep the employee on board the second six months."

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Mays: "Thank you, Representative. To the Bill. And, let me say this, I appreciate the Representative's candor and I would simply say that those arguments against the Bill that were raised, to the best of my recollection at that time as he recalled, and are still valid, and for that reason, I would oppose this Amendment."

Speaker Giglio: "Further discussion? The Gentlemen from Knox, Representative Hawkinson."

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

Speaker Giglio: "He indicates he will."

Hawkinson: "Representative, just to clarify and perhaps just repeat your initial remarks. This passed out of Committee when there were some representations that the Bill perhaps did some things that the Bill didn't do and there was a commitment by the proponents to gut the Bill in its original form. Your Amendment does that, does it not?"

Dunn: "Yes, it does. It deletes everything after the enacting clause. That's correct."

Hawkinson: "Thank you."

Speaker Giglio: "Further discussion. The Gentleman moves that Amendment #2 be adopted to Senate Bill 937. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments."

Clerk Leone: "Floor Amendment #3, offered by Representative Ewing and Mays."

Speaker Giglio: "Representative Mays, on Amendment #3."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 simply points out a kind of twist that is in existing law. If... as I understand it, if the municipality wants to issue industrial revenue bonds, it has to do so only on the condition that there be a job

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gain. What this Amendment would allow is that if, indeed, the municipality can show that the loss of jobs through the issuance of revenue bonds would be less than otherwise incurred, that then, the revenue bonds could be issued. And, I move its adoption."

Speaker Giglio: "The Gentleman moves for the adoption of Amendment #3 to Senate Bill 937. Further discussion? Hearing none, all those in... Representative Dunn. Representative Dunn."

Dunn: "I rise on a point of order with regard to this Amendment. Amendment #2 having been adopted, I question the germaneness of this Amendment. It may have been well meaning and intended to apply to the original Bill, but Amendment #2 deleted everything after the enacting clause, and this Bill has nothing to do with municipal finances at the present time. So, I think this Amendment is out of order."

Speaker Giglio: "The Gentleman, the Gentleman from Knox, Representative Hawkinson, do you wish to talk on a point of order?"

Hawkinson: "Yes, the point of order, I think, would be that since Amendment #2 completely deleted the Bill, this Amendment is now out of order."

Speaker Giglio: "Your point is well taken, Representative. Representative Mays."

Mays: "I was simply going to raise on Representative Dunn's point, that it was germane but, Representative Hawkinson appears to be right on the line."

Speaker Giglio: "Your point is well taken. Further Amendments?"

Clerk Leone: "Amendment #4, offered by Representative Dunn."

Speaker Giglio: "Representative Dunn, Amendment #4."

Dunn: "#4 is a technical Amendment. It changes the word 'the other' and inserts the word 'all' and it's simply a

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technical Amendment to correct the grammar in the Bill.

So, I ask for adoption of #4."

Speaker Giglio: "The Gentleman moves for the adoption of Amendment #4 to Senate Bill 937. Any discussion? Hearing none, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Also on page two of the Calendar under Local Government appears Senate Bill 2078. 2078. Mr. Clerk, read the Bill."

Clerk Leone: "On page 13 of the Calendar, Senate Bill 2778 (sic - 2078), a Bill for an Act to amend an Act relating to eminent domain. It has been read a second time previously. Amendments #2, 3 and 4 have been adopted."

Speaker Giglio: "Any further Amendments?"

Clerk Leone: "Floor Amendment #5 is being offered by Representative Davis."

Speaker Giglio: "Representative Davis, on Amendment #5 to Senate Bill 2078. Representative Davis in the chamber? Representative McCracken, do you want to take this Bill out of the record? Alright, Mr. Clerk, take the Bill out of the record. On page three of the Calendar on the Special Order of Business appears Senate Bill 1491."

Clerk Leone: "Senate Bill 1491, a Bill for an Act to amend an Act relating to child abuse investigations. Third Reading of the Bill."

Speaker Giglio: "Is Representative DeLeo in the chamber? Representative DeLeo in the chamber? Mr. Clerk, take the Bill out of the record. Representative Breslin in the Chair."

Speaker Breslin: "Senate Bills, Third Reading - Games of Chance. Special Order of Business, Senate Bill 1552.

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Representative Giglio. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1552, a Bill for an Act to amend an Act in relationship to conducting of charitable games. Third Reading of the Bill."

Speaker Breslin: "Representative Giglio."

Giglio: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1552 is the so-called Las Vegas Bill. This Bill came over from the Senate with the provision that was money as a prize. The posture of the House for Senate... for House Bill 3300... that went out of this House overwhelmingly, did not have any prize money. Amendment 21 took that part out of this Bill and that, plus a few technical Amendments, is the only difference between House Bill 3300 and Senate Bill 1552. So, with that Amendment on this Bill, I would ask that all those in favor would vote 'aye' and those opposed 'no'."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1552. And on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1552 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 93 voting 'aye', 18 voting 'no', none voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Giglio in the Chair."

Speaker Giglio: "Okay, we are going to Speaker's Table, Short Debate. On page 17 in the Calendar appears House Resolution 1303. Mr. Clerk, read the Resolution."

Clerk Leone: "House Resolution 1303 directs the Illinois Commerce Commission to review local measured service telephone rates."

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Speaker Giglio: "Representative Breslin, on House Resolution 1303."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. The Illinois Commerce Commission regularly is required to report to us on an annual basis. This Resolution requests that they address a particular issue when they write to us their next annual report, required in January 1 of 1987. The issue surrounds local measured service. There are several telephone companies that are getting into the use of local measured service. It has raised several concerns among the public. What we have asked the Commerce Commission to do is to particularly look at measured service, to review the system and customer satisfaction of local measured service, the economic base of local measured service rates and the inclusion of a timing component in local measured service. We are particularly interested in the timing component, because there is a lot of information that indicates that there is no economic need to put a timing component into the rates. We have also asked that the effect of local rates of exchange and company boundaries under local measured service be reviewed by the Illinois Commerce Commission. This route, this method of going to the Commerce Commission and asking them to address it in their next annual report was recommended by the telephone companies. They would much prefer to be able to argue their case for or against local measured service before the Commerce Commission rather than coming to the General Assembly on that subject. I have agreed with that, and as a consequence, ask for this Resolution. Thank you."

Speaker Giglio: "The Lady asks that the House adopt House Resolution 1303, and on that question, Representative Vinson."

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

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Assembly. And, on this issue, I want to say at the outset that I am speaking as a Legislator who has, for some period of time, represented a district that has had a substantial amount of the kind of service the Lady is talking about. I'm not articulating any particular partisan position. I'm just relating to her and to you what's happened in my district as a result of my district having a great deal of this kind of measured service. My hometown, Clinton, was placed on this system, perhaps two or three years ago and initially the response from people, particularly senior citizens, was rather negative. I had petitions, I had people coming to my office to object to Clinton being placed on this kind of service. There was substantial criticism of it at the very outset. Subsequently, there's been a widespread acceptance of the system, and people who had previously been concerned about it and had expressed negative viewpoints toward it, have come to believe that it's a fair system and that it's not a problem. I think that that is probably the pattern throughout the state. When you initially get a proposal from a telecommunications carrier to move to this kind of system, there is a negative reaction in the citizenry, but almost always, as in the seven or eight communities now in my district that have it there, it then begins to elicit general acceptance and approval, and I think that with that report the... to the Membership, that the Lady's Resolution isn't required, because I think that report is more factual and more pertinent than anything the Commerce Commission would be able to provide. So, I would urge a 'no' vote on the Resolution."

Speaker Giglio: "Further Discussion. The Gentleman from Kendall, Representative Hastert."

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

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Speaker Giglio: "She indicates she will."

Hastert: "Representative Breslin, as you know, last year we spent a great deal of time with telecommunications issues, and local measured service was one of the issues that was... that came to the surface and had a great deal of debate. Last year also, we dealt with the problem of being able to provide universal service to people across the State of Illinois. I would ask you, in your Resolution, if you asked the Commerce Commission to look at both sides of the issue and I think that's... what I'm just asking... so we have a balanced Resolution. Because there are... at least in our testimony that we had last year, evidence that sometimes local measured service is more economical for certain groups of people, and does your Resolution cover that?"

Breslin: "The Resolution does cover that, Representative Hastert. It doesn't advance one side or the other. It just asks for a review of what I previously stated."

Hastert: "So, so, in this... in the study that the Commerce Commission does, and matter of fact, we were... they were supposed to come back and report next year anyway, because we've asked them to do that in the Bill. If this is a balanced Resolution, I'm sure if you offered it, it must be and I just wanted to make sure that we did cover both sides of that because there is evidence that senior citizens and people who are on limited incomes many times are better off with local measured service as opposed to set rate service. Thank you."

Speaker Giglio: "Further discussion? The Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Mr. Speaker. Will the Lady yield?"

Speaker Giglio: "She indicates she will."

Countryman: "Representative Breslin, one of the concerns as this

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has been coming into effect in my district is a dropoff in the number of people having telephones or being able to afford to have telephones. Does this Resolution direct the Commerce Commission to look at the... at that, and whether or not telephone service might fall off?"

Breslin: "The specific wording says that the Commerce Commission should judge customer satisfaction in communities that have switched to local measured service. So, there are 18 communities already on local measured service. So, the ICC should go back and find out whether or not customers were satisfied. Now, I suppose you could argue that if they're not customers any more, maybe... maybe they won't be reviewed. I think the Commerce Commission will look at every testimony... piece of testimony that would be available, I would think."

Countryman: "Well, I would think that that would be a good idea, that we make sure that we're able to provide to the people of this country, under the deregulation that we've had in the telephone industry, the same quality telephone service that we've been able to build over the years and have affordable telephone service to everybody and not just to those who can afford it. And I applaud you for bringing the Resolution. I hope that you would carry forth those goals, and I join in supporting you."

Breslin: "Thank you."

Speaker Giglio: "The Gentleman from Centralia, Representative Friedrich."

Friedrich: "Mr. Speaker, Members of the House, would the Sponsor yield?"

Speaker Giglio: "She indicates she will."

Friedrich: "I'm curious... I'm curious to know, Representative Breslin, how you got this out of Rules Committee. The Rules Committee didn't see fit to get a Resolution which

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addressed the problems that are being created by AT&T, and I just wondered if you have some special influence on that Rules Committee."

Breslin: "I begged and pleaded."

Friedrich: "Pardon me?"

Breslin: "I begged and pleaded."

Friedrich: "Well, I pleaded a little, too, but I'm going have to get you... would you want to consider putting... amending my Bill on that to check into some of the lousy service that AT&T is giving?"

Breslin: "Next year. He'll work on it next year. Okay?"

Friedrich: "Next year. That's a promise. Thank you."

Speaker Giglio: "Further discussion? The Gentleman from McHenry, Representative Klemm."

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

Speaker Giglio: "She indicates she will."

Klemm: "Representative Breslin, I think you and I had some conversation when that Bill came before the Executive Committee about my concerns that every problem that is not resolved by the ICC and those who intervene in cases would be brought before the General Assembly, and we would end up getting involved in rate making and everything else. But you had assured me this was not the intent of your... this Bill... Resolution is not for that purpose in itself. Was that correct?"

Breslin: "That's correct."

Klemm: "One of the questions we had and some of the Members on our side of the aisle expressed concern was that it was a directive to the ICC, a mandate telling them they must do certain things, and you explained that. Perhaps you could briefly explain, is it still a mandate or is it a request?"

Breslin: "It is a request. The language specifically says that

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we request the Commerce Commission to review local measured service and to report back to us on it."

Klemm: "Some of our analysis had indicated that they were directed to do that, and you had clarified in the Committee that it was simply a request. They would probably not refuse it, but they still had that option and we certainly wouldn't think they would. But it was not a directive as such. Is that correct?"

Breslin: "That's correct."

Klemm: "With those assurances... To the Resolution, Mr. Speaker. With those assurances that Representative Breslin had given to the Members of the Executive Committee, the Members on our side of the aisle felt there was nothing wrong with at least requesting the ICC to look at this sensitive issue that affects many of our communities. Though many of us support what the telephone companies were doing, we had no problems with looking at it, and that's the reason we did vote to at least allow this Resolution to be adopted. Thank you."

Speaker Giglio: "The Lady from LaSalle, Representative Breslin, to close."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. I think this is an issue that the public is very concerned about. I think this is a reasonable response to the concern that they have to address it in a studied manner. I would ask for your 'aye' vote. Thank you."

Speaker Giglio: "The Lady asks that the House adopt House Resolution 1303. All those in favor signify by saying 'aye', those opposed... In the opinion of the Chair, the 'ayes' have it. The Resolution is adopted. Now we are going to go to page ten of the Calendar on Second Reading, Special Order of Business. On that question... Senate Bill 1565, Representative O'Connell. Representative Vinson, for

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what purpose do you seek recognition?"

Vinson: "Mr. Speaker, the previous ruling of the Chair over the course of a very long period of time has been that when a state agency is requested by a Resolution to make a study of something, that that will necessitate the state agency directing resources and money for the purpose of accomplishing that study. As a consequence, it is a Resolution with a fiscal impact, and the ruling has always been that such a Resolution requires 60 votes for this Assembly to adopt it. I don't particularly care what you do on this because what happens is that nobody has to respond to the Resolution, since it was not adopted by 60 votes and that's certainly up to you. But, I would think that Representative Breslin might have an interest in having that adopted by 60 votes."

Speaker Giglio: "We appreciate those remarks, Representative Vinson, and in the essence of time, we'll address this in a few minutes. Representative Vinson, in response to your inquiry, the Resolution that was put forth before this body just few minutes ago asked that a request to the Commerce Commission just be looked into; therefore, the Chair feels that there is no fiscal impact at all with the investigation. So, a voice vote was... majority vote and a voice vote is in order. Therefore, the House will stand by its ruling that Resolution 1303 has been adopted. Mr. Clerk, Special Order of Business, page 10 of the Calendar, Senate Bills Second Reading appears 1565. Read the Bill."

Clerk Leone: "Senate Bill 1565, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. Amendments #1 and #2 were adopted in Committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative O'Connell, on Amendment #3 to Senate Bill 1565."

O'Connell: "Thank you, Mr. Speaker. Prior to addressing Amendment #3, may I have leave to table Amendment #2? The reason why it is being tabled is because it was technically incorrect, and the substance of Amendment #2 will be incorporated into Amendment #3, which I'll explain."

Speaker Giglio: "The Gentleman The Gentleman asks leave to table Amendment #2. All those in favor say 'aye', those opposed 'nay'. Amendment #2 is adopted... tabled... tabled Amendment #2. Representative O'Connell on Amendment #3."

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

O'Connell: "Thank you, Mr. Speaker. Amendment #3 addresses two issues. First of all, it was my surprise when I discovered that nowhere in the Illinois Revised Statutes is the crime of tampering with food or drugs addressed in and of itself, other than in the aggravated battery statute of the Revised Statutes. Accordingly, I presented a Bill which would make it a Class 2 felony to tamper with food and drugs with obvious reference to the Tylenol cases and the flood of recent tamperings with items on drug store shelves and food stores. So, Amendment #3 incorporates that that prohibition... that portion of the statutes into Senate Bill 1565. Also, Amendment #2 incorporated a requirement that the reporting of eavesdropping orders that are presently to be done within thirty days after a Judge issues an order, we now... under this Bill, would require that it be done no later than January of the subsequent year. This, in no way, eliminates the details that are to be provided in those reports. It simply makes it an annual

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report, rather than thirty days after each issuance of an order. Mr. Speaker, I would be happy to answer any questions."

Speaker Giglio: "Any discussion? Representative O'Connell moves that the House adopt Amendment #3 to Senate Bill 1565. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Senate Amendment #3 is adopted. Further Amendments?"

Clerk Leone: "Amendment #4, offered by Representative Preston."

Speaker Giglio: "Representative Preston, on Amendment #4, Senate Bill 1565."

Preston: "Thank you, Mr. Speaker, Ladies and Gentlemen. Amendment #4 just makes, really, some technical changes. What this... what the Bill does without this Amendment - an Amendment that was adopted already in Committee - was to allow the court to order the nondisclosure of the identity of a juvenile victim of sex abuse. This just makes some technical corrections in accordance with some requests that were made in Committee."

Speaker Giglio: "Any discussion on Amendment #4? All those in favor signify by saying 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #4 is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. On page 10 of the Calendar appears House Bill 1570, Representative Regan. Representative Regan in the chamber? Take the Bill out of the record, Mr. Clerk. Senate Bill 1601, Representative Steczo. Is Representative Steczo in the chamber? Representative Steczo. Out of the record. On page 12 of the Calendar, Senate Bill 1951, Representative Giorgi. Representative Giorgi on 1951. Representative Regan, you seeking recognition?"

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Regan: "... I understand that 1570 was called."

Speaker Giglio: "We'll return back. Representative Giorgi, are you ready on... are you ready on 1951? Representative Giorgi."

Giorgi: "Mr. Speaker, yes, I'm the Principal Sponsor on 1951. There are no Amendments. I want to move it to Third Reading."

Speaker Giglio: "Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1591 (sic - 1951), a Bill for an Act in relationship to municipal taxes. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, offered by Representative Parcels."

Speaker Giglio: "Representative Parcels, on Amendment #1, 1951."

Parcels: "Thank you, Mr. Speaker. This Amendment would allow that in the case of the operation of a municipality, any facility for the treatment, storage, or disposal of waste or sewage, results in a decrease in the value of any real estate that the operation deemed to constitute a taking would be deemed to constitute a taking for private... I mean, a public purpose, excuse me, and the owner of such real property shall be entitled to receive compensation for such decrease in value from the municipality in an action brought in an appropriate Circuit Court. There are many of these garbage facilities, transfer stations, et cetera, going up, and it is affecting the price of property around them. There was a case in California, north of San Francisco, where a local improvement which had an adverse impact on private property and the property owners sued and it eventually ended up in the Supreme Court. I think this would waylay that if we could add this Amendment to this Bill."

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Speaker Giglio: "The Lady asks that the House adopt Amendment #1 to Senate Bill 1951. And on that question, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield for a question?"

Speaker Giglio: "She indicates she will."

Cullerton: "Representative Parcels, was this the subject matter of a House or Senate Bill? This Amendment? You have to wait for the light to come on before you can talk."

Parcels: "What the... excuse me, I didn't hear the question."

Cullerton: "Is this Amendment that you have just introduced -- has this Amendment been the subject matter of a House Bill or Senate Bill that was introduced?"

Parcels: "Not to my knowledge."

Cullerton: "Okay, so it hasn't had the benefit of a hearing in Committee?"

Parcels: "No, it has not."

Cullerton: "Is this a new idea that just came to mind, last night?"

Parcels: "Last night, did you say?"

Cullerton: "Yes."

Parcels: "No, actually I think it was about three days ago."

Cullerton: "Oh, three days ago, okay. This was brought to your attention by someone back in your district, perhaps?"

Parcels: "Well no, I have been -- and you may not be aware of this -- but, up in the northwest municipal area, we have been debating transfer stations and a new garbage collection site out in the Bartlett area and the positioning of the transfer stations has been a great debate, and my communities are very concerned about this."

Cullerton: "And, they just told you that, three days ago? That they thought... "

Parcels: "No, no. Well, I've known that for a long time, but I hadn't decided until three days ago to see if I couldn't

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help that problem."

Cullerton: "What triggered the event? Three days ago would have been, what, Monday?"

Parcells: "You count, you tell me."

Cullerton: "Was it late Monday night or early Tuesday morning?"

Parcells: "It may have even been last Friday."

Cullerton: "Oh, as late as four... "

Parcells: "The idea has been here in my head for a long time. If you're talking about, when did I draft the Amendment, the Amendment was drafted yesterday or the day before."

Cullerton: "I see. So, could you give me an example of how you think this would apply to the situation you have in mind back in your district in Bartlett?"

Parcells: "Alright, if a garbage transfer site or a garbage final collection area were put very close to residential homes, it might, in fact, decrease the value of those homes. And, my constituents are concerned about that."

Cullerton: "And, so you say if that is done that the... that shall constitute a taking, and as a result, they shall be entitled to receive compensation from the municipality?"

Parcells: "Yes."

Cullerton: "So, the municipality puts in a garbage transfer station and they will have to then reimburse the homeowners around there some money, because the value of the homes may have gone down? Is that... Representative, do you understand my question?"

Speaker Giglio: "Excuse me. Representative Vinson, for what purpose do you seek recognition in the middle of the debate?"

Vinson: "Objection. The speaker is... the attorney is badgering the witness."

Speaker Giglio: "I don't think the Representative would do that to a Lady."

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Cullerton: "No, I would not."

Parcells: "What it would do, Sir, is upon sale of the property, the person would have the right to sue the village or the municipality for what had been the previous assessed valuation of the home, the difference that it might now bring."

Cullerton: "Upon sale. So, even if they sold it twenty years later, they would take the difference in fair market value? I don't understand that. I'll tell you..."

Parcells: "If it could be proven, yes. But, you see some people might want to move more quickly than that if the..."

Cullerton: "How do you determine the difference in fair market value between... what date do you start from?"

Parcells: "If you... I think real estate companies and adjusters do that all the time."

Cullerton: "Whatever day... whatever day the property is sold, say, you have somebody come in and say, 'Well, this would have been worth more if you weren't next to this garbage dumping site.'"

Parcells: "The assessor has the value on your home at all times."

Cullerton: "Yes, okay, and who determines this? This is a court action that you would be involved with... with like a condemnation case?"

Parcells: "Well, if the municipality was not willing to make a settlement with you, yes, I think it would have to go to court."

Cullerton: "What if a... what if the state put a prison next to somebody's house or a brand new football stadium or a baseball stadium, and that had an adverse effect? What if the state put a road, like a highway, through someone's neighborhood and the value of the land... Would those people be entitled to get..."

Parcells: "Well... then you might... Not under this Bill, Sir."

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Cullerton: "Oh, this is just..."

Parcells: "That might be something you would entertain to Sponsor at another time."

Cullerton: "Well, to the Amendment, Mr. Speaker. I think it is an interesting concept that perhaps should be... however, more carefully studied in a Committee, because it has the effect of having long range implications for municipalities. I think it could result in municipalities having a bigger crisis than even an insurance crisis because I think that it could, the way it's drafted, have a tremendous impact on the cost of operating local government. It only applies to the disposal of waste or sewage. Maybe we should study the possibility of expanding it to other areas with a certain type of a cap. In other words, it just is something which I think the concept might be... have some merit, but in the form that it finds itself in this Amendment, I think, is premature and as a result, I think we should vote against the Amendment."

Speaker Giglio: "Further discussion? The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mrs. Parcells, you know I'm the Sponsor of this Bill. You never... you never... your staff or no one's brought an Amendment to me to look at or to tell me you would like to put something on this Bill. This is a very important Bill for the City of Rockford which lost home rule. It's a very crucial Bill. I spent a lot of time on this Bill in the Senate. I spent some time with the Taxpayers' Federation, the Farm Bureau, the Illinois Retail Merchants' Association, and I think you owed me the courtesy of to at least notifying me of the Amendment or telling me what you're trying to do, because this Bill is too important to the... a city of a 130,000 who lost their home rule, and I'd like... I don't want to make a personal issue of it,

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but I feel very hurt because we have become friends on the Appropriations Committee and I thought you'd be like, at least, Birkinbine. At least he'd tell me when he was going to hit me on the head with a hammer, but would you please withdraw the Amendment, so that all my work is not in vain?"

Parcells: "Representative, I owe you an apology for not bringing it to you sooner, but I think the Amendment will probably strengthen your Bill."

Giorgi: "Madam Parcells, I think this... in fact, I question the germaneness of the Amendment because it changes the title of the Bill. And I can't afford to have a Bill this important to be done in by a sophomore. Is it germane?"

Speaker Giglio: "The Amendment is germane. The Amendment deals with the Municipal Code, Representative Giorgi."

Giorgi: "Well then I must ask my colleague who won't see much of me forever, to please vote 'no' on this Amendment, so we can go on with the Bill that I've put so much work in on."

Speaker Giglio: "The Lady from Cook, Representative Parcells, to close."

Parcells: "Thank you, Mr. Speaker. I think it's a good Amendment. I think it strengthens the Bill, and I would encourage your 'aye' vote."

Speaker Giglio: "The Lady asks that Amendment #... "

Parcells: "I would like a Roll Call vote, please."

Speaker Giglio: "'... Amendment #1 to Senate Bill 1951 be adopted?' All those in favor signify by voting 'aye', those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mays."

Mays: "Just to explain my vote."

Speaker Giglio: "One minute."

Mays: "It seems in view of the previous speaker's statements as

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to seniority around here, anybody with less seniority might want to send a message to him. We have rights. We've been elected by people in our districts to come down here and represent you, and so, I think that everybody that's got less seniority than Mr. Giorgi ought to be voting for this Amendment to send him a message."

Speaker Giglio: "Representative Hoffman."

Hoffman: "I'm one of those people with less seniority than Zeke Giorgi and I want to send him a message."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mallock."

Mallock: "I would like to point out that virtually everybody in the House has less seniority than Zeke Giorgi."

Speaker Giglio: "Have all voted who wish? Mr. Clerk, take the record. On this question, there are 46 voting 'aye', 71 voting 'nay', none voting 'present', and the Amendment fails. Further Amendments?"

Clerk Leone: "There are no further Amendments."

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

Speaker Braun: "Order of Senate Bills Second Reading appears House Bill 1570. Representative Regan? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1570, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Braun: "Any Floor Amendments?"

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

Braun: "The Chair recognizes the Gentleman from Will, Representative... Regan on Amendment #2."

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Regan: "Gee, it must be hard for the guy pushing the buttons to get to Regan, no kidding. I'd like to pull that out of the record with the understanding that it will be brought back for another Amendment. Thank you."

Speaker Braun: "Alright, Representative Regan. House Bill 1601, Representative Steczo. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1601, a Bill for an Act to amend Sections of the Illinois Municipal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 1991, Representative Steczo. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1991, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Steczo, on Amendment #3."

Steczko: "Thank you, Madam Speaker. I'd like to withdraw Amendment #3, please."

Speaker Braun: "Amendment #3 is withdrawn. Further Amendments?"

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

Speaker Braun: "Representative Steczo."

Steczko: "Thank you, Madam Speaker. Amendment #4 to Senate Bill 1991 contains some items that were discussed in the Elementary and Secondary Education Committee, one of which is a cleanup of language that dealt with a teacher who had

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to serve in the Armed Forces Reserve unit during a school year. This provision in Amendment #3 limits the salary that that teacher would be paid to two weeks, during the period where that teacher would remain on active military service duty. What that teacher would do then, would be to give the Armed Forces Reserve salary back to the school district and would retain the regular school salary. It also allows the teacher to keep various kinds of monies that are allocable to nonschool days which constitutes travel, meal or housing allowances. This more reflects the statute as... pertaining to current state employees. Amendment #4, in addition, puts into Senate Bill 1991 the provisions of House Bill 2279, which deal with requirements for the number of hours a student is required to spend in summer school which passed the House 101 to 13, but was kept in the Senate Rules Committee and also adds the provisions of House Bill 3059 which passed the House 109 to 6, was kept in the Senate Rules Committee and deals with the question of providing transcripts to a school when a student is transferring from a public or private school. I would move, Madam Speaker, for the adoption of Amendment #4."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #4 to Senate Bill 1991. On that, is there any discussion? There being none, the question is, 'Shall...'
oh, the Chair recognizes the Gentleman from DuPage, Representative Hoffman."

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

Speaker Braun: "He indicates he will."

Hoffman: "In regard to the payment for what... the service in the National Guard? What is the rationale behind doing this, Representative? I don't understand. For example, when I come to the Legislature, I don't get paid by the school for

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that day because I'm giving no... I'm giving nothing to the school that day. So, I don't get paid for it. So that when I come down here, then I... you know, I have chosen to do this, so that I get paid on this job. Is this a case where someone has been forced into military service?"

Speaker Braun: "Representative Steczo."

Steczko: "Thank you, Madam Speaker. Representative Hoffman, the provisions of this Section of the Amendment deal with a situation similar to a situation of a teacher who has to serve on jury duty, a teacher that serves on a county board that has to spend time during the county... during the school year on a township board meeting where that teacher, then, would give back the salary that they made for jury duty or give back the salary that they made during the course of the county board service for that day and they would keep their regular school salary. That's part of the current law, I believe. Number two, the provisions that we're seeking to put in this Section mirror what the current state statute is for state employees. State employees currently have what we're trying to do in that portion of Amendment #4. The language was taken directly from that Section of the state statutes."

Hoffman: "Then, you're telling me that someone who's in the National Guard has joined voluntarily. I mean, that was their choice to become a member, right?"

Steczko: "Representative Hoffman, that is the case. However, National Guard or Armed Forces Reserves is a method of serving your country and helping the country to maintain readiness."

Hoffman: "I understand that, I understand that, but that is a choice that the individual makes, correct?"

Steczko: "... that would be correct."

Hoffman: "In other words, he's a school teacher or she's a school

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teacher and decides to join the National Guard knowing that they're going to have to go on two weeks duty or whatever it happens to be, at the same time that they are supposed to be teaching school. Now, what they want to do is to get... What they want to do is to get the same salary as if they were contributing, when in fact, they are not contributing. Is that... not contributing to the school district... is that true?"

Steczo: "Representative Hoffman, hopefully, in these cases, the Armed Forces Reserve duty would occur when a school is out of session during the summer. There may... There may be cases were that teacher voluntarily has joined a National Guard Unit or an Army Reserve Unit, but there may be cases of national importance or state importance where that teacher may be called up involuntarily by the Governor or by somebody else."

Hoffman: "And that is understood, right, when you sign up. You know that that's a possibility."

Steczo: "There's that possibility, and we expect the impact of that to be negligible. But, it should be in the statutes. The teachers should have the rights that other state employees have."

Hoffman: "To the... To the Bill, Madam Speaker. To the Amendment, I'm sorry. With all due respect to the Sponsor of this legislation, let me suggest that a couple of years ago, we passed collective bargaining legislation. If this is an issue in a local school district, then that ought to be an issue that should be bargained. I would suggest to the Members of this Body that if we continue to support all kinds of programs and make sure that no one has to accept any risks or accept any responsibility, even for their own decisions, then we obviously have destroyed the basis of our system, because there are risks and if you accept

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voluntary responsibilities which conflict with your job, then you have an obligation to suffer whatever you perceive to be the consequences of that. You see, what happens is that people in these positions want it both ways. They want to collect from the National Guard. They want to collect from their teaching job and if they conflict, they want to make sure they collect from the one which pays them the most. Well, you know, I'm sorry. In my judgment, you know, that's their problem, not the problem of the taxpayers in that school district who are going to be asked to support this. And for that reason, I oppose this Amendment."

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

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We all know that partly because of the reform package we enacted last year, we are having very serious problems in funding adequately the public school system of this state. We also know that that is not going to become easier. What is easy is for us to keep passing what look like small financial impacts upon our school districts, but each of these small items of which this is one, continue to erode the financial base of our public schools. It is wrong for us to be doing this and we ought not to continue to do it. It is a very bad habit of the General Assembly and I ask a Roll Call vote on this Amendment."

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

Ewing: "Madam Speaker, will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Ewing: "Terry, this is a requirement, then, that the local school boards or school districts pick up the difference between

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the salaries."

Steczo: "That is correct. Yes."

Ewing: "Is this... does this Amendment exempt the Mandates Act?"

Steczo: "Not that I am aware of, Representative Ewing."

Ewing: "Well, I think that is a very important... very important question and I couldn't vote on this either way unless I knew the answer to that because if it doesn't, then, of course we are passing on a mandate to local governments and I don't know whether you have that experience in your district but I find them very, very, very hostile to our continued... continually exempting the Mandates Act. If not, then it has a financial impact on the state. Can you... can we find that out before we vote on this? I think that is something we need to know."

Steczo: "Representative Ewing, I would do everything in my power to try to have that answer for you by the time the bill is voted on, on Third Reading. We expect ... and as I mentioned in response to one of the other questioners, that under normal circumstances, you would expect that anybody having to serve the two weeks that they would have to serve in National Guard duty over the summer, would do that during the summer. There are also provisions where it may be possible for you, if you're called upon during the course of a school year, to be able to transfer to another unit for those two weeks of summer camp. So, we, I think, are talking only the extreme circumstances, but a circumstance where we don't want to entertain any notion that teachers, by the nature of the fact that they are teachers, are second class citizens and can't do anything that anybody else can't do... can do."

Ewing: "Alright, Representative, I think I'm going to have to assume at this point that it is a mandate. I'm going to ask another question. This doesn't cover municipal or

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county employees..."

Steczo: "Representative Ewing."

Ewing: "Does it cover municipal or county employees?"

Steczo: "This does not cover municipal or county employees."

Ewing: "Thank you."

Steczo: "Although they maybe covered someplace else, but state employees are currently covered."

Ewing: "Right. Madam Speaker, Ladies and Gentlemen of the House, two things I think are very important here. First of all, this is a mandate. I think you all ought to know that when you vote. Number two, why should we single out teachers? Now, state employees are state employees. Teachers are not state employees. They're employees of local government. Why should we single out teachers for this added privilege if we're not going to single out workers in the City of Chicago, in the City of Pontiac, county workers, township employees? It isn't fair. It's an expansion of a right that we give state employees. We pay the bill for them. We don't pay the bill for teachers or county or local employees. I think probably we'd be wise to defer this."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Johnson. Representative Johnson. The Chair recognizes the Gentleman from Cook, Representative Steczo, to close."

Steczo: "Thank you, Madam Speaker, Members of the House. The provision that we have discussed here relative to Amendment #4 was discussed at length in the Elementary and Secondary Education Committee. When the provision was first discussed there, it was completely open ended, and it provided that a teacher would be compensated for any amount of time, even in the case of war time where they would have to spend years away from their jobs at that certain rate and being compensated in that certain way. After it being

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brought to our attention that state employees were covered by a similar Section which allowed them two weeks of military time, it was my agreement with the Members of the Elementary and Secondary Education Committee that that provision as it relates to teachers, would be drafted in that manner, to reflect and mirror what we currently provide for state employees. I should also mention, Madam Speaker, that it is true that teachers, when they serve on jury duty, are paid the difference in their salaries by the school boards. When a teacher elects not to... or to run for a local office and that local office requires that that teacher do something related to that local office, the same provisions apply. This will not affect very many, but it is something that we feel is needed and I would move, Madam Speaker, for the adoption of Amendment #4."

Speaker Braun: "The Gentleman moves the adoption of Amendment 44 to Senate Bill 1991. All in favor say 'aye', opposed say 'nay', in the opinion... All in favor vote 'aye', opposed vote 'no'. The voting is open. The Chair recognizes the Gentleman from Cook, Representative DeLeo."

DeLeo: "Thank you, Madam Speaker and Members of the House. I would like to have a point of personal privilege. I see a constituent of mine just entered the floor, a former Member of the House of Representatives and currently a Commissioner of the Metropolitan Sanitary District, former Member Jim Kirie. Jim. In... also Speaker, joining Commissioner Kirie is another constituent of mine, Commissioner of Metropolitan Sanitary District, Gloria Majewski. Gloria."

Speaker Braun: "Welcome Commissioners. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 68 voting 'aye', 44 voting 'no', none voting 'present'. The Amendment is adopted."

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Further Amendments? Further Amendments? No further
Amendments... "

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

Speaker Braun: "The Chair recognizes the Gentleman from
Winnebago, Representative Mulcahey on Amendment 5."

Mulcahey: "You bet. Thank you, Madam Speaker, Members of the
House. Amendment #5 places a limitation on the
participation in interscholastic competitive events and
activities and establishes, implements and enforces a
policy with respect to eligibility for participating. And
I would move for the adoption of the Amendment."

Speaker Braun: "The Chair recognizes the Gentleman from... the
Gentleman has moved the adoption of Floor Amendment #5. On
that, is there any discussion?"

Mulcahey: "No discussion."

Speaker Braun: "Of course not. Okay. Representative Steczo, on
Amendment #5."

Steczko: "Thank you, Madam Speaker. First I must commend
Representative Mulcahey on his fine impression of
Representative Giorgi, but I think that the Members of the
House should be aware that what Amendment #5 contains is
the no pass/no play, provisions that this House defeated
last year, or last week, rather. We should... We should be
aware that we have defeated this Amendment handily twice on
the House floor. It was defeated handily twice in House
Committee and I think we should defeat it handily one more
time, and I would urge a 'no' vote."

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

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the
House. This is basically known as no pass/no play, but
apparently those who favor this proposal believe that no

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pass means you keep right on playing over and over and over. We defeated this Bill very soundly in the Elementary and Secondary Education Committee twice. We have defeated it on the floor overwhelmingly before. I suggest we just do the same thing to it once again, and I ask for a Roll Call vote, by the way, Madam Speaker."

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

White: "Mr. Speaker and Ladies... Madam Speaker and Ladies and Gentlemen of the House, with all due respect, we defeated this Bill in Committee twice and we defeated a discharge Motion from the Elementary and Secondary Education Committee, and as the previous speaker said, 'Here we are again.' A 'no' vote is a good vote for this piece of legislation."

Speaker Braun: "Is there further discussion? There being none, the question is, 'Shall Amendment 05 be adopted?' All in favor... sorry, Representative Mulcahey, to close."

Mulcahey: "Thank you, Madam Speaker. If you would have read the Amendment, you will know that this is not the original no pass/no play. The Amendment, which is basically the Bill, now agrees with the way the IHSA regulations, as has been set forth for a number of years, is set up. In other words, the students who are failing at the end... those core subjects, once again, those subjects required for graduation, when they are failing those at the end of the first grading period, they will be... Jesse, I hope you are listening to this... they will be evaluated on a weekly basis, just like the IHSA has it right now. The only thing is, after that weekly evaluation, one week after the other after the first grading period, they still have to be passing in those core subjects. In other words, if they are taking... if they are taking bb stacking, button

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matching, and advanced handball I and II and they are failing... they are taking mathematics, they are getting A's in advanced handball, b's stacking and button matching, then... and they are flunking mathematics, under the rules right now, they are eligible to play football. This simply says you have to be passing that core subject, as well as the other ones you are taking, those subjects you have to have for graduation. In order to pacify the IHSA in the way it's set up right now, we put it on a weekly evaluation period after the first grading period. So, I would move... I don't see what anybody... why you would be objecting to it right now, and I would ask for the adoption of the Amendment."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #5. All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'nos' have it. The Amendment is defeated. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Representative Steczo, apparently a fiscal note and a... a Mandates Act note request has been filed. As such, the Bill will stay on the Order of Second Reading until the requirements of the Act are fulfilled. House Bill... On the Order of Second Reading appears House Bill 2000. Representative Greiman? I'm sorry, Senate Bill. Representative Greiman? Representative McPike? Out of the record. House Bill 2003, Representative Cullerton? Representative Cullerton? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2003, a Bill for an Act to amend Sections of the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

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Speaker Braun: "The Gentleman from Peoria, Representative Saltsman. Is the Gentleman in the chamber? Representative Saltsman. Representative Cullerton, what is your pleasure?"

Cullerton: "Take the Bill out of the record until Representative Saltsman, Representative Dunn and Representative Preston are in the chamber so that we can handle their Amendments to my Bill that I held yesterday so they could file their Amendments. That would be Representative Saltsman, Representative Preston and Representative Dunn. I will, once again, take it out of the record for them."

Speaker Braun: "You are a kind man. Thank you. Moving right along, House Bill... House bill 2078, Representative McCracken. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2078... Senate Bill 2078, a Bill for an Act to amend an Act relating to eminent domain. Second Reading of the Bill. Amendments #2, 3 and 4 were adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "For what reason does the Gentleman from DuPage, Representative Hensel, seek recognition?"

Hensel: "Thank you, Madam Speaker. I think that was read as a House Bill and it's a Senate bill."

Speaker Braun: "We... We... The Clerk corrected that. It's Senate Bill 2078. Chair recognizes the Gentleman from Will, Representative Davis."

Davis: "Thank you, Madam Speaker. Amendment #5 is purely a technical Amendment that was drafted to correct a drafting error in Amendment #3 that was adopted on Tuesday."

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Speaker Braun: "The Gentleman has moved the adoption of Floor Amendment #5. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

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

Speaker Braun: "Gentleman from Cook, Representative Cullerton, on Amendment 6."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. This Amendment deals with the issue of eminent domain. It says that when the eminent domain powers are exercised by the County of DuPage in the County of Cook, that they... it would be subject to City Council approval and also indicates that the water commissions outside of DuPage, which were added by Amendment #3, would not, at this time, have eminent domain powers since the purpose of that Amendment is to set up the mechanism for them to set up their water commissions and it's premature to have eminent domain power at this time."

Speaker Braun: "On that, is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative McCracken."

McCracken: "Speaker, I'd like to take the Bill out of the record, please."

Speaker Braun: "Out of the record. House Bill 2091... Senate Bill 2091. Representative Greiman. Representative Greiman. The Gentleman is not in the chamber. Senate Bill 2108. Representative McPike. Representative Ryder. Out of the record. 2117. Senate Bill 2117. Representative Matijeovich. Out of the record. Senate Bill... For what reason does the Gentleman from Cook, Representative O'Connell, rise? Senate bill 2129. Representative O'Connell. Representative O'Connell. Gentleman in the

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chamber? Out of the record. No, here you are. The Chair recognizes the Gentleman from Cook, Representative O'Connell."

O'Connell: "I just want to proceed on the Amendment."

Speaker Braun: "Mr. Clerk. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2129, a Bill for an Act to amend Sections of the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Amendment #1 lost previously. Floor Amendment #2, offered by Representative O'Connell and Davis."

Speaker Braun: "Representative O'Connell, on Amendment 2."

O'Connell: "Thank you, Madam Speaker. I'd like to present four parts of the five part Amendment and then defer to Representative Davis for the last, with leave of the Body. First of all, the Bill... the Amendment, rather, provides that when a delay in an adjudicatory hearing for a minor is caused by the minor that, in effect, the 120 day limit... rule limitation is tolled which, such an Amendment presently does not exist in the present law. Secondly, the Bill provides that if the state... that the state has a right to substitute a Judge which is a dramatic departure from existing law. I'm sorry. That particular portion is in the Bill itself. That is the substantive Bill to provide for the state requesting for a substitution of Judges which is presently only available to the defense. So, that would be a major departure from existing law. The Bill also... the Amendment would also provide for the forfeiture of property that is owned by an individual who is convicted of a narcotics distribution crime. In other words, a drug dealer who is convicted, as a post-trial measure, his property can be forfeited, if it is proved that the property was interest... property interest,

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rather, was acquired by that person during the period of his violation or the violation of the Act or within a reasonable time after such period. And there was a... there was no likely source for such property or property interest other than the violation of the narcotics forfeiture. A rebuttable presumption is created whereby those presumptions exist and that is also a significant departure from existing law. The Bill... or the Amendment, rather, also incorporates a crime... creation of a crime which presently doesn't exist whereby a jury commissioner or someone acting on his behalf solicits, suggests or accepts financial compensation in exchange for a promise to be excused from jury duty shall be committing a Class II felony. As I have said, there presently isn't any proscription for that. The Amendment, finally... rather, also incorporates the elimination of jury duty exemptions which has been proposed by Representative Cullerton on a number of occasions, which has marked his career. And this Amendment would put that Cullerton proposal of elimination of jury duty in this Bill. Madam Speaker, at this time, I'd like to defer to Representative Davis to explain the last portion of the Amendment."

Speaker Braun: "The Gentleman has moved the adoption of Amendment..."

O'Connell: "No, Madam Speaker, I would like to defer to Representative Davis to explain the last portion of the Amendment."

Speaker Braun: "Alright. The Chair recognizes the Gentleman from Will, Representative Davis."

Davis: "Thank you, Madam Speaker. The last... the last portion of the Amendment is fairly simple. It's a procedure that is now adopted in 35 other states in the Union and by the Federal Government under Supreme Court Rule 23. It allows

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the... or that mandates that the waiver of a jury trial by defendant be agreed to by the state, in narcotics cases only, in this particular instance in this Amendment. It's really as simple as that, and I would answer any questions or I'm sure John would on all of the tenets of the Amendment and the base Bill."

Speaker Braun: "The Gentlemen have moved the adoption of Floor Amendment 2. And on that, is there any discussion? There being none, the question is, 'Shall Amendment #2 be adopted?' The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 2157, Representative Steczo. Out of the record. House Bill 2165, (sic - Senate Bill) Representative Daley. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2165... Senate Bill 2165, a Bill for an Act in relation to the prevention of and penalties for the offense of driving under the influence by a person under the age of 21. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Gentleman from Cook, on Amendment 2."

Daley: "Madam Speaker, I'd like to withdraw Amendment 2."

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

Clerk O'Brien: "Floor Amendment #3, offered by Representative Mautino... offered by Representative Mautino - McMaster - Koehler and Homer."

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Speaker Braun: "Representative Daley, Representative Mautino has requested that this... his Amendment be heard. He is in the back area, so if we could, I think, briefly, take this Bill out of the record, go to Representative Steczo's Bill, and then we'll come back to this one. Alright. Mr. Clerk, on the Order of Senate Bills Second Reading appears Senate Bill 2157. Mr... Representative Steczo. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2157, a Bill for an Act to amend Sections of an Act to revise the law in relation to counties. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

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

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

Steczko: "Thank you, Madam Speaker and Members of the House. Senate Bill 2157 deals with county boards and the ability of those county boards to provide surcharges to fees and fines. The Bill currently provides for a 20 percent maximum surcharge based on the costs of collecting fines. Amendment #2 reduces that maximum number to 10 percent and I would move for the adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #2. And on that, is there any discussion? There being none, the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. Senate Bill 2165, Representative

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Daley. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2165, this Bill has been read a second time previously. We were on Committee... Floor Amendment #3, offered by Representative Mautino."

Speaker Braun: "The Chair recognizes the Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. This Amendment is Mautino - McMaster - Koehler - Homer, that addresses only one change which was eliminated in the Senate on another Bill, 523. It adds back the availability of providing licensure for beverages on a facility owned by the city extending to a pier or over the waters of a navigable river, addressing the four or five marinas that have been in business for hundreds of years and now find themselves unavailable... not able to obtain a license. This will correct that and allow those entities to maintain their ongoing businesses. That's all it does."

Speaker Braun: "Gentleman has moved the adoption of Floor Amendment #3. On that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Daley. No discussion. There being none, the question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment 34, offered by Representative Daley."

Speaker Braun: "Gentleman from Cook, Representative Daley."

Daley: "Madam Speaker, Members of the House, Amendment 4 deletes the provisions of the Bill dealing with media prohibitions. More specifically, the Amendment removes the Bill prohibition against any individual in or out of state, advertising that a state outside Illinois has a lower drinking age."

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Speaker Braun: "The Gentleman has moved the adoption of Amendment 4. On that, is there any discussion? There being none, the question is, 'Shall Amendment 4 be adopted?' All those in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Braun: "The Gentleman from Cook, on Amendment 5."

Daley: "Amendment 5 deletes all reference to manufacturers and distributors in the Bill."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 5. On that, is there any discussion? There being none, the question is, 'Shall Amendment 5 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Braun: "The Chair recognizes the Gentleman from DeKalb, Representative Countryman, on Amendment 6."

Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #6 would take out the language which allows an injured party to sue if the injury occurs out of the State of Illinois. So, what it would do, would bring it back to the language that we were discussing yesterday that if you... if the injured party or if the person who consumed the intoxicating liquors consumed them outside of the State of Illinois, then whatever action took place occurred within the boundaries of the State of Illinois, there would be a cause of action in the State of Illinois. However, if the opposite were true, if they consumed the liquor in Illinois and for whatever reason, the injuries

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occurred in another state, no cause of action would accrue. This, in my opinion, improves the bill because it is clearly within the jurisdiction of the State of Illinois to deal with injuries that occur within its state. I also feel that it would take away the possibility that there would be any raise... any increase in the dram shop premiums charged in the State of Illinois because of taverns that might be at or near the border that might have new causes of action for injuries that occurred outside of the State of Illinois. I believe it's a good Amendment and I ask for its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 6. On that, is there any discussion? There being none, the question is, 'Shall Amendment 6 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Countryman."

Speaker Braun: "Gentleman from DeKalb, Representative Countryman, on Amendment 7."

Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Floor Amendment #7 is the same as the Amendment #2 to House Bill... or Senate Bill 1577, which we adopted yesterday. Because of the problems that we had last year with House Bill 737 and certain trial Judges inadvertently construing that that abolished a cause of action because the Dram Shop Act is statutory in nature, this clarifies so there is no doubt that it was the intention of this Legislature at that time and it's the intention now with the Amendment of the Dram Shop Act not to abolish any cause of action that may have been effective prior to the effective date of this Bill. And with that, we have stated

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the intention of this Body with regard to House Bill 737 and with regard to Senate Bill 2165, not to abolish any cause of action that accrued prior to the effective date of this Act. I think it's a good Amendment and ask for its adoption."

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

McCracken: "Just a question or two. Will the Sponsor yield?"

Speaker Braun: "He indicates he will."

McCracken: "How did this come about? I'm not familiar with 737 or how the courts construed it."

Countryman: "In House Bill 737, we eliminated the cause of action for the relative of the intoxicated person, the theory being that if the person went out and got themselves intoxicated, they contributed to their own intoxication and we, therefore, eliminated that cause of action. However..."

McCracken: "For a relative?"

Countryman: "For the relative. There were many causes of action that accrued prior to the effective date of that Bill, which was sometime in September of last year when it was signed, and they were even filed and pending in the courts. And after the bill was signed, many of the defendants came in and moved to dismiss those cases, saying that it was a statutory cause of action and because we eliminated that cause of action or changed it in the statute, therefore, that existing cause of action was abolished. It's my intention, by this Amendment, to establish that if the cause of action accrued prior to the effective date of this Act, it's a cause of action. If it accrued after the effective date of this action, it's not a cause of action..."

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McCracken: "Was there an appellate opinion or was it just trial courts?"

Countryman: "No, there are various trial courts across the state that have ruled... some have ruled that there is... it didn't abolish the cause of action and some have ruled that it did, but it was never..."

McCracken: "There is no recorded decision?"

Countryman: "Well, it's fairly new and I don't think it's had an opportunity to go to the Appellate Court. I'm convinced that when it goes to the Appellate Court and if they read what is - I'm trying to remember the Section number. It's somewhere in Chapter 1 - that says that statutes have perspective nature only, not retrospective, then it would be clear that they didn't abolish the cause of action."

McCracken: "Okay, thank you."

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

Countryman: "Well, I believe it's a good Amendment and I ask for a favorable vote."

Speaker Braun: "Gentleman has moved the adoption of Amendment #7. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative Daley."

Speaker Braun: "Gentleman from Cook, Representative Daley."

Daley: "Madam Speaker, Members of the House, this Amendment is being offered for the Secretary of State to clear up some provisions, some technicalities."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #8. On that, is there any discussion? The Chair recognizes the Gentleman from DeKalb, Representative Countryman."

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Countryman: "Madam Speaker, I don't seem to have Amendment #9.

Has it been printed and distributed?"

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

It has not. Representative Daley, what's your pleasure?"

The Amendment apparently has not been printed."

Daley: "Out of the record. Out of the record."

Speaker Braun: "The Gentleman moves to take the Bill out of the

record. Out of the record. House Bill... Senate Bill

2166. Representative Hicks. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2166, a Bill for an Act to amend an

Act in relation to summer employment of Illinois youth and

the support of local summer recreational programs. Second

Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Parke."

Speaker Braun: "Chair recognizes the Gentleman from Cook,

Representative Parke."

Parke: "Thank you, Madam Speaker. Ladies and Gentlemen of the

House, Amendment #1 authorizes small businesses of less

than \$362,500 in gross annual sales to pay a minimum wage

of \$2.50 per hour. One of the greatest tragedies is a

young adult not able to get a job. By lowering the minimum

wage from \$3.35 an hour to \$2.50, we can increase

employment and help the small business owner. And by

helping the small business owner, he can now turn around

and hire more employees, who will get on-the-job training

that's essential to developing job skills. As the company

grows, so will the salaries of those individuals because

when they reach gross sales of more than \$362,500, then we

must automatically go back to \$3.35 per hour. Currently,

according to labor statistics of the Department of Labor

says national teenage unemployment rate is 18 percent and

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some black teenagers, unemployment is over 40 percent nationally and some cities, over 50 percent. The real values of early work experience..."

Speaker Braun: "One second, Representative. Representative Kubik, your light is flashing. Representative Kubik. Where is Representative... Representative Kubik is in the balcony."

Parke: "His light is flashing?"

Speaker Braun: "Representative Kubik is in the balcony. Representative Kubik, would you ask someone to turn your light off? I'm sorry. This is a very serious piece of legislation. Let us continue with Representative Parke, on Amendment #1."

Parke: "Thank you. The real life experience of getting a job early on is very important to our youngsters and the people that are starting to enter into the work force. The real value of early work experience is much more important than just the little change that a kid can get. You can learn how to keep a job. You learn how to be prompt, respect and obey superiors and develop good work habits and attitudes that can pay off in the future. I think this is an extremely important Amendment. I would very much like to ask this House to concur and allow me to put this Amendment on this Bill."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1..."

Parke: "I would like a... I would like a Roll Call on this vote, please."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 1. On that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, I agree, in part, that this is a very important Amendment and maybe sometime we should vote on it and I

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think we should have a Roll Call when we do vote on it. But I don't think we should vote on it right now, because I don't think this Amendment is germane to the Bill. So, I would question the germaneness of the Amendment."

Speaker Braun: "The Gentleman has questioned the germaneness to the Bill. Mr. Parliamentarian. Gentleman from DuPage, Representative McCracken."

McCracken: "To address the issue raised by the point of order. The Amendment, Madam Speaker, adds a title to the Bill. It does not replace the title of the Bill with an entirely different title. It adds to that title and in part amends, in addition to the Minimum Wage Act, also as its title states that it is in relation to summer employment for Illinois youths and minimum wages and to amend Acts therein named. It is, I think, patently germane, and I would ask the Speaker to so rule."

Speaker Braun: "Thank you, Representative McCracken, but the Parliamentarian and I disagree. The Chair rules that the Amendment is not germane insofar as the Bill applies to the issue of summer employment and recreational programs, whereas the Amendment addresses specifically the issue of wages for all kinds of employment and, therefore, exceeds the scope of the original legislation unduly and, therefore, is not germane. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. Senate Bill 2185. Representative Homer. 2185. Representative Homer. Senate Bill 2193. Representative Ryder. Representative Ryder, on Senate Bill 2193. Gentleman from Morgan. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2193, a Bill for an Act to amend Sections of the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "Gentleman from Morgan."

Ryder: "Thank you, Madam Speaker. This Amendment was made at the suggestion of Representative Cullerton by reworking not the elements of the crime, but rather the manner in which it's presented and... and as part of my commitment to him in Committee, we are offering it at this time."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1 to Senate Bill 2193. On that, is there any discussion? There being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. Senate Bill 2194, Representative Ryder. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2194, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you, Madam Speaker. For the same reason, this Amendment would also be added."

Speaker Braun: "Gentleman has moved the adoption of Amendment #1. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Representative Ryder."

Ryder: "Madam Speaker, I apologize for being absent earlier when

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you called 2108, and I would ask that..."

Speaker Braun: "This Bill has not gone to Third Reading yet, Representative Ryder."

Ryder: "I'm sorry. When it does, please."

Speaker Braun: "Alright. Any further Amendment? There being none..."

Clerk O'Brien: "No further Amendments."

Speaker Braun: "No further Amendments. Third Reading. Now, Representative Ryder, proceed."

Ryder: "Yes, I apologize for being absent earlier when 2108 was called. This is a McPike - Ryder Bill and I would ask the indulgence of the Chair to call it at this time."

Speaker Braun: "Mr. Clerk, Senate Bill 2108. Read the bill."

Clerk O'Brien: "Senate Bill 2108, a Bill for an Act to amend the Illinois Public Accounting Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Gentleman from DeKalb, Representative Countryman, on Amendment #1."

Countryman: "Withdraw Amendment #1."

Speaker Braun: "The Amendment is withdrawn. Further Amendments?"

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

Speaker Braun: "The Gentleman from DuPage, Representative... for what reason does the Gentleman from Morgan rise?"

Ryder: "Madam Speaker, I'd ask... inquiry of the Chair. I believe that this Amendment is out of order... not germane."

Speaker Braun: "Representative McCracken."

McCracken: "I can save you some time. I'll withdraw whatever I've got on this Bill."

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Speaker Braun: "That's very nice of you. Thank you. Further Amendments?"

Clerk O'Brien: "Floor Amendment 03, McCracken."

Speaker Braun: "Representative McCracken withdraws Amendment 3. Further Amendments?"

Clerk O'Brien: "Floor Amendment 04, offered by Representative Ryder."

Speaker Braun: "Gentleman from Morgan, on Amendment 4."

Ryder: "Thank you, Madam Speaker. 04 was requested during Committee as an Amendment. It was taken from some suggestions of the Committee Members and in keeping my commitment to those people, I would offer this Amendment."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 4. On that, is there any discussion? The Chair recognizes the Gentleman from DeKalb, Representative Countryman."

Countryman: "Will the Gentleman yield?"

Speaker Braun: "He indicates he will."

Countryman: "Representative Ryder, under this Amendment, if a stockholder of a company employs an auditing firm, certified public accountant, and they perform a report, but... and then subsequently, that stockholder sells his stock based upon that report, would the new stockholder have a cause of action for negligence against the CPA firm, if in fact they were negligent in performance of their duties in performing the audit?"

Speaker Braun: "The Gentleman has moved..."

Countryman: "No, I asked him a question."

Speaker Braun: "Oh, Representative Ryder. Representative Ryder."

Ryder: "Thank you. In answer to your question that the CPA firm would be certainly liable to the people that hired them and if, according to the Amendment, notice was given to the firm at the time... at or before the time that the engagement letter was entered into, then yes, indeed, he

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would be responsible for whomever he received notice prior to that time."

Countryman: "Well then, a followup question because I think what I asked you was if he had not received specific notice of who the new purchaser of the stock would be, then what you are saying is they would not be liable. Is that correct?"

Ryder: "This Amendment indicates that notice is required of the third party who relies on the professional services at or before the time the contract is entered into."

Countryman: "So, that third party must send some sort of letter saying, 'I'm relying upon your auditing report.' Is that correct?"

Ryder: "Or in the situation in which the seller, as you described, can indicate to the people that are... that are pursuing the report that it is intended for the benefit of the third party."

Countryman: "What about... what about if the report is issued to the stockholders and directors and officers of XYZ corporation and then somebody subsequently becomes a stockholder by purchasing the stock?"

Ryder: "No, I don't think in that circumstance that this Amendment applies because in that circumstance, if the company says the stockholders... that is a generic sense and it would be as of the time that the... the engagement letter was entered into."

Countryman: "Madam Chairman, to the Amendment. It seems to me that, as I read the Amendment, as much as I respect Representative Ryder and his legal opinions, that if it's generically directed to the stockholders, even though the stock may change hands and many companies have stock traded every day and the stockholders may vary at every moment in time, particularly big corporations, I would think, for that reason, if it's directed generically to them, there

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would be liability under this Amendment. For that reason,
I'm going to support the Gentleman's Amendment."

Ryder: "Thank you."

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

Levin: "Will the Gentleman yield?"

Ryder: "Certainly."

Speaker Braun: "He indicates he will."

Levin: "Okay, just a couple of more points of clarification. Did
you indicate that the notice as to who would be third
parties would have to be provided at the time of or before
the signing of the contract?"

Ryder: "At or before the time the contract is entered into,
Representative."

Levin: "Okay, alright. Now, can you have the situation where the
third parties are a class of persons or do you have to name
the specific people?"

Ryder: "It would be my understanding that as long as the CPA firm
or individual knew who was to be relying on the report,
whether it be an individual or a class of individuals, as
long as the knowledge of that third party reliance was made
aware to the CPA at or before the time the engagement
contract was entered into, then the CPA would be assuming
those obligations."

Levin: "Alright. Let's take it one step further. You set up a
class of persons. You have given the notice in advance and
let's say you said 'stockholders' and the identity of
stockholders changes at some... you know, at some point.
Is that... does that cover a subsequent stockholder?"

Ryder: "It would be my understanding that the CPA who was
providing the services in the engagement letter would
indicate to whom he was engaged in a privity of contract
situation and further, to whom he may accept future

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reliance, and if, indeed, he says, 'stockholders, present and future,' indeed, that group would be part of this contract and could hold the accountant liable for his negligence."

Levin: "What if it just says 'stockholders', period?"

Ryder: "Well, I... I would submit that, in an of itself, is not an accurate statement and may or may not obligate the firm. I would suggest present and future stockholders would."

Levin: "Alright, but, you see, you're saying if it says 'stockholders', it's anambiguity, you're not sure what the result would be in that case?"

Ryder: "That would be... I think that's a correct analysis of what I said."

Levin: "Thank you."

Speaker Braun: "Is there further discussion? There being none, the question is, 'Shall Amendment 4 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Braun: "The Gentleman from DeKalb, on Amendment 5."

Countryman: "Withdraw Amendment 5."

Speaker Braun: "Amendment 5 is withdrawn. Further Amendments?"

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

Speaker Braun: "Gentleman from DeKalb, on Amendment 6."

Countryman: "Withdraw Amendment 6."

Speaker Braun: "Amendment 6 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Speaker Greiman: "Representative Braun, would you come to the

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podium, please? Representative Braun back in the Chair."

Speaker Braun: "Alrighty. Senate Bill 2091, Representative Greiman. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2091, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "Chair recognizes the Gentleman from Cook, on Amendment #1."

Greiman: "Thank you, Speaker. This is... Amendment #1 is a Bill that flew out of this House with about 105 or 110 affirmative votes. It merely provides that in determining participation in gifted programs should not be considered as a condition of race, color, creed, handicap or anything like that. And, as I say, it went out... ended up in the Senate Rules Committee and didn't get out of the Rules Committee. I'd ask for this adoption."

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

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. Senate Bill 2198, Representative Davis. Is the Gentleman in the chamber? Representative Davis. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2198, a Bill for an Act to amend Sections of the Civil Administrative Code of Illinois. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Lady from St. Clair, Representative Younge, on Amendment #1. Representative Greiman, in the Chair."

Speaker Greiman: "Yes, Mr. Davis."

Davis: "Mr. Speaker, I would direct the Parliamentarian to Amendment #1, which appears to be out of order. There is language missing from the title and description of where the Bill is to be amended and I respectfully submit the Amendment is out of order and should be disqualified."

Speaker Greiman: "We'll take... We'll look at it. Thank you, Mr. Davis. Ms. Younge, I believe that Mr. Davis' suggestion is well-founded, that the Amendment is out of order. Ms. Younge. Turn Ms. Younge on, please."

Younge: "Yes, could the Bill be taken out of the record so that I could correct it?"

Speaker Greiman: "Sure. Excuse me... wait, wait wait... where are we? Mr. Da... I'm sorry. Mr. Davis is the Sponsor of this, Ms. Younge, so you would have to ask Mr. Davis that."

Younge: "Yes, that was what I..."

Speaker Greiman: "Oh, Mr. Davis. Mr. Davis."

Younge: "Would you take it out of the record so I can..."

Speaker Greiman: "Ms. Younge asks you to take it out of the record."

Davis: "With all due respect, Representative Younge, this Bill has been sitting here on Second Reading now and... through my own error because I was in my office when it was called at three different times. The hour is late. We are getting close to Monday, the deadline. Tomorrow we may not get to it and we may not get to it until Monday. I don't wish, at this point, to chance the final crush on Bills and I would prefer it be moved to Third Reading, Mr. Speaker."

Speaker Greiman: "Are there further Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Alright, we... We will go pick up a couple Bills where the Sponsors were off the floor. Mr. Clerk, Senate Bills Second Reading, Short Debate Calendar appears Senate Bill 1673. 1673. Mr. Kubik. Well, out of the record. We would like to move that Bill, but Mr. Kubik is not in the chamber, apparently. Now, returning to another Bill that was passed over. It was Senate Bill Second Reading on page 13 of the Calendar appears Senate Bill 2003. Mr. Clerk, read the Bill, 2003."

Clerk O'Brien: "Senate Bill 2003, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment 21, offered by Representative Saltsman."

Speaker Greiman: "Gentleman from Peoria, Mr. Saltsman."

Saltsman: "Thank you, Mr. Speaker. The Amendment is... has been brought to me by the Chiefs of Police Association of the State of Illinois and what it does, it amends and adds provisions to the Criminal Code Section on the authorized use of deadly force by a police officer to provide that deadly force is justified only when a felony committed or attempted is a forceable felony involving the infliction or threatened infliction of great bodily harm. What this does, it changes our statutes and this part of the Code to coincide with a Supreme Court decision. I ask for the passage of this Amendment."

Speaker Greiman: "The Gentleman from Peoria moves for the adoption of Amendment 21 to House Bill 2003, and on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair,

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the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

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

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

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 resurrects a Bill that passed out of this House overwhelmingly and was caught in the Senate Rules Committee. The Bill authorizes the Supreme Court to have a program training Judges in how to reduce trauma in court rooms for juvenile witness victims and I'd ask for your... your passage of this Amendment."

Speaker Greiman: "The Gentleman from Cook, Mr. Preston, moves for the adoption of Amendment #2 to Senate Bill 2003, and on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Greiman: "The Gentleman from Macon, Mr. Dunn, on Amendment #3. Mr. Dunn."

Dunn: "Mr. Speaker and Ladies and Gentleman of the House, Floor Amendment #3 is a Bill which would amend... is an Amendment which would change the statute in regard to criminal trespass. A state's attorney ran upon this unusual situation. A... An elderly woman looked out her home one night and saw an intruder climbing up the television antenna near her... near her home. Without boring you with the details, ultimately, the intruder was apprehended and it became difficult to figure out what charge to file

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because the criminal trespass to land requires advance notice not to enter and the criminal trespass to a residence requires you to be entering the residence or on the residence. So, this Amendment will simply make it possible to prosecute someone who is on the premises without invitation or is on the premises... on the premises without invitation and yet not on the residence itself, for example, on a separately mounted television antenna. I would ask for adoption of the Amendment."

Speaker Greiman: "Gentleman from Macon moves for the adoption of Amendment 23 to House Bill... Senate Bill 2003, and on that, is there any discussion? There being... The Gentleman from Knox, Mr. Hawkinson, on Amendment 23."

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

Speaker Greiman: "Indicates he will."

Hawkinson: "Representative, in Committee, when the, I believe, House Bill on this subject was discussed, I raised a question whether the words 'or on' would allow someone to be prosecuted for merely going on the front porch of a residence without permission - in other words, a peddler or a political candidate or an IPAC member, somebody who goes on the front porch without permission - would this fall within your words, 'or on any residence'?"

Dunn: "As we indicated in Committee, that is not the intention of the legislation. I suppose case law could develop as to what is the residence itself? Does the front porch include the residence or not and as you know, for building set back requirements, quite often the front porch is excluded. So, whether residence would be included or not, I think, would develop from case law. I don't... purposes of legislative intent, that coming on to the front porch is certainly not intended to be included within the scope of the definition

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of 'residence' for the purposes of this Amendment."

Hawkinson: "Thank you."

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

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

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

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment... Floor Amendment also passed this House and was tied up in the Senate Rules Committee. What this Amendment does is to permit private organizations involved in child care activities as a major portion of their activities to request, if the... request and require of their employees and their volunteers background checks, if they so desire. It contains all the short gaps and protections that Representative Hawkinson had requested originally when this passed the House. It's in the identical version it was then and I ask for your passage of this Amendment."

Speaker Greiman: "Gentleman from Cook moves for the passage... for the adoption of Amendment #4 to House Bill 2003, and on that, the Gentleman from McLean, Mr. Ropp."

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

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

Ropp: "Representative, would you explain that portion in here that deals with fingerprinting and what you intend to do here?"

Preston: "Yes, Representative. What this does, organizations such as Big Brother/Big Sister, YMCA, Boy Scouts, Girl

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Scouts, if they want, at their option, to conduct background checks of their volunteers or their employees who work with children, they may require that of their employees of their volunteers. It's up to the private organization, if they want to do that or not."

Ropp: "In other words, it's just permissive."

Preston: "That's correct."

Ropp: "You're not stating that everybody has..."

Preston: "Right, absolutely permissive."

Ropp: "Okay."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Amendment be adopted?' Yes, Mr. Hawkinson."

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

Speaker Greiman: "Indicates he will yield for questions."

Hawkinson: "Representative, I recall the discussion on the Bill you've described in this Amendment. The question I have, in looking at... on page two of the Amendment, is the purpose of your change in line 24. It's labeled Subsection D, where you are striking words regarding 'superintendent' and inserting 'president of a school board'. How does this relate to the Bill as you have described it?"

Preston: "I'm sorry, I..."

Hawkinson: "I guess what I'm getting at, is this in any way getting at the fingerprinting of school personnel?"

Preston: "In no way does it get at that and if I should read that it does, I will do everything possible to destroy this."

Hawkinson: "I won't speak against the Amendment or delay things now, but if you would, on Third Reading, explain what that language does, I'd appreciate it."

Preston: "I certainly will."

Speaker Greiman: "Further discussion? There being none, the

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question is, 'Shall this Amendment be adopted?' Those 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. Now, returning again to some of the Bills over which we have passed, on page 12 of the Calendar, on Senate Bills Second Reading, appears Senate Bill 1931. 1931. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1931, a Bill for an Act relating to the number, appointment and retirement of Associate Judges. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Motions. Floor Amendment #2, offered by Representative Cullerton."

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

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. The state provides salaries for court reporters and in addition to appropriating the money for court reporters, we authorize maximum salary. What this Amendment does is to increase the authorization from \$33,250 as a maximum to \$35,250 for 1986 and for 1987, the maximum would go up to \$37,250. Since it is not accompanied by any appropriation, it doesn't have any fiscal impact. Move for the adoption of Amendment #2."

Speaker Greiman: "Gentleman from Cook, Mr. Cullerton, moves for the adoption of Amendment #2 to Senate Bill 1931, and on that, the Gentleman from Lee, Mr. Olson."

Olson: "Would the Sponsor of the Amendment yield, please?"

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

Olson: "Representative Cullerton, on the issue of court

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reporters' pay, when is the last time this issue was addressed?"

Cullerton: "You know, I'm pretty sure I was the Sponsor, but I can't remember... maybe you know. Do you know when it was?"

Olson: "Well, no, I'm not... I'm not being facetious. I think it was '83 or '82, something like."

Cullerton: "I think it was a couple... couple years ago, so maybe it was '82 or '83."

Olson: "Okay, and incrementally in percentage what do these figures amount to?"

Cullerton: "Well, it's... right now, it's 33,250 and it goes up \$2000."

Olson: "Okay."

Cullerton: "So, it's less than... I don't know. What is that, about seven percent?"

Olson: "Full time court reporter is described as someone that works 40 hours a week or at the call of the Judge or whatever their duties are? What... How is that described?"

Cullerton: "Well, let me see if that's defined. I know they work real hard. I'm just not sure what they... if the statute tells them..."

Olson: "Well, in some smaller circuits, they are at the call of the court and some other larger circuits, I assume they put in the same schedule as the Judge would be sitting, plus whatever the transcripts..."

Cullerton: "Well, you wouldn't... You wouldn't suggest that they work harder in the big cities and they don't have that much to do in the..."

Olson: "Well, I'm told that they work extremely hard in the metropolitan markets, but I just want to confirm that."

Cullerton: "Well, let's see. I don't think the statute governs it. I think it just says the salaries of all court

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reporters shall be paid by the state and it goes on to indicate what the maximum can be. It has a whole schedule here."

Olson: "That's satisfactory. Thank you very much."

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

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

Speaker Greiman: "Indicates he will yield for questions."

Countryman: "Representative, when this Bill was up in the Judiciary Committee, I remember asking you whether you intended to amend it and, if I recall your response accurately, you indicated to me you might amend it with regard to the Judges, but you didn't say anything about adding the court reporters. Is that right?"

Cullerton: "No, I said that I would definitely not use this as a vehicle for redistricting, for judicial redistricting and I can once again reaffirm that pledge."

Countryman: "Let me also ask you about these court reporters."

Cullerton: "Yes."

Countryman: "My understanding is that they do certain acts that they get compensation many times from the parties in the case. For instance, if they type up a transcript, even in a divorce case where there isn't a contest, they get a certain fee and if they type up a transcript of a large case, they get another fee and I believe those are statutory fees, what they can charge. Is that correct?"

Cullerton: "Well, you might know that better than I. I... My understanding is that there are, you know, two... there's two types of court reporters, right? There's one that are out in private industry and then there's ones that work for the state and we are only talking here about the salaries of full time court reporters."

Countryman: "Well, that's what I am talking about. The people who work in the court house, work for the Judge and if you

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put on a divorce in my county, at least, in DeKalb County, you pay them a fee of \$25 for taking up the transcript. If you... If you try a case for two or three days and decide you want to appeal and you order the transcript, then they charge you a rate. I can't remember what that rate is. It's... It seems to me it's somewhere around 80 cents or a dollar a page that they type up and as verbose as I am, you know, I can get... many pages."

Cullerton: "Yeah, that... that could be. I don't... All I can tell you is that we have a minimum and we have a maximum in the statute and the amount that they are paid is determined by the Administrative Office of the Illinois Courts, with the approval of the Supreme Court, and the relevant factors they take into consideration are proficiency rating, the experience, the population of the area to which a reporter is normally assigned, the types of the cases and the number of each type of case that each reporter is assigned and as a result, they probably take into account the fact that it's a circuit that doesn't have that many cases. They would have a lower salary. So, it does give discretion to the Office of the Illinois Courts and... but we set the max. We set the cap, and what this Amendment does is to raise that cap."

Countryman: "Did this come up in another bill earlier this year?"

Cullerton: "It never does."

Countryman: "So this has not been through the Committee process, is that right?"

Cullerton: "That's right because it's such a simple concept to understand, there's no real need for long witness slips and testimony."

Countryman: "Hell, I understand it. It's a pay raise and it's going to cost the taxpayers of the State of Illinois..."

Cullerton: "Oh no, no, let's make it very clear. That's

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Representative Leverenz' or Representative Barnes' department, when they get up and actually pass the appropriation. This is the authorization and this is necessary before that appropriation could be done, but without... in the absence of the appropriation, this doesn't cost a dime. You know that."

Countryman: "Well, I know that, but is there an accompanying Amendment to support this?"

Cullerton: "No."

Countryman: "No appropriation for it?"

Cullerton: "Not that I'm sponsoring or aware of."

Countryman: "Well, with all due... to the Amendment, Mr. Speaker. With all due respect to the Sponsor of the Amendment, I think this is a pay raise and it's caught me by surprise here this afternoon. The last time I talked to a court reporter in my county, he told me he was satisfied with his compensation..."

Cullerton: "In your county, he's probably overpaid."

Countryman: "Well, he probably is, and I just don't think they have made out a case and I feel it's an inappropriate time for us to get into a pay raise. And I oppose it and I'd ask for a Roll Call vote."

Cullerton: "I don't know. I guess that's not a question, but I just wanted to reiterate that this is a cap and there's a range. So, the range starts as low as \$6000 a year..."

Speaker Greiman: "Well, Mr. Cullerton, there are many folks seeking recognition. You will be given ample time to close on this Bill. The Gentleman from DuPage, Mr. McCracken."

Cullerton: "Okay, I'll have an opportunity to explain that later on, sure."

McCracken: "Thank you. Will the Sponsor yield for a question?"

Speaker Greiman: "Indicates that he will."

McCracken: "I couldn't care less about the court reporters. I

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thought there was going to be an Amendment authorizing more Associate Judges in single county circuits. Is there such an Amendment?"

Cullerton: "No, that's what the Bill does."

McCracken: "Well, I know, but it's only 14. We want a little more than 14."

Cullerton: "No, no. We lowered in Committee, the... The Senate request of 16 down to 14 and that's the way it's going to stay. There's no Amendment to change that."

McCracken: "Is there any other Bill on this subject you are aware of?"

Cullerton: "No, that's why... this is the only Bill that deals with Judges. There is another Amendment that deals with another circuit, that increases by one the number of Judges. That's all that the Bill would do."

McCracken: "Hum, okay. Thank you."

Cullerton: "He're talking about three Judges statewide for the entire..."

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

Vinson: "Thank you, Mr. Speaker. I wonder if the Sponsor would yield?"

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

Vinson: "Representative, it's delightful to see that you have either awakened or gotten over your headache and have returned to your normal sense of humor."

Cullerton: "It's nice to see your microphone works again, too."

Vinson: "Thank you. Now, I'm curious about this Bill. As I understand this Amendment, it is really in the nature of a moderate sort of thing. It's a balance sort of thing. As I read this Amendment, what it does is to impose a ceiling on how much these people can be paid. Isn't that the way you would construe it?"

Cullerton: "That's exactly right."

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Vinson: "And because it's necessary to impose a ceiling on how much these people can be paid, we're really protecting the taxpayer. Isn't that the case?"

Cullerton: "Absolutely correct."

Vinson: "Well, in that event, I think I have to be for the Amendment."

Cullerton: "Yes, I think it's a very good point that Representative Vinson makes. This imposes a ceiling on the... on the salaries of the court reporters."

Speaker Greiman: "There being no further discussion, Mr. Cullerton, to close."

Cullerton: "Yes, I would rely upon the arguments espoused and expounded by Representative Vinson and ask for a favorable vote. I think Representative Countryman wanted a Roll Call. That's fine with me. I don't care. We got enough votes."

Speaker Greiman: "Question is, 'Shall this Amendment be adopted? All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 64 voting 'aye', 41 voting 'no', 2 voting 'present', and the Amendment is adopted. Further Amendments?"

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

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

Cullerton: "Yes, this Amendment provides for two new Judges in... I believe it would be... I'm not sure of the number of the circuit... 16th Circuit, which is in Rockford. The number of the circuit is 17, I'm sorry, and provides that they shall have a certain minimum number of Judges. This has the effect of raising the number of Judges by two."

Speaker Greiman: "Mr. Cullerton, have you concluded your remarks?"

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You have. The Gentleman from Cook, Mr. Cullerton, moves for the adoption of Amendment 03 to Senate Bill 1931, and on that, the Gentleman from DeWitt, Mr. Vinson."

Vinson: "Thank you, Mr. Speaker. Ladies and Gentlemen of the Assembly, and I think the Membership out to pay particular attention to this Amendment. While some people might have characterized the Gentleman's last Amendment as a moderate reasoned effort to protect the taxpayer, no such characterization can be given to this Amendment. This is a rape of the taxpayer. It imposes more Judges on us. It's more law. It's more lawsuits and it's more taxes. I would urge a 'no' vote to protect the taxpayer and the citizen and his individual freedom."

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

Countryman: "Thank you, Mr. Speaker. I rise in support of this Amendment. You know, we got all these court reporters out there and they don't have anything to do and they are getting paid real well and there are all these people, plaintiffs and defendants, waiting around to get justice and a system of justice provides redress for people's grievances and I think that that's the appropriate thing to do. And when I go off to court, many times you got to wait all day to get to the Jjudge. I think what we need are more Judges. We've got plenty of astute lawyers around who want to be Judges and I think this is a good Amendment. I supported a Bill in Committee, and that was the intent of it was to increase the Judges, number of the Judges. And besides that, we keep passing all these good criminal laws down here and we create more prosecutions, and we got the DUI Bill we put through last year and they are just stacking up all over the place. We gotta have these Judges in the courts so we can prosecute these criminals and put them in jail. I think it's a good Bill and I'm going to

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vote for it."

Speaker Greiman: "The Gentleman from Lee, Mr. Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Well, that was an impassioned plea by my good friend from DeKalb. I'd have to come... pass down a 'do not pass' Motion if this was in Committee. I'm not aware of anyone in the administrative office insisting that we have an additional number of associates. In my circuit, in the 15th Circuit in northern Illinois, we contribute 42 weeks a year to the courts of Cook County and I don't think this is important and necessary and I would urge a 'no' vote...a 'do not pass'."

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

Cullerton: "Let me clarify something. Representative Olson, maybe some of the issues you raised, I could clarify. Right now, by statute, but the population in Rockford, they are entitled to eight Judges. The Supreme Court has reviewed the workload there and they have determined that they need two additional Judges. And so they have sent two additional Judges to this circuit, giving them a total of ten. Now, all this Amendment does is to say that there shall be, in spite of the population formula that would only give them eight, we are just guaranteeing that they get ten. So, it could result in no additional Judges if the Supreme Court decides that there's... with these ten that they don't need any more. So, it could have the effect of not having any additional Judges at all. It just puts in the statute the minimum requirement of ten, whereas now it's only eight. But the Supreme Court has reviewed the workload in that circuit and has decided to give them two additional Judges. So, they could decide... they could decide that they may not need any more Judges and as a

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result, there wouldn't be any increase. So for those reasons, I would ask..."

Speaker Greiman: "Question is, 'Shall the Amendment be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment 24, offered by Representative Wyvetter Younge."

Speaker Greiman: "The Lady from St. Clair, Ms. Younge, on Amendment 24."

Younge: "Thank you very much. The effect of this Amendment, Amendment 24, is to raise the number of Associate Judges in the St. Clair County 20th Circuit to 13, or to raise one additional Associate Judge. And I move for the adoption of the Amendment."

Speaker Greiman: "The Lady from St. Clair has moved for the adoption of Amendment #3 (sic - 24) to Senate Bill 1931."

Younge: "#4."

Speaker Greiman: "And on that, the Gentleman from St. Clair, Mr. Flinn."

Flinn: "Well, Mr. Speaker..."

Speaker Greiman: "Excuse me. Mr. Clerk, Amendment 24. The board is correct now. Proceed, Mr. Flinn."

Flinn: "Well, Mr. Speaker, Representative Younge came and talked to me about this earlier and she told me that the State's Attorney, John Baricevic, had asked about adding another Judge on in St. Clair County. I checked with Mr. Baricevic. He told me he had not requested any such thing. I talked to the County Board Chairman, Mr. Costello, to see if he had requested such a thing. He had not. Now, I strongly suspect that Mrs. Younge is trying to create a position for her husband as a Judge, and I oppose it very much. I hope you vote this down."

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

Stephens: "Well, thank you, Mr. Speaker. I certainly appreciate the fact that the Gentleman from St. Clair shed some light on this maneuver to add another Associate Judge to our county, and I stand with my good friend, Representative Flinn, in opposition. Thank you."

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

Braun: "Thank you, Mr. Speaker. And, to the previous speaker, I would suggest, Representative, that ad hominem personal attacks on individuals are uncalled for. There are issues upon which we may disagree, and there are times in which we may have reasons that transcend this General Assembly for opposing a particular piece of legislation, but the statement that was recently made regarding Representative Younge's motives for this Amendment were inappropriate statements, were statements which, quite frankly, go to her... her fidelity to her charge of duty in this office. And I would encourage the Gentleman to withdraw his remarks or, alternatively, to apologize to Representative Younge for what is a very serious, very serious charge to be made by one Member against another on this floor."

Speaker Greiman: "Mr. Flinn, for what purpose are you seeking recognition?"

Flinn: "Well, I couldn't hear, because it's kind of noisy back here. But the Lady did come and tell me that the State's Attorney had requested this Judgeship, and I took her at her word. And I went along with it until I found out. I finally called the State's Attorney. I called the County Board Chairman. And I found that it was not true. And I'm not going to apologize to anybody, especially the last speaker, because I think she has an ulterior motive for supporting Mrs. Younge, and I am being real honest and sincere. I would like to have another Judge. I'd like

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very much to have another Judge down there, but not when we're being honest about it... not... when we're not being honest, rather. And I strongly suspect that this will be the time to defeat this Amendment and come back later on. If we really need a Judge, let's all be together on it - she and I, Senator Hall and everybody."

Speaker Greiman: "There being no further discussion, the Lady from St. Clair, Ms. Younge, to close."

Younge: "Yes, Mr. Speaker, I want to ask the Sponsor of this Bill to take this Bill out of the record so that I can verify that I talked with the State's Attorney, Mr. John Baricevic, this afternoon here on the House floor in reference to his request that there be an additional Judge from this... from the county from which I serve. I deeply resent the allegation that I have lied to Mr. Flinn. I don't have to lie to him or anybody else on this floor, and I deeply resent that. And I ask the Sponsor of this Bill to take this Bill out of the record so that he can call... so we... so we can call the State's Attorney to see that this Bill came to fruition here in this Amendment as a result of the request of Mr. John Baricevic, who is the state's attorney for the county that I... from which I serve."

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

Cullerton: "Yes, just to indicate that I would be happy to bring the Bill back from Third Reading to Second to entertain this Amendment if there's an agreement from all the involved parties from that Circuit. After evaluating their workload and the need for a new Judge, if everyone from that area agrees, I'd be happy to do so. But I think, at this time, because there is controversy and because of the crunch in our deadlines, I would appreciate the opportunity

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to move the Bill to... to not vote on this Amendment, have it withdrawn, move it to Third and then I'd be happy to bring it back, if we can reach an agreement. So, I would request that she withdraw the Amendment, rather than have me take the Bill out of the record."

Speaker Greiman: "There are several people who are seeking recognition. Mrs. Younge has been recognized to close, but I will, in fairness to all the parties because of the personal acrimony, recognize you if you will state your point briefly and to the point at issue. Mr. Flinn, for what purpose do you seek recognition?"

Flinn: "Well, Mr. Speaker, I did not mean to call Mrs. Younge anything except I wanted to state the facts. If she, indeed, can come later on and have Representative Cullerton take the Bill back to Second Reading, I will support her Motion for an additional Judge. And at that point, I will call the State's Attorney, John Barisevic, a liar to his face."

Speaker Greiman: "Ms. Braun, for what purpose do you seek recognition?"

Braun: "Thank you, Mr. Chair... Mr. Speaker. And, as a point of personal privilege, the Gentleman has questioned my motives in defending Representative Younge. My only motive in defending the Lady's Motion or the Lady's right to make the Motion and responding to his statement had to do with the fact that his statement not only was a charge of impropriety against Representative Younge, but also could be construed as a charge that she had violated the law, Representative Flinn. The accusation could be construed as a criminal act. And, insofar as the Lady is not... should not be held up to that kind of criticism on this floor, I raised the point with you. Now, I would suggest to Representative Younge, in light of the controversy, that it

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would make sense that you withdraw the Amendment at this time, based on Representative Cullerton's representation that if the Bill goes to Third Reading and this controversy is cleared up, that he would bring it back to Second, if the controversy is cleared up. But I think, at this time, it would be appropriate, Representative Younge, that you withdraw the Amendment. But, to Representative Flinn, I would sincerely hope, Sir, that we not get into those kinds of comments and conversations on this floor, because it leaves another Member open, not only to criticism for impropriety, but possibly to some kind of criminal action later on. Thank you."

Speaker Greiman: "Yes, thank you. Ms. Younge, did you want to comment? Representative Younge."

Younge: "Yes, thank you very much. I accept the Sponsor's suggestion that the Amendment be withdrawn subject to his bringing it back when we have resolved the controversy. And I feel confident that it will be resolved in terms of the facts as I stated here on the floor. And I deeply resent the comments of Representative Flinn."

Speaker Greiman: "Amendment 24 is withdrawn. Yes, Mr. Vinson, for what purpose do you seek recognition?"

Vinson: "Just as a matter of personal education. I plugged into this discussion somewhat late in the process. I thought I heard some allegations that somebody had been accused of criminal misconduct, and I'm not quite sure what that was. And I'd like to have that elucidated a little bit for the Membership."

Speaker Greiman: "Alright. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Alright. Continuing on some Bills that we passed over which now are ready for consideration, on page 13 of the Calendar appears, on the

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Order of Senate Bills Second Reading appears Senate Bill 2165. 2165. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2165, this Bill has been read a second time previously today. Amendments #1, 3, 4, 5, 6 and 7 were adopted and the Bill was held on Second Reading."

Speaker Greiman: "Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative Daley."

Speaker Greiman: "Yes, the Gentleman from Cook, Mr. Daley."

Daley: "Mr. Speaker, Members of the House, Floor Amendment #8 was discussed prior, however, it was... was not distributed and was taken out of the record. And I would be happy to answer any questions."

Speaker Greiman: "The Gentleman from Cook, Mr. Daley, moves for the adoption of Amendment #8 to Senate Bill 2165. And on that, are there any questions? There being none, 'Shall the Amendment be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On page 12 of the Calendar, a Bill that we passed over. On the Order of Senate Bills Second Reading, appears Senate Bill 1856. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1856, a Bill for an Act to amend the Pharmacy Practice Act. Second Reading of the Bill. Amendments #1, 2, 3, 4 and 5 were adopted in Committee."

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

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #6 was withdrawn. Floor

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Amendment #7, offered by Representative Stephens and Hawkinson."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Stephens, on Amendment #7."

Stephens: "Thank you, Mr. Speaker. Amendment #7 provides that pharmacists shall choose from among accepted compendia as to which one they want to have in their practice and changes the current practice which... current law, which states that they must have the United States Department CPEA or the national formulary. And I move for its adoption."

Speaker Greiman: "The Gentleman from St. Clair moves for the adoption of Amendment #7 to Senate Bill 1856. And on that, is there any discussion? The Gentleman from Cook, Mr. Levin."

Levin: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I understand that the Speaker... Speaker Madigan has no problem with this Amendment."

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

Clerk O'Brien: "Floor Amendment #8, offered by Representative Levin."

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

Levin: "Withdraw Amendment #8."

Speaker Greiman: "Amendment #8 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #9, offered by Representative Levin."

Speaker Greiman: "The Gentleman from Cook, Mr. Levin, on Amendment #9."

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Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #9 embodies House Bill 3152, which was a JCAR Bill which passed out of this chamber by 106 to 0 votes, and unfortunately, got stuck in Senate Rules. It adds to this Bill provisions dealing with four agencies. First of all, it amends Section 3 of an Act in relation to the rehabilitation of disabled persons to require the Department of Rehabilitative Services to promulgate rules setting forth the standards for the award of homemaker service contracts. Secondly, it amends the Alcohol and Substance Abuse Act to require the Department of Alcoholism and Substance Abuse to promulgate rules which delineate the standards used by the Department in determining whether to grant extensions of time to providers in submitting revenue expense report information. The third provision in the Amendment amends an Act in relation to the state police to require the Department of State Police Merit Board to include within its rules the standards it uses to determine whether compensation will be awarded to police officers who are found not guilty or have served a greater period of suspension than prescribed by the board. The fourth provision in the Amendment amends the Illinois Public Community College Act to require the Illinois Community College Board to promulgate as rules the information it requires of community college districts when they apply for approval of new colleges and branches, when they apply to extend courses to nondistrict territory and when they apply for approval of new programs. I would ask for the adoption of Amendment #9."

Speaker Greiman: "The Gentleman from Cook moves for the adoption of Amendment #9. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, I have no questions about this Amendment. So, I

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have an inquiry of the Clerk after this Amendment is voted on."

Speaker Greiman: "Alright. Yes. Alright, Mr. Cullerton. Yes, is there further discussion addressed to the Amendment? 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 anything in this Amendment or Amendment #... I didn't hear what happened to Amendment 8. Does it, in any way, remove Amendment 7 that was put on the Bill?"

Levin: "No."

Hawkinson: "Thank you."

Speaker Greiman: "There being no further discussion, 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. Amendment #9 is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton. Mr. Cullerton, you had an inquiry of the Clerk."

Cullerton: "Yes, Mr. Speaker, I would like to inquire of the Clerk as to who... who was and is the Sponsor of Amendment #7 that was adopted to this Bill."

Speaker Greiman: "Mr. Clerk, who's the Sponsor of Amendment #7, previously adopted?"

Clerk O'Brien: "The Sponsor is Representative Stephens and Hawkinson."

Cullerton: "And my understanding is that Representative Stephens withdrew his name as the Sponsor of that Amendment, and that Hawkinson was left as the principal and only Sponsor. Is there such a documentation that he... Stephens withdrew

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as the Sponsor of the Amendment?"

Clerk O'Brien: "I don't have that documentation here. It's not on the original Bill."

Speaker Greiman: "Mr. Hawkinson, are you seeking recognition with regard to this?"

Hawkinson: "Thank you, Mr. Speaker. I was the Sponsor of the original Bill and yesterday afternoon, Representative Stephens agreed that I would be the sole Sponsor of this Amendment. And the Gentleman, I believe, to the Clerk's right took the slip from Mr. Stephens, and I was present when he filed it."

Speaker Greiman: "I see. Were you present in the chamber when the Amendment was called? I would not have called upon Mr. Stephens to present the Amendment."

Hawkinson: "Yes, I was here for the debate and I have no... my presentation would have been the same, and I have no objection to the way it was handled. But I would just like to clarify for the record that I am the Sponsor of the Amendment."

Speaker Greiman: "Mr. Cullerton."

Cullerton: "Okay. So, does the Clerk have such a written document from Mr. Stephens indicating that he is no longer the Sponsor of the Amendment?"

Speaker Greiman: "He's checking it."

Hawkinson: "I think that would be appropriate."

Speaker Greiman: "Mr. Stephens, did you wish to enter the fray?"

Stephens: "Well, Mr. Speaker, thank you. Only to comment that, yes, that slip was filed yesterday in the late afternoon, and I did wish to remove myself from the chief sponsorship of that Amendment. But in..."

Speaker Greiman: "Well, the Chair... The Chair might ask, of course, why... why at the time that the Bill was..."

Stephens: "Well, Mr. Speaker, you've..."

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Speaker Greiman: "Excuse me. Excuse me. Let the Chair..."

Stephens: "Yes, Sir."

Speaker Greiman: "... Propound its question, which is actually... may be rhetorical. I don't want to belabor this, since Mr. Hawkinson was kind enough to tell us. I'm advised by the Clerk, Mr. Cullerton, that such a form has been filed and Mr. Stephens removed himself at the time from sponsorship. I think it would be appropriate for Members to... who have removed themselves to acknowledge that when the Amendment is called and when the Speaker calls upon them. I'm relying on the Calendar and while I have the Clerk's records before me, I don't care to go into all the... every record on every Bill, Mr. Stephens. So, in the future, I'm sure that you would be advised, well advised, to advise the Chair that you are no longer the Sponsor of an Amendment, and it could've been easily done. Mr. Hawkinson was in the chamber and no harm would've been done. And so much for this subject. Alright. Third Reading. 16... Alright, again picking up Bills that we have previously passed over. On page eight of the Calendar on the Order of Senate Bills Second Reading, Short Debate, appears Senate Bill 1520. Senate Bill 1520. Mr. Clerk, would you read the Bill?"

Clerk O'Brien: "Senate Bill 1520, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, on Amendment #1 to Senate Bill 1520."

Cullerton: "Yes, I wish to withdraw Amendment #1."

Speaker Greiman: "Amendment #1... Amendment #1 is withdrawn."

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Further Amendments?"

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

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

Cullerton: "Yes. Now, this is an Amendment that we have adopted on a couple of other Bills. And I had the pleasure of talking to the Senate Sponsor of this Bill today, and I think we made some progress in explaining what this Amendment is all about. It deals with the issue of pupil transportation reimbursement. And I think the reason why the Sponsor in the Senate was originally opposed to it is because he felt that it was a deviation from the agreement that was passed with the education reform program. And it is, I would agree, a minor deviation. But I think once we explain how minor a deviation it was and the circumstances under which it is meant to apply, I think in the long run with some reflection, he will be supportive of it. What the Amendment does is to say that to... it expands the definition of 'qualifying pupil' who is eligible for reimbursement to include a pupil in a private school who lives within one and a half miles of the school, and who has between himself and the school a serious hazard that constitutes something that would endanger the safety of the pupil. Now, to give you an example, there is a school in Chicago that is... that has a certain area that pupils come from, and in between a small section of that school district and the school is an enormous rail switching yard... railroad switching yard. It's not just one railroad line going through this school. It's the entire switching line. So, there's hundreds of these trains. The current situation is that the pupils who live in that area, there's no way they can walk to school, so they, at their

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own expense, hire a bus and the bus takes them to school. Now what this Amendment says is that under those circumstances, if the Department of Transportation gives the approval that they view this as being a serious hazard, then they would be eligible for the reimbursement, which I think is... this year or when it goes into effect, a cap of 50 dollars per family. So, it really is not an extraordinary deviation from the agreement. The only reason why it wasn't in the original Bill, I'm sure, is just because the... we were not aware of this situation. It has the safeguards built in because the Department of Transportation has to be the one that approves of the decision that it's a serious hazard and it just is basic fairness that these pupils who now have to be bused should be reimbursed just like other pupils who live outside the mile and a half would be reimbursed. So, for those reasons, I think we should, once again, adopt this Amendment, and I hope that with this further explanation it will become less controversial, and I can receive everyone's support."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, moves for the adoption of Amendment #2 to Senate Bill 1520. And on that, the Gentleman from Livingston, Mr. Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I was hoping that the Sponsor would... would withdraw this Amendment, but I see that he is going to press onward to attach it to this Bill. I think that the House should understand that this Amendment has been put on other pieces of legislation. I think it's counterproductive to add it to more than one Bill. I think right now it's on at least one other Bill, maybe two. The other thing that I think we should keep in mind about this legislation is the cost - or this Amendment - it has added cost, and that added cost is

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going to come out of the school funds available to all of our schools. I don't think that's timely. I don't think it's the time to expand those costs, and I would oppose this Amendment and ask for your 'no' votes."

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

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

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

Ropp: "Representative, you indicated that you had some discussion with the Senate Sponsor. Might you relay those words of communication between the two of you?"

Cullerton: "Yes. Senator Haitland is the Senate Sponsor. The reason... he expressed his opposition to this Amendment because he said it wasn't part of the package that we passed last year dealing with pupil reimbursement. And I explained to him the circumstances that I have just explained on the House floor in pointing out that, had we been aware of this situation, we probably would've included it in the package and that it wasn't that great of a deviation. It'll have minimal fiscal impact, but it's just basic fairness. And I... that's what I communicated to him. He's a... he's a fair guy."

Ropp: "I thought though that you indicated to the House here that you had some agreement had been reached and that he..."

Cullerton: "Oh, no he hasn't... he has some... he will just have time to reflect upon our conversation and perhaps tomorrow he might wake up and decide that this Amendment is okay, but so far he hasn't gotten the message yet."

Ropp: "You don't want to take this... withdraw this and wait till he gives some consideration before you."

Cullerton: "No, I think what we want to do is keep on passing this Amendment, as many Bills as we've offered it, so that the message will constantly be on his mind."

Ropp: "Does this particular area... is it located in any one

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special Legislator's district of importance?"

Cullerton: "Of course it is. Every specific area in the state is located in one particular Legislator's district. For example, I have Wrigley Field in my district. You have the Mitsubishi plant in your district."

Ropp: "Well, you wouldn't..."

Cullerton: "Talking about government giving money away."

Ropp: "You wouldn't classify Wrigley Field as being one of those hazards that you'd have to get approval to go through, would you, to get to the school?"

Cullerton: "It's up to the Department of Transportation."

Ropp: "Well, would that... could this include maybe a lake, as a potential hazard of either going around it?"

Cullerton: "It's up to the Department of Transportation. I can refer you to the language, 'conditions were such that walking would have constituted a serious hazard to the safety of the pupil due to vehicular traffic'. So, if there was children trying to walk across the water and there were cars out on the lake that they could be run over by and the DOT determined that, then they would probably determine that was a hazard..."

Ropp: "Well, even boats..."

Cullerton: "But I doubt that..."

Ropp: "Boats. Boats."

Cullerton: "Right. And if children were trying to swim to the school and they were being run over by boats, then... and there was no other way of getting to the school and there was no public transportation available, then perhaps they would be... but what I'm really talking about is a serious safety hazard, that it does exist right now of hundreds of rail lines and train cars, and that pupils right now do not walk across those railyards. They are right now being reimbursed... being bused. And we are saying that the

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current law allows for reimbursement under such circumstances for public schools, and this just extends it to private schools as well."

Ropp: "Do you have any idea how many students were talking about and what this cost might involve?"

Cullerton: "I really don't. As you know, there's a 50 dollar cap for family, I think it is... or per student. And, you know, if the DOT didn't authorize any of these... certify any of these places as being hazardous, there wouldn't be any impact. So, it all depends on how many they certify. I know of this one instance, and I... only a small part of the parish that these students have to go to is from this part on the other side of the... on the wrong side of the tracks, if you will. I don't know how many families are involved, but, you know, it's 50 dollars per kid. I mean it's not that much money."

Ropp: "Okay. Thank you."

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

Flinn: "Well, Mr. Speaker, a few moments ago we got into a hot debate about an Amendment which concerned putting another Judge on in St. Clair County, and I was highly disturbed because I believed I had been misled. I said something to Representative Carol Braun that I should not, that she may have had an ulterior motive, and I apologize for that. I have no way of knowing or believing that she had such an ulterior motive. I went down to apologize to Representative Younger for using her husband's name because that's exactly what someone told me that may be the motive. I suspect that the rest of my remarks were misunderstood. I would hope that we could forget the whole issue here and now; and if, in fact, if I was wrong in my information and Mrs. Younger brings her Amendment up, I will strongly

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support her Amendment next time, if I find out the people who told me what they did were wrong."

Speaker Greiman: "Well, although we're in the middle of an Amendment, Ms. Younge, I recognize you to respond."

Younge: "My honor has been questioned, and I want a opportunity to straighten it out because I had not lied to Mr. Flinn or anyone. And I'm going to ask the state's attorney, who is the person who asked for this Bill, who asked for the Judge, to vindicate that what I said on this House floor was the truth. I have served here 12 years, and I have never lied on this House floor. And I think that this process is damaged by such irresponsible type of conduct as my colleague has demonstrated; and therefore, tomorrow I would expect Mr. Baricevic to tell this Body exactly what happened so that I can be vindicated. All we have is what we say, and I deeply resent what has been said."

Speaker Greiman: "On Amendment #2, Mr. Cullerton, to close."

Cullerton: "Yes, as I've indicated before, we have passed this Amendment, I think, three or four times now. I hope that my explanation was adequate. I would, once again, indicate that there's a precedent dealing with the private schools when there is a safety hazard within a mile and a half for reimbursement, and I'd appreciate your support on this Bill. I think it makes a lot of sense. It's basically very fair."

Speaker Greiman: "The question is, 'Shall this Amendment be adopted?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair... In the opinion of the Chair, we'll take a Roll Call. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question,

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there are 52 voting 'aye', 54 voting 'no'. Mr. Cullerton, were you requesting a Poll of the Absentee? Mr. Cullerton, your light was on."

Cullerton: "Hell, I just wanted... I just wanted to indicate that that's what I get for trying to be... taking my time to explain what the Amendment really does."

Speaker Greiman: "Excuse me. Ms. Flowers votes 'aye'."

Cullerton: "When... When I take the time to explain how fair the Amendment is, I get fewer votes. It's a bad lesson. It's a bad precedent."

Speaker Greiman: "Mr. Rea. Mr. Rea is recorded 'no', he votes 'aye'. Vote Mr. Rea 'aye'. Mr. Tate, do you wish to change your vote... or explain your vote?"

Tate: "No, but I'd like to ask for a verification, if the greens receive the requisite number."

Speaker Greiman: "Alright. The Gentleman is within his rights to request a verification. Now, before I declare the vote, have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Okay. Mr. Clerk, Mr. Cullerton asks for a Poll of the Absentees."

Clerk Leone: "Poll of those not voting. Bowman. Bullock. DeJaegher. Homer. Huff. Kubik. And Leverenz."

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

Cullerton: "Yes, thank you, Mr. Speaker. I don't... if they're going to persist in a verification at this late hour, I don't wish to take up the time of the House. So, what I'll be happy to do is to change my vote to 'no', and then have the Amendment be defeated, and we can go on with the business of the House."

Speaker Greiman: "Mr. Cullerton votes 'no'. Mr. Hannig. Mr. Hannig. Give Mr. Hannig a message. Mr. Hannig what was your..."

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Hannig: "I'd like to vote 'aye'."

Speaker Greiman: "Mr. Hannig votes 'aye'. Vote Representative Greiman 'no'. Ms. Currie votes 'no'. Ms.... Excuse me. Ms. Breslin votes 'no'. Mr. Levin votes 'no'. Mr. Kubik. Mr. Kubik votes 'aye'. Mr. Turner votes 'no'. Mr. Sutker... Sutker votes 'no'. Mr. Shaw votes 'no'. Mr. Mulcahey votes 'no'. Ms. Barnes. Ms. Barnes votes 'aye'. Mr. McAuliffe votes 'aye'. Mr. Goforth votes 'aye'. Mr. Saltsman votes 'no'. Mr. Rice votes 'no'. Alright. On this question, there are 50 voting 'aye', 59 voting 'no'... 60 voting 'no', 3 voting 'present'. And the Amendment fails. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the same page the previous Bill, page eight Senate Bills Second Reading, Short Debate, appears Senate Bill 1517. 1517. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1517, a Bill for an Act to amend the School Code has been read a second time previously. Amendments #1 and 2 were adopted. Amendment #3 was withdrawn. Next Amendment, Floor Amendment #4, offered by Representative Terzich."

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

Terzich: "Amendment #4 repeals the Urban School Improvement Act, which sets up the Advisory Council to increase parents participation in Chicago school system. Since the Parental Participation Advisory Council, set up under Senate Bill 730, are in place and have met the moderate success, it seems constructive to allow the structure to continue and operate by repealing the provisions of House Bill 2188. And I would move for its adoption."

Speaker Greiman: "The Gentleman from Cook, Mr. Terzich, moves for

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the adoption of Amendment 04 to Senate Bill 1517. And on that, is there any discussion? The Gentleman from Cook, Mr. Levin."

Levin: "If the Sponsor would yield. It seems to me that he's been taking lessons from Representative Giorgi in mumbling. I wasn't clear what the Amendment did. Last year, we, you know, passed legislation to provide for greater parent input in the Chicago public school systems. Does this Amendment remove... reverse that legislation or remove that input?"

Terzich: "My understanding that this was at the request of Senator Berman. Is the problem is that the Act, which was formerly House Bill 2188, is duplicative of the advisory council structure set up by Senate Bill 730 and the Education Act Reform of 1985. Additionally, the provisions of House Bill 2188 are internally inconsistent and unworkable. For instance, members, who are to include representatives from councils which have received planning grants, yet there are no provision authorizing or even describing such grants. So, that was the reason for the Amendment."

Levin: "Okay. Representative, my recollection of what we passed, as far as the Chicago public schools last year, was to have councils in each school that would review programs and budgets and so on, which is certainly a lot more detailed than what was in 730. Why are we going... Why aren't we repealing 730 as far as the Chicago public schools, rather than repealing the more detailed provisions in the Bill we... in the other Bill?"

Terzich: "It says, since the Parental Participation Revisal Concept... Council set up under 730 are in place, this is the reason for this. It repeals it. The... it is set up in Senate Bill 730."

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

Hoffman: "Thank you very much, Mr. Speaker. The Representative sponsoring the Amendment is correct. We had in the law for some time Urban School Improvement Act, and the language that we put in 730 last year put in place the present program. So, what this Amendment does is just clean up the statute. It doesn't take away what is currently happening under 730 in the Chicago School District, and I stand in support of the Amendment."

Speaker Greiman: "The Lady from DuPage, Ms. Cowlishaw."

Cowlishaw: "Thank you, Mr. Speaker. I'd like to make very clear what this Amendment does. One of the Representatives from the other side of the aisle has issued... apparently been concerned about this, and I would like to explain it. This Amendment repeals what we have commonly referred to as the Urban School Improvement Act. Now, the reason that it does so is because the same language, exact language which, in my opinion, was improved upon, was included as part of the education reform package enacted last year. The fact that that language is now part of what is recognized as one of the finest education reform packages in the nation gives the concept of the Urban School Improvement Act and of the parent participation that is elemental to that far more stature than if we had left it in a different portion of the statute. It does not change those provisions. It gives them added dignity. I stand in support of this Amendment."

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

Braun: "Thank you. Will the Sponsor yield?"

Speaker Greiman: "Indicates that he will."

Terzich: "Yes, I just want to say, it's exactly what Representative Cowlishaw said. That's exactly what I said, but it's just that Representative Levin didn't understand

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it. Go ahead and do it, Carol."

Braun: "That wasn't my question, Representative."

Terzich: "Okay."

Braun: "Representative, there have been hearings throughout the City of Chicago, particularly under the auspices of the Urban School Improvement Act, the notion being that parents will have an opportunity to get involved with the schools. And my question to you is, if this Amendment is adopted and the Bill is passed in its present form, will parents continue to enjoy the same opportunity for participation in the governance of their local schools as they presently do?"

Terzich: "Through their local PTA and local Advisory Council, the answer would be yes."

Braun: "In other words, the local school advisory councils on which parents have participated now for less than a year would be abolished and all of those parental efforts will go down the drain."

Terzich: "The local advisory councils set up under Senate Bill 730 would continue."

Braun: "But the advisory councils that have been meeting... that have been meeting up to date would no longer exist."

Terzich: "Well, at the present time the problem is, is that there are two advisory councils meeting, I believe, one under House Bill 2188 and the other one under Senate Bill 730. And it's my understanding that under 730, it is in place and it has met with moderate success - the participation of 20,000 parents citywide in budget review meetings."

Braun: "Representative, it was my understanding that the budget review meetings that were taking place were... that parents enjoyed some level of participation under... in connection with these councils that they might not otherwise enjoy. So, essentially this Amendment will hurt parental efforts

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to get involved with the governance of their schools."

Terzich: "Well, not really. It's... that's not my understanding."

Braun: "I'm sorry, Representative..."

Terzich: "It's not my understanding. We wouldn't want to hurt parents participating in schools. We want it and that's what the... under Senate Bill 730, that's exactly what's happening. There's approximately 20,000 parents city-wide in these budget review meetings, and, like I say, that it has been working with moderate success. And it seems most constructive to allow this structure to continue and operate and to repeal the provisions of House Bill 2186."

Braun: "Thank you, Representative. I rise in opposition to the Amendments, particularly because I would not want to have to respond to my parents in my area and tell them that the councils on which they have been meeting, where they thought they had some involvement with the schools had been abolished by this General Assembly before it even had a chance to get off the ground."

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

Ronan: "Thank you, Mr. Speaker, Members of the House. I, too, rise opposed to this Amendment. The Sponsor is a very honorable, distinguished Member of the General Assembly. He's a fine racquetball player, but I think he's off the base on this particular issue. Representative Braun is absolutely correct. Last year, we set up these councils. The many schools in the City of Chicago are just starting to organize. We're finally starting to get some parental involvement. This is really premature to knock out another method to get parental involvement in the schools in the City of Chicago. We obviously dump a lot of money into that system, and it's important that the parents have an opportunity to have a say so in their local schools, and I

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think that this Amendment is absolutely misguided at this point. Let's give it a couple of years, and if there is a problem, then we can address it. But we didn't pass the legislation until last year, and now, the councils are just starting to organize. So, I urge the Members of the Assembly to vote against this Amendment."

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

Brookins: "Thank you, Mr. Speaker. I was not too clear at first, but now I'm clear on this Amendment. I was just at a 'Can Do' meeting a couple of months ago where more than 500 people were meeting, and I have sent information concerning the council concept that we passed last year to them to alleviate some of their doubts. It is beginning to work in my area. I know that these councils are meeting. In a couple of instances, they have taken action against the budget of the schools; and therefore, I think that it's beginning to work, and therefore, I think we should let it work. So, I stand in opposition to this Amendment."

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

McGann: "Thank you, Mr. Speaker, Members of the House. I also rise in opposition to this Amendment. If you recall, when we had the school reform package, there was much ado on this floor in debate in regards to elected school boards. It seemed like this was going to be the answer to that concept... excuse me... by the concept of having school councils. It has been working. It has been given the opportunity of the parents, especially the City of Chicago, to have more involvement. I think we should continue on this road, and I'm sure we're going to have a successful answer to some of the problems of the Chicago Board of Education. I don't know what happened last night at the ballgame, maybe some were injured, but I hope that that injury has not been spreading."

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Speaker Greiman: "The Gentleman from Cook, Mr. Terzich, to close."

Terzich: "Well, you know, knowledge is no burden. I mean I understand that. However, it's my understanding that this Amendment does come from Senator Berman, who is quite knowledgeable in the educational field. And it is my understanding that there are two councils that are set up and one is for the... the planning grants and so on, and that there's been squabbles going on between both groups and they can't even get together. Since there is a substantial amount of participation, like I mentioned, approximately 20,000 that are currently on this review... budget review meetings, that we should give this a chance rather than having these here problems between both groups trying to represent somebody or something that they may feel they are, but they're arguing between themselves at the present time. And it's, therefore, suggested that we do adopt Amendment #4 and let the planning review... budget review committees give them their chance and let them see about their participation in the operations of our school system. And I would urge your support of Amendment #4."

Speaker Greiman: "The question is, 'Shall Amendment #4 be adopted?' All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'nos' have it. And the Amendment is not adopted. Mr. Terzich."

Terzich: "I'm going to tell Senator Berman on all of you."

Speaker Greiman: "Alright. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. I'm advised that there was a request for a fiscal note on the last Bill and that fiscal note was filed. Alright. And now on the... On page 16 of the Calendar on the Order of Consent Calendar Third

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Reading, Second Day. Mr. Clerk, read the Bills."

Clerk O'Brien: "Consent Calendar Third Reading, Second Day. Senate Bill 1563, a Bill for an Act to amend the Juvenile Court Act. Third Reading of the Bill. Senate Bill 1705, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 1706, has been removed from the Consent Calendar. Senate Bill 1862, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill. Senate Bill 1929, a Bill for an Act to amend an Act in relation to energy efficient storage hot water heaters. Third Reading of the Bill. Senate Bill 1993, a Bill for an Act to amend an Act relating to the Department of Mental Health and Developmental Disabilities. Third Reading of the Bill. And Senate Bill 2035, a Bill for an Act to amend the State Library Act. Third Reading of the Bill."

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. This is final action. Mr. Vinson, did you want to explain your vote on the Consent Calendar?"

Vinson: "No, I wanted to ask the Sponsor a question."

Speaker Greiman: "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', none voting 'present'. These Bills, having received the Constitutional Majority, are hereby declared passed. Now, on the Order... On page 15 on the Consent Calendar on Third Day... Third Reading, First Day, Senate Bill 1666 has been removed from the Calendar and has been placed on the Order of Second Reading, Short Debate. The Gentleman from DuPage, Mr. Hoffman, moves that we dispense with a supplementary report so that this Bill may be considered at this time for consideration on the Order of Second Reading. Does the

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Gentleman have leave? Leave. Mr. Clerk, on the Order of House Bills Second Reading, Short Debate appears Senate Bill 1666. Would you read the Bill?"

Clerk O'Brien: "Senate Bill 1666, a Bill for an Act to amend the School Code. Second Reading of the bill. Amendment #1 was adopted in Committee."

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

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any further Amendments?"

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

Speaker Greiman: "The Gentleman from DuPage, Mr. Hoffman, on Amendment #2."

Hoffman: "Thank you very much, Mr. Speaker. This Bill addresses the definition of a dropout. And in that definition we've provided that in the definition the exemption would be if the person transferred from one school district to another district. To clarify what we mean by another district and to make it a little more general, we've provided that changing the language from 'district' to 'public or private school', so if a person moves from a public school to a private school, that would be noted and they would not be classified as dropping out - moving from a public to a private school. And I move for the adoption of Amendment #2."

Speaker Greiman: "The Gentleman from DuPage, Mr. Hoffman, moves for the adoption of Amendment #2 to Senate Bill 1666. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On page 16 of the Calendar on the... Consent Calendar Third Reading, First Day, Senate Bill 2105, has been removed from that Bill and is now on the Order of Senate Bills Second Reading, Short Debate. The Gentleman from Cook, Mr. Ronan, asks leave of the House for... to dispense with the requirement of a Supplemental Calendar so that this Bill may be considered on the Order of Second Reading at this time. Does the Gentleman have leave? Leave is granted. Mr. Clerk... On the Order of Senate Bills Second Reading, Short Debate, appears Senate Bill 2105. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2105, a Bill for an Act to amend the Hospital Licensing Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

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

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

Ronan: "Thank you, Mr. Speaker. We've had some controversy with this Bill. That's why I asked it be removed from the Consent Calendar. Amendment #2 strips the Bill. What we do know is it just creates a situation where one representative of a primary hospital will serve on the Illinois Health Facilities Planning Board and remove all other stipulations in the original legislation. So, I move for adoption of Amendment #2 to Senate Bill 2105."

Speaker Greiman: "The Gentleman from Cook moves for the adoption of Amendment #1... Amendment #2 to Senate Bill 2105. And on that, is there any discussion? The Gentleman from

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DeWitt, Mr. Vinson."

Vinson: "Yes, I wonder if the Gentleman will yield for a question?"

Speaker Greiman: "Indicates he will."

Vinson: "Representative, the... was Amendment #1 adopted to the Bill?"

Ronan: "Amendment... Amendment #1 was adopted in Committee."

Vinson: "That's what I thought. Now, is the only thing that the Bill does, with the addition of Amendment #2, what you described the Bill as doing?"

Ronan: "That's correct. Amendment #2 strips everything else out of the Bill."

Vinson: "Okay. Thank you."

Ronan: "Sure."

Speaker Greiman: "There being no further discussion, the question is, 'Shall Amendment #2 be adopted?' Those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Mr. Ronan, for what purpose do you seek recognition?"

Ronan: "Yes, Mr. Speaker, on advice of my legal counsel. Since Senate Bill 2105 doesn't do much, why don't we leave it on the Consent Calendar? Is that possible?"

Speaker Greiman: "Yes, with leave of the House. The Gentleman from Cook, Mr. Ronan, asks leave of the House to place... to return Senate Bill 2105 to the Consent Calendar Third Reading, First Day. Does the Gentleman have leave? You have leave, Sir. Mr. Hoffman, for what purpose do you seek recognition?"

Hoffman: "To make the same request on 1666."

Speaker Greiman: "Mr. Hoffman asks leave of the House to return

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Senate Bill 1666 to the Order of Consent Calendar Third Reading, First Day. Does the Gentleman have leave? You have leave and the Bill will be on that Order of Business. On the Order of Senate Bills Third Reading, page four of the Calendar, appears Senate Bill 96. Mr. Nash. Out of the record. Mr. McCracken, that's the first time you've ever cheered anything I've done in the floor... Chair. Senate Bills Third Reading, appears Senate Bill 351. Ms. Didrickson. Out of the record. Senate Bills Third Reading, appears Senate Bill 415. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 415, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

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

Keane: "Thank you, Mr.... Thank you, Mr. Speaker. Amendment... or Senate Bill 415 amends the Revenue Act, and it has a number of provisions that affect the assessors... publishing for assessors as well as... well, let me do it by Amendments. Amendment #1 adds to the Bill revisions to the Revenue Act regarding both administrative and judicial review of taxable or nontaxable status of exempt property. It encompass... This text encompasses agreements reached by the Department of Revenue, Cook County Assessor's Office, County Assessing Officers' Association, the Chicago Bar Association and the City of Chicago. The Amendment allows owners of exempt property having a pending complaint before the Department of Revenue or the administrative review proceedings in Circuit Court to assert that the pending proceeding is a defense against the annual sale of tax delinquent property. The Amendment also allows such property owners to forego paying taxes while the property tax assessment is protested. And the Amendment allows county assessors and/or supervisors of assessment to issue

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certificates of error if the exemption request is approved by DOR as to a proceeding... to a proceeding year's tax liability. And then finally, the Amendment allows the county's chief assessing officer to issue a certificate of error, if taxes have been assessed subsequent to a determination that the property is or should've been exempt, that is, if the property was erroneously assessed. 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 Senate Bill 415. 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? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading, appears Senate Bill 502. Mr. Clerk. Mr. Davis, do you wish to proceed? Out of the record. On the Order of Senate Bills Third Reading, appears Senate Bill 602. Mr. Hastert. Oh, I'm sorry. I didn't see it. Yes, I skipped over it. Fine. On the Order of Senate Bills Third Reading, appears Senate Bill 522. Mr. Homer. Out of the record. On the Order of Senate Bills Third Reading, appears again Senate Bill 602. Mr. Hastert in the chamber? Out of the record. On page five of the Calendar on the Order of Senate Bills Third Reading, appears Senate Bill 943. Mr. Nash. Out of the record. On the Order of Senate Bills Third Reading, appears Senate Bill 1063. Mr. Clerk, read the Bill."

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Clerk O'Brien: "Senate Bill 1063, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. I'd like leave to take 1063 back to Second Reading."

Speaker Greiman: "The Gentleman asks leave of the House to return the Bill to the Order of Second Reading for purposes of an Amendment. You have leave. Mr. Clerk, read the Amendment... read the Bill."

Clerk O'Brien: "Senate Bill 1063, this Bill has been read a second time previously. Amendment... Floor Amendment #3, offered by Representative Churchill."

Speaker Greiman: "The Gentleman from Lake, Mr. Churchill. Yes, Mr. Keane, for what purpose do you seek recognition?"

Keane: "Thank you, Mr. Speaker. I would ask leave to table Amendment #2 which was adopted in Committee, because it will be picked up in Amendment 3."

Speaker Greiman: "Mr. Keane moves to table Amendment #2 adopted in Committee. And on that, is there any discussion? There being none, the question is, 'Shall Amendment #2 be tabled?' All in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Mr. Mautino, did you wish to speak on it? Alright. Fine. And the Amendment is tabled. Now, on Amendment #3, Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. Amendment #3 does exactly the same thing that the rest of the Bill does except that it makes one change, and that is to repeal the income tax deduction for community groups to fight gang crime. Last year, when the gang crime legislation was put through, we put an income tax deduction in for the expense to fight gang crime. This year, we put an appropriation through the system for 140,000 dollars and the appropriation will cover the amount that the deduction would've normally covered."

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And so, we wish to repeal the deduction at this point."

Speaker Greiman: "The Gentleman from Lake, Mr. Churchill, moves for the adoption of Amendment #3 to Senate Bill 1063. And on that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, I understand that the... one of the functions of this Amendment would be to repeal a Section of the tax laws that Senator Marovitz and I put in the Bill... the law last year over the veto of the Governor. It's my understanding that Senator Marovitz, however, is not opposed to this Amendment because of some commitments that were given to him by the Department of Revenue and, I'm sure, by the Governor. So, he didn't talk to me, but he talked to Senator Marovitz. So, Senator Marovitz said it's okay to repeal the law that we just passed last year. So, I'll support the Amendment."

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

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

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

Keane: "Withdraw Amendment #4."

Speaker Greiman: "Amendment #4 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Cook, Mr. Keane, moves for the suspension of Rule 37(g), which would allow him to have this Bill heard at this time. Does the Gentleman have leave? Leave is granted. Mr. Clerk, read the Bill on Third Reading."

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Clerk O'Brien: "Senate Bill 1063, a bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. Amendment 03 became the law or the Bill, and I would ask for a favorable vote."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, moves for the passage of Senate Bill 1063. 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. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'aye', 1 voting 'no', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading, appears Senate Bill 1492. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1492, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

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

Giorgi: "Mr. Speaker, Senate Bill 1492 amends the Liquor Act to authorize sale and dispensing of beer and wine at professional sporting events and concerns held on the premises owned by the Forest Preserve District for Kane County. Everyone is aware of this Bill, and I urge its support."

Speaker Greiman: "The Gentleman from Winnebago moves for the passage of Senate Bill 1492. 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 action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On

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this question, there are 102 voting 'aye', 7 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading, appears Senate Bill 1516. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1516, a Bill for an Act to amend an Act relating to classroom instructors of public institutions of higher education. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. Senate Bill 1516 amends the Public Community College Act, the University of Illinois, Southern Illinois Regency and the Board of Governors. I think you've probably heard of the Bill. It's the Bill that says that teachers... that the university... public university systems and college... public college systems, the junior college systems must set up systems that guarantee that the teachers who teach in those systems can speak understandable English. The Bill had a great deal of debate - heated debate at times - in the Higher Education Committee. The Bill does something very, very simple. It says that the systems will set up within... for instance, the Board of Governors system would set up within the colleges, the five universities that make up the Board of Governors systems, they would set up a method, a program to be sure that everybody who teaches in the Board of Governors colleges, in fact, is understandable in the English language. We do not, in the Bill, set up any kind of... any kind of qualifications. The university systems are to do that. It's possible for the universities to tell each of their schools to set up a system and report it to them, and then where the person is not understandable, to work with them, so that they can be understood by the

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students. And I'd be happy to answer any questions. I ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, moves for the passage of Senate Bill 1316. And on that, the Lady from Cook, Ms. Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. Will the Gentleman yield for a question, please?"

Speaker Greiman: "Indicates that he will."

Currie: "Representative Keane, is the term 'proficiency' defined in your Bill?"

Keane: "The proficiency would be defined by the systems."

Currie: "So, we don't quite know what the word 'proficiency' means. Is proficiency something in the ear of the listener or is there some other kind of standard?"

Keane: "No, the proficiency would be set up and defined by the systems."

Currie: "So, if, for example, I come from the northern part of the State of Illinois and I find myself a student at Southern Illinois University and they begin talking about insurance problems and from my part of the world I'm accustomed to calling it insurance problems, could I raise with the faculty or with the administration of that school a question whether that faculty member who calls it insurance is proficient in the English language?"

Keane: "If you've... If you've had difficulty understanding the downstaters here in the General Assembly, you might be willing to file a complaint to the college or system you're in. I would think in those... in the..."

Currie: "So, you're telling me that..."

Keane: "Well, I'll finish my answer. I would think in that system, then, that they would find your complaint frivolous. I don't think this..."

Currie: "I'm sorry, you think they would find..."

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Keane: "This... this Bill is addressed to usually foreign, to foreign born people, who... to whom English is not a native language."

Currie: "Right, so that there may well be a question. The reason I raise the question of the definition of proficiency is in part because if somebody does speak with an accent, whether it's a southern Illinois accent to a northern ear or the other way around, whether it's someone from the country of India for whom English is not a native language, there is a real question what counts as proficiency and who's going to do the defining. To the Bill, if I may, Mr. Speaker. I think this Bill is every bit as silly as the example that I raised in my question to Representative Keane. What the Bill says is that the colleges will define proficiency and they won't hire people who lack proficiency in the English language to serve as teachers in our higher education institutions. Well, what in the world do we think those institutions are doing now? Do we, for a minute, think that the faculty at the University of Illinois or at Northern Illinois University or at Southern Illinois University deliberately invites to join, as faculty members, people whom they, themselves, cannot understand in ordinary conversation? We have a process in place in each of our state university systems that I think goes pretty far to see to it that those universities hire people to teach our students who are able to communicate with them. I think this Bill is an extreme overreaction to what might be an individual complaint at a particular school at an individual point in time. I think this Bill undercuts the role of faculty in making peer appointments to their own departments, and I think it makes the Members of this General Assembly look just as silly as the debate about insurance or insurance."

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

Satterthwaite: "Sponsor yield for a question, please?"

Speaker Greiman: "Indicates he will."

Satterthwaite: "Representative Keane, is it your impression that the language used in the Bill requiring that all persons who provide classroom instruction can be limited by the plan that is proposed for the... the institutions' or the systems' boards?"

Keane: "What do you mean by 'limited'?"

Satterthwaite: "Well, one of the concerns I have is that the Bill, as it currently is worded, appears to mean that absolutely everyone who teaches in a classroom situation at all of our institutions of higher learning would have to go through this proficiency test."

Keane: "If you read the Bill, there's no mention made of any proficiency tests."

Satterthwaite: "Well, you have to assess the proficiency. Now, I don't know how you do that."

Keane: "You can assess... you can assess without a test."

Satterthwaite: "Alright."

Keane: "An assessment can be..."

Satterthwaite: "But everybody has to be assessed, then, even if they were born and raised in Illinois and have not ever been outside of the boundaries of the State of Illinois, they would still have to be assessed for their proficiency."

Keane: "The assessment could be done on a formal or informal basis. That is totally up to the system to define how the assessment would go forward. We do not define that."

Satterthwaite: "Well, my concern is that the language of the bill calls for the assessment of all instructors. And that seems to me that some kind of a review process would have to be in place that absolutely everybody who appeared

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before a classroom for instruction of that class would have to have that assessment process. There is no provision in the Bill, as far as I can see, to give a blanket exemption to people who have never had any foreign language background or have never been anywhere other than in the State of Illinois. I think it is taking a hammer that is much too big to deal with a problem. It seems to me that it would be a far more effective thing to go by way of Resolution to direct the systems to clean up their act in regard to foreign speaking personnel, if, in fact, that is a problem. But, as this language stands before us, it is overkill, and I think we have reacted to an emotional issue. We have reacted in such a way that we are going to be imposing upon our educational institutions a substantial burden. And I think that the problem is really already being addressed by the fact that the legislation has been introduced and that the institutions are, in fact, reviewing their processes and will tighten up those processes. And so, it seems to me that rather than passing this piece of legislation, we would be far better off not giving instruction through law, but instead, giving it by way of a Resolution so that the institutions could respond without the kind of overkill that this Bill provides."

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

Friedrich: "Mr. Speaker and Members of the House, if we have someone apply at SIU who says Vienna instead of Vienna and Cairo instead of Cairo, they need a little indoctrination before they can teach down there. That's part of what this Bill is about. But we had some people over here not long ago from University of Illinois. I think I understand English, and they had a little trouble with it. And I think that English is the language of this land, and I think if they're going to teach in our universities, they

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ought to be able to speak English."

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

Vinson: "Yes, Mr. Speaker, I would... wonder if the Sponsor would yield for a question?"

Speaker Greiman: "Indicates he will."

Vinson: "Representative, as I read your bill, it contains one exception and that one exception is for, quote, 'students in foreign language courses.' Is that correct?"

Keane: "That's right."

Vinson: "What about the problem of classes composed of students who can't speak English?"

Keane: "The problem of students... any foreign student who comes over here and enters classes usually considers himself to be... going to be taught in English, unless we have an..."

Vinson: "I understand foreign students do, but what about Illinois students who can't speak English? How are we going to teach them?"

Keane: "That's an embarrassing question and I have another Bill that'll deal with that."

Vinson: "I think, under the circumstances, you haven't provided a sufficient number of exclusions in the Bill, and I would urge you to take it back to Second Reading and improve it."

Speaker Greiman: "Alright. Further discussion? I would tell you that it was the Chair's intention to adjourn at about 7:30, however, so that you know, we have 13 people... 12 people seeking recognition. So, I just wanted you to know that a lot of people seem to want Mr. Flinn to be called on, but we... The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Yes, only three. Would the Gentleman yield to three very quick questions?"

Speaker Greiman: "Indicates he will."

Matijevich: "Jim, do you say 'tomato'? Do you say 'tomato' or 'tomato'? Now, I say 'tomato'. Do you say 'tomato'?"

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Keane: "It all depends whether I'm in a greasy spoon or in the Sangamo. I vary my answer and my usage depending on whether the waiter's got a tux on, or whether he's got an apron on."

Matijevich: "How about 'potato'? Do you say 'potato'?"

Keane: "'Potato', yes, because I was Irish and I grew up that way."

Matijevich: "Well, I say 'potato'."

Keane: "Well, you were north shore, and I was southside Irish."

Matijevich: "Do you say 'either'?"

Keane: "Do I say what?"

Matijevich: "'Either' or 'either'?"

Keane: "I don't understand what you're talking about."

Matijevich: "Do you say 'either'? I say 'either'. Jim, let's call the whole Bill off."

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

Hoffman: "Thank you very much, Mr. Speaker. Seriously, I've had... Four of my children have gone through universities in four different states. One of them attended the University of Illinois and had a math teacher that absolutely... she could absolutely not understand. I mean absolutely could not understand. I'm not questioning about whether the person was brilliant in that particular field, he may have been, but they should've never put him in a classroom. Two of the other three students had similar experiences, one at Arizona State, and one at Colorado... at Colorado. It is not a problem of just Illinois. It's a national problem that has to be addressed. You know we all paid tax money to send students to the University of Illinois, and the parents have to put up the difference between the taxes and the cost of the university. It's not fair. It's not fair to kids. It's not fair to taxpayers. This particular Bill is a... is a much more modest approach

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to what I... I would do. I absolutely would not let them teach class, unless they could satisfy a pretty strict standard before they went in front of students. It's wrong and this Bill is right."

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

Weaver: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As we heard in testimony in the Higher Ed Committee, there are many motives for hiring faculty and some of them include primarily publishing and other than teaching duties. We do have evaluation procedures involved already in higher education, and we do have most of our institutions teach English. So, the capability is there. And as the previous speaker has indicated, it doesn't make a darned bit of difference how much you know or how many degrees you have if you can't impart that knowledge to the people you're trying to teach. I think this is a step in the right direction. I've talked to too many people who have sat through classes, and a number of them on this floor, as a matter of fact, who have sat through classes where they really cannot understand what is being taught. I think this is very needed, and I think it's a little bit late, but better late than never. Thank you."

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 that the previous question be put. Those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The previous question being put, Mr. Keane to close."

Keane: "Thank you, Mr. Speaker. I'm going to speak very slowly and very distinctly so that some of the Members will be able to understand me. I will not use 'potato' or 'tomato' in my closing. Someone of the previous speakers said that

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this is a silly kind of Amendment... or Bill. It's not silly if you sit for 16 weeks in a class and you cannot understand what the teacher is saying. It is not silly if you take a course, such as economics, macro economics, micro economics, that have their own language and are hard enough to understand, because you're picking up a whole new vocabulary while you're taking that course, if the teacher is totally nonunderstandable or cannot be understood. It is not silly if you have a teacher for a basic course upon which future courses will be built, if you cannot understand that child. It is not silly to send 250 kids into a lecture hall to be lectured to by someone who none of them understand. We have... It is not silly at Northern Illinois, where we have 2,000 signatures by students on petitions saying, 'please endorse this Bill', because they have teachers that they cannot understand. What we're talking about, and there was a deal offered to me on this Bill, that if we... we should exempt tenured faculty. Everyone in Higher Ed said, 'Why don't you exempt tenured faculty and we will remove opposition.' They only want it to apply to the teaching assistants. We have tenured faculty, who a previous speaker indicated, received tenure maybe because of research capabilities, but who is not understandable. The Bill doesn't say to fire them. The Bill doesn't say get rid of them. The Bill says anyone in that position with a little help can learn how to speak so that he can communicate to the students. In Committee, a Member of the Committee pointed out the fact that the State Department, when they send diplomats to Europe and to... and to African nations and to Asian nations, can usually teach that diplomat from scratch in three to four weeks enough of that language, not only to function, not ask, 'pass the pepper', or 'give me more coffee', but who can

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 speak in a diplomatic language and represent the United States in that country. So, it is possible and that's what we're asking the universities to do. Where they have a problem, help the teacher out. Ask them to go in and take some courses, it could be diction, it could be the tempo of the way they speak. But they have the capability to teach the person. The Bill does not give any kind of... It allows the universities or the systems to set up their own procedures to handle this. It may not go far, but I think it's a start, and hopefully, it will get the university systems to clean up their act and provide teachers that our children can understand. And I would ask for a favorable Roll Call."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. The Gentleman from Cook, Mr. Levin, one minute to explain your vote."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Well, the great thing about this state is its ethnic diversity, and I think this Bill runs counter to that. I know it... would apply to the City College System of Chicago, which is... which is... teaches the various ethnic groups of this city. This Bill, I think, runs counter to what we want to do, into these ethnic groups. And I'm sorry to see it getting as many votes as it is."

Speaker Greiman: "Mr. Countryman, did you want to explain your vote? One minute to explain your vote."

Countryman: "Thank you. Thank you, Mr. Speaker. I rise in support of the Bill. I Cosponsored some Amendments in Committee, and I think there may be some problems in terms of how this logistically works out, and if there are, then we're going to have to come back here and work on that. I

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think that we need to have a more definitive statement as to what is proficiency. I also think that we need to have policy directed at the campus level as opposed to at the... particularly in the instance of the regency universities at the regency levels. I think that's just too high. I think we need to bring it down to where it's actually employed, and I have indicated to the Sponsor that that's the case, but the Bill is going to pass and I'm going to support it here. And I would hope that we could work out the problems after it's signed into law. Thank you very much."

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

Ropp: "Thank you, Mr. Speaker, Members of the House. There is an old saying that says, 'In Rome, do as the Romans do'. Certainly, it's only natural that in Illinois and in the United States we ought to be able to speak the English language. This is a good Bill."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 86 voting 'aye', 24 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Agreed Resolutions."

Clerk O'Brien: "Senate Joint Resolution 117, Madigan; House Joint Resolution 219, W. Peterson; 220, W. Peterson; 221, Madigan; 222, Daley; House Resolution 1449, Daniels - Hawkinson; 1450, Klemm; 1452, O'Connell; 1457, Stephens; 1458, Rea; 1459, McPike; 1461, McGann; 1462, Kubik; 1463, Keane; 1464, Stern; 1465, Cowlshaw; 1466, Matijevich; 1467, Matijevich; 1468, Ryder."

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

Giorgi: "Speaker, I move that the House adopt Senate Joint Resolutions and House Joint Resolutions and Agreed House Resolutions. I move for the adoption of the Agreed

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Resolutions."

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

Clerk O'Brien: "House Resolution 1451, Hastert."

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

Clerk O'Brien: "House Resolution 1446, offered by Representative Shaw, with respect to the memory of Robin White. House Resolution 1447, Shaw, with respect to the memory of Deacon Dave Scott. House Resolution 1448, Shaw, with respect to the memory of Verlon Laird. House Resolution 1453, Friedrich, with respect to the memory of Walter Schaefer. House Resolution 1454, Shaw, respect to the memory of Flossie Newell. House Resolution 1455, Shaw, with respect to the memory of Honnie Cook, Sr. House Resolution 1456, Shaw, with respect to the memory of Eula Gibson. House Resolution 1460, McPike, with respect to the memory of Art Fowler. House Resolution 1469, Phelps, with respect to the memory of Seigel Barnett Hardy. House Resolution 1470, W. Peterson, with respect to the memory of Nancy Givens."

Speaker Greiman: "Gentleman from Winnebago, Mr. Giorgi, on the Agreed... on the Death Resolutions. Mr. Giorgi moves for the adoption of the Death Resolutions. All in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Death Resolutions are adopted. Further... Alright. Mr.... Mr. Cullerton. Mr. Cullerton, for what purpose do you seek recognition? Mr. Cullerton."

Cullerton: "Yes, well, apparently most of the Leadership of the Republicans are off the floor, so maybe we can sneak something in here. Oh, Representative Cowlishaw is here. So, I guess we can't. I would like to continue the Special

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Order of Business that were scheduled for today, State Administration, Local Government, Child Protection and Games of Chance. I'd like to continue those that we have not yet completed till tomorrow at the call of the Chair."

Speaker Greiman: "Gentleman have leave to continue the Special Order of Business previously provided in the Calendar? Gentleman have leave? Mr. Hallock?"

Hallock: "Speaking on behalf of the House Republican Leadership that's still here, we support that Motion."

Speaker Greiman: "The Gentleman has leave and it will be so ordered. Alright, Ladies and Gentlemen, there are some Senate Bills that are on Second Reading and the Clerk will read those Bills on Second Reading so that they will be in position to be heard tomorrow and they will be on Special Orders... various Special Orders. So, accordingly, the Chair recognizes the Gentleman from Madison, Mr. McPike, who moves that the House stand adjourned until the hour of... of 9:00 a.m. tomorrow. 9:00 a.m. tomorrow, allowing the Clerk time in Perfunctory Session to read the appropriate Bills on the Order of Second Reading and for Committee Reports, Messages and such other business as may come before the Clerk."

Clerk O'Brien: "Senate Bills Second..."

Speaker Greiman: "Excuse me. And on that Motion, all those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House stands adjourned until the hour of 9:00 a.m."

Clerk O'Brien: "Senate Bills Second Reading. Senate Bill 1848, a Bill for an Act in relation to the indemnification and defense in response to action ... in... to response action contractors. Second Reading of the Bill. The Bill will be held on Second Reading. Senate Bill 1320, a Bill for an Act to create the General Not... to create the General Not

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for Profit Corporation Act. Second Reading of the Bill. This Bill will be held on Second Reading. Senate Bill 1570, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. This Bill will be held on Second Reading. Senate Bill 1634, a Bill for an Act relating to home repair fraud. Second Reading of the Bill. This Bill will be held on Second Reading. Senate Bill 2000, a Bill for an Act to amend an Act in relation to the regulation of insurance rates. Second Reading of the Bill. This Bill will be held on Second Reading. Senate Bill 2293, a Bill for an Act in relation to sexual offenses against children and family members. Second Reading of the Bill. This Bill will be held on Second Reading. Senate Bill 2294, a Bill for an Act in relation to child abduction and child visitation violations. Second Reading of the Bill. This Bill will be held on Second Reading. And Senate Bill 1706, a Bill for an Act in relation to high impact businesses and various tax incentives related thereto. Second Reading of the Bill. This Bill will be held on Second Reading. Committee Reports. Representative Leverenz, Chairman of the Committee on Appropriations I, to which the following Bills were referred, action taken June 19, 1986, reported the same back with the following recommendations: 'do pass' Senate Bill 1846; 'do pass as amended' Senate Bills 1628, 1734, 1751 and 1772. Representative Bowman, Chairman of the Committee on Appropriations II, to which the following Bills were referred, action taken June 19, 1986, reported the same back with the following recommendations: 'do pass' Senate Bills 1603, 1604, 1744, 1769 and 1779; 'do pass as amended' Senate Bill 1562 and 1738. A Message from the Senate, by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in passage of Bills of

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the following title, to wit: Senate Bills #... or House Bills #1130, 1556, 1675, 2546, 2552, 2573, 2642, 2839, 3207, 3276, 3449, 3468, 3474, 3476, 2828, 2879, 3017, 3162, 3165, 3178, 3475, 3477, 3479, 3480, 3512, 3521, 3525, 3543, and 3596, together with Amendments and the adoption of which I am instructed to ask concurrence of the House, passed the Senate as amended June 19, 1986. Kenneth Wright, Secretary.* No further business, the House now stands adjourned.*"

09/02/86
11:25

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