

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

61st Legislative Day

June 25, 1985

Speaker McPike: "The House will come to order. Members will be in their seats. The Chaplain for today will be the Reverend Harry Meyer, Pastor of First Christian Church of Hillsboro. Reverend Meyer is a guest of Representative Josephine Oblinger. Will the guests in the balcony please rise and join us in the invocation?"

Reverend Meyer: "Omnipotent Creator, before You, we come this day responding to Your beckoning and everlasting arms. To You, God of love, we give thanks for our night's rest. We rejoice at the dawn's brightness and the gladness of this morning. We beseech You to hear our prayers. May courage and faith be with those persons who are held against their will upon foreign shores. Bless this the great State of Illinois and its people who are of various... and numerous ethnic and racial heritage. Touch Your spirit of wisdom upon those who are gathered in these hallowed walls as the chosen Representatives of the people. May love, justice, service and brotherhood be reflected in the laws guiding our land. In Your eternal love and grace, we pray. Amen."

Speaker McPike: "Be led in the Pledge of Allegiance by Representative Ropp."

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

Speaker McPike: "Roll Call for Attendance. Take the record. Representative Matijevich."

Matijevich: "Mr. Speaker, let the record reflect the excused absence of Cal Sutker."

Speaker McPike: "Thank you. 117 Members answering the Roll Call, a quorum is present. A Message from the Senate. Representative Greiman in the Chair."

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

61st Legislative Day

June 25, 1985

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in passage of Bills of the following title, to wit; Senate Bills #48, 49, 52, 60, 62, 90, 123, 131, 157, 202, 231, 243, 257, and 265, together with Amendments, and the adoption of which I'm instructed to ask concurrence of the House of Representatives. Kenneth Wright, Secretary.' That message from the Senate referred to Senate Bills that passed the Senate."

Speaker Greiman: "Excuse me."

Clerk O'Brien: "Okay, the Message is in error. It should be House Bills that passed the Senate."

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

Ryder: "Mr. Speaker, I wanted to compliment you on your resplendent attire today. I take it from the manner in which you're dressed that we're probably going to be talking about the banking Bill and I wanted you to know that I'm also similarly attired. However, in the event that we don't have time for the banking Bill, I'm also prepared on the funeral directors' Bill if you'd like to proceed there. In any event, I'm very glad that whatever electronic problem that we were experiencing yesterday that prohibited you from recognizing me at that time has now been cleared up and we're starting off nicely. Thank you."

Speaker Greiman: "Mr. Ryder, I... I'm also glad to see that you're resplendently attired. I am wearing my lawyer clothes from Chicago. Unfortunately, vests don't fit me well. So, I usually dispense with them. In fact, I have a lot of large size vests that I can let anybody have if they want, but we also could do insurance stuff in these uniforms. So, there is... insurance, or for downstaters,

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

61st Legislative Day

June 25, 1985

it's insurance. We could do that and we will probably have a lot of financial measures today since we're both dressed for it and Representative Vinson is also dressed in that same manner. McCracken from DuPage is putting on his gray flannel suit and even Ms. Koehler is dressed appropriately with tie and shirt and... It's nice. It's good. It's good. Mr. Ropp, of course, is... Mr. Ropp. Now... Yes, Mr. Vinson. Mr. Vinson."

Vinson: "Let's get busy and pass some of these Bills. Let's get this place moving, Mr. Speaker."

Speaker Greiman: "Apparently, your metabolism rate has risen. Agreed Resolutions."

Clerk O'Brien: "House Resolution 592, offered by Representative Barnes; 594, by Brunsvold and DeJaegher. House Joint Resolution 81, by Kubik; 82, Panayotovich. Senate Joint Resolution 75, by... by Parke - et al; and Senate Joint Resolution 78, by Matijevich - et al."

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

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, House Resolution 592, Barnes, recognizes Herbert Hoening. 594, Brunsvold - DeJaegher, congratulates the Magnusson's. House Joint Resolution 81, Kubik, commends the First Czechoslovakian Garden Club. House Joint 82, Panayotovich, congratulates Marilyn Fitch. Senate Joint 75, Parke - et al, commends Virginia Hayter. Senate Joint 78, Matijevich - Churchill - Williamson, urges that O'Hare Air Reserve Forces Facility and Great Lakes Naval Training Center remain open. I move the adoption of the Agreed Resolutions."

Speaker Greiman: "Thank you. The Gentleman from Lake moves for the adoption of the Agreed Resolutions. Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair,

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

61st Legislative Day

June 25, 1985

the 'ayes' have it, and the Agreed Resolutions are adopted.
General Resolution."

Clerk O'Brien: "House Resolution 595, offered by Braun - et al."

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

Clerk O'Brien: "House Resolution 593, offered by Representative Shaw, with respect to the memory of Mr. Ruffin Tillman Brown."

Speaker Greiman: "Gentleman from Cook, Mr. Shaw, moves for the adoption of the Death Resolution. Those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Death Resolution is adopted. Mr. Clerk... Mr. Clerk, the doors that used to be here on the podium, do you know where those doors are stored? Mr. Clerk, do you know where they are stored? They are available. Alright. I don't... We may call in the carpenter later on today. Thank you, Mr. Clerk. Mr. Hallock, for what purpose do you seek recognition?"

Hallock: "Thank you, Mr. Speaker. I have an inquiry of the Chair. For the past week, I've had on the Special Order of Business on Public Utilities - Environmental Protection a very fine community right-to-know Bill. It's been on there for a week now and I noticed on today's Calendar it somehow has vanished from that Order. And I would like the inquire of the Chair just what happened to that Bill."

Speaker Greiman: "We'll check it out."

Hallock: "I had hoped then maybe, perhaps, you had suggested that be on the Consent Calendar of some type."

Speaker Greiman: "Representative Breslin in the Chair."

Speaker Breslin: "Ladies and Gentlemen, we are going to the Special Order of all appropriation Bills that are on Second Reading that do not have Amendments filed for them, so that we can move through those Bills and move them onto Third Reading. The first Bill on that Order is Senate Bill 1.

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

61st Legislative Day

June 25, 1985

Clerk, read the Bill."

Clerk O'Brien: "Senate Bill #1, a Bill for an Act making appropriations to the Board of Regents. 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 160."

Clerk O'Brien: "Senate Bill 160, a Bill for an Act making appropriations to the Department of Transportation. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 226. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 226, a Bill for an Act making appropriations to the Metropolitan Fair and Exposition Authority Reconstruction Fund. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 306."

Clerk O'Brien: "Senate Bill 306, a Bill for an Act making appropriations to the Auditor General. 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 356. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 356, a Bill for an Act making certain appropriations for higher education. Second Reading of the Bill. No Committee Amendments."

STATE OF ILLINOIS
34th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

61st Legislative Day

June 25, 1985

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Breslin: "Third Reading. Senate Bill 357."

Clerk O'Brien: "Senate Bill 357, a Bill for an Act making appropriations to the Illinois Community College Board and the Board of Trustees of the State Community College of East St. Louis for fiscal year 1986. 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 358."

Clerk O'Brien: "Senate Bill 358, a Bill for an Act making an appropriation to the Board of Governors for state colleges and universities. 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 359. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 359, a Bill for an Act making appropriations for the ordinary and contingent expenses of certain retirement systems. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Breslin: "Third Reading. Senate Bill 362."

Clerk O'Brien: "Senate Bill 362, a Bill for an Act making certain appropriations to the Board of Trustees of the University of Illinois. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Breslin: "Third Reading. Senate Bill 363. Clerk, read

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

61st Legislative Day

June 25, 1985

the Bill."

Clerk O'Brien: "Senate Bill 363, a Bill for an Act making appropriations for the ordinary and contingent expenses of the state universities' civil service system. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 364. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 364, a Bill for an Act to provide for the ordinary and contingent expenses of Southern Illinois University. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Breslin: "Third Reading. Senate Bill 450. Clerk, read the Bill. 450."

Clerk O'Brien: "Senate Bill 450, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Public School Teachers' Pension and Retirement Fund. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Breslin: "Third Reading. Senate Bill 454. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 454, a Bill for an Act to provide for the ordinary and contingent expenses of the Office of the Lieutenant Governor. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

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

61st Legislative Day

June 25, 1985

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 456. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 456, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Civil Service Commission. 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 460."

Clerk O'Brien: "Senate Bill 460, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Industrial Commission. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 462. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 462, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Illinois Arts Council. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Breslin: "Third Reading. Senate Bill 465. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 465, a Bill for an Act to provide for

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

61st Legislative Day

June 25, 1985

the ordinary and contingent expenses of the Office of the Governor. 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 466. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 466, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Mines and Minerals. Second Reading of the Bill. Amendment #2 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 471. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 471, a Bill for an Act making certain reappropriations to the Department of Transportation. Second Reading of the Bill. Amendments #1 and 2 were 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 474. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 474, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Financial Institutions. Second Reading of the Bill. Amendment #2 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

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

61st Legislative Day

June 25, 1985

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 475. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 475, a Bill for an Act to provide for the ordinary and contingent expenses of the Bureau of the Budget and the Executive Office of the Governor. 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 496. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 496, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Public Aid. Second Reading of the Bill. Strike that. Senate Bill 496, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Office of the State Treasurer. 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 507. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 507, a Bill for an Act making appropriations of the Illinois Development Finance Authority. 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 963. Clerk, read

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

61st Legislative Day

June 25, 1985

the Bill."

Clerk O'Brien: "Senate Bill 863, a Bill for an Act making certain appropriations and amending certain appropriation Acts. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1033. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1033, a Bill for Act making appropriations to the Department of Agriculture. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Breslin: "Third Reading. Senate Bill 1112. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1112, a Bill for an Act making appropriations to the State's Attorneys' Appellate Service Commission. 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 1410. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1410, a Bill for an Act making appropriations to the Illinois Job Development and Venture Investment Fund. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Breslin: "Third Reading. Senate Bill 1411."

Clerk O'Brien: "Senate Bill 1411, a Bill for an Act to appropriate \$5,000,000 to the Department of Central Management Services for minority business bonding. Second

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

61st Legislative Day

June 25, 1985

Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Mr. Clerk, did we do 1112 and move that to Third Reading? Very good. Ladies and Gentlemen, the next Order of Business will be the Special Order of Call on Higher Education. That's the Special Order of Call on Higher Education. The first Bill on that call is Senate Bill 329, Representative Dunn. Representative Dunn. Ladies and Gentlemen, we are preceding to Third Readings on the Special Order of Call. Sponsors should be in their seats and ready to present their Bills. The first Bill on this call is Senate Bill 329, Representative Dunn. Out of the record. Senate Bill 355, Representative McGann. Is the Gentleman in the chamber? Representative McGann. This appears on page 15 on your Calendar. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 355, a Bill for an Act to amend Sections of the Public Community College Act. This Bill has been read a second time previously. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Ewing. Representative Ewing."

Ewing: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Amendment should get everyone's attention and hopefully get us off to a speedy start today. The Bill that you have before you, Ladies and Gentlemen, is the Bill which would require that all nonjunior college territory in the State of Illinois, either form a new junior college or be assigned to an existing junior college, certainly an effort which has gone on for a number of years by the

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

61st Legislative Day

June 25, 1985

junior college proponents in this state and up until very recently had been thwarted by the good judgment and wisdom of our fine Governor, James Thompson, who had on at least one occasion vetoed a Bill passed by this General Assembly. And, let me point out that this legislation, as it's currently composed, will require that those areas be forced into or create a junior college district and that will be done or will include a tax without a referendum. And I think that many of us in this House strongly oppose that type of action. The Amendment, which I proposed to this Bill, I think is fair to those areas affected and I think it is also better for the junior college system in Illinois. The Amendment would provide that any nonjunior college area have another option. And this option would be with the referendum to impose a tax on themselves to pay the charge-back currently being picked up by high school districts. Now, let me point out that under the current system if you're not in a junior college area, your high school district is required to pay the tuition for any students living in that district who wish to attend in Illinois junior college. I don't think this is a fair situation. It is a drain on already hard pressed high schools to meet their educational needs. This Amendment would address that and it would say that you must impose a tax if it is approved by a referendum and reimburse your high schools for any charge-back. But if you do this in any nonjunior college district, you wouldn't have to join the junior college or create a new one. Finally, let me say why is this good for the existing junior colleges. First of all, I believe that the existing junior colleges really are only interested in taxing the nonjunior college area, not in serving it. In my particular situation, the community in which I reside would be taxed as heavily as

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

61st Legislative Day

June 25, 1985

any community or any area within driving distance of a junior college. And yet, we are 60 miles from any campus. And I would say to you, Ladies and Gentlemen, that you can't have a commuter... community college if you're 60 miles away. What I believe will happen if we don't put this Amendment on this Bill is that the major nonjunior college areas in this state will create new junior colleges. And what will that do to existing junior colleges? Number one, it will take students that they already have in their junior college. It will cut down the student pool available to existing junior colleges. Number two, it will keep them from having the taxing base increased which is really their desire in this case. And third, it will create some unneeded new junior colleges which can come to Springfield and compete for available funds allocated to the junior college system in Illinois. Let's put this Amendment on. Let's give people a chance to vote on any tax increase. Let's don't have taxes imposed without a referendum. Let's solve the problem, but let's don't throw the baby out with the wash and not put this Amendment on. I would ask for your favorable vote."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 355. And on that question, the Gentleman from McLean, Representative Ropp."

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

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

Ropp: "Representative Ewing, in the fact that we both share concerns for the educational fund, should this Amendment pass and the referendum would fail, there would still continue to be a heavy drain on the educational fund within each of the school unit districts. Is that correct?"

Ewing: "No, that's not correct."

Ropp: "Well, would you explain why it would not be correct?"

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

61st Legislative Day

June 25, 1985

Ewing: "If this... if this Amendment is put on and if there is a referendum and if the people in any nonjunior college district refuse to pay the charge-back, they would then be under the provisions of this law and they would be required to pay the charge-back and within a certain number of years, either form a new junior college or join an existing one. This would not let them off without doing one or the two."

Ropp: "Well, I guess... Reexplain the Amendment, then. I thought if the Amendment passes and a referendum is called and passed, then the tax would continue to pay for the tuition to community colleges."

Ewing: "That's right."

Ropp: "If it would fail, the local educational fund would have to be dipped into to continue to pay the tuition."

Ewing: "No. That's not correct because if it fails, then the other provisions of the Bill, 355, would apply and they provide for a tax to pay the charge-back for five years after which you'd be forced into a district or must create one."

Ropp: "In other words, whether or not the Amendment... whether or not the referendum passes or fails, you're still, under the Bill, would be taking the tax to pay for tuition out of all the taxpayers and would be leaving the educational fund alone."

Ewing: "It would leave the education fund alone. It would solve that problem. What it really does is give you a third alternative. You can either impose a charge-back tax on yourself permanently and stay out of the district, you can create a new district or you can join an existing district. All three alternatives would be available for nonjunior college areas in this state."

Ropp: "Alright. Then, in fact, if the referendum would fail, you

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

61st Legislative Day

June 25, 1985

would, at the end of five years, be forced, under this Bill, to go into an adjacent community college at a significantly higher tax imposed on the constituents within that school unit district. Correct?"

Ewing: "Or create another junior college. You'd have all three options."

Ropp: "Which could even be an administrative college which would be somewhat less than half or about half of what a full-fledged, brick and mortar kind of a community college that we have been considered."

Ewing: "That's right. Could be either one of the three."

Ropp: "Thank you."

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

McGann: "Thank you, Madam Speaker and Members of the General Assembly. First of all, I would like to inform the Assembly that I am in opposition of this Amendment. The Sponsor, my esteemed colleague, did not have the courtesy to come to me and tell me he was going to place this Amendment upon my Bill, but I'm not really concerned about that because he has a tremendous amount of credibility and I'll always respect him accordingly. But more importantly, this Amendment is a tax for the people and it's not giving them the choices that we would have under Senate Bill 355. If this Amendment goes through, a referendum would be required in order for a school district to have authority to levy a tax to pay out-of-district tuition charge-back to meet community colleges. Presently, this is a tune of \$3,000,000 in the drain of the educational fund of the elementary and secondary education and especially, the secondary education. This is where we're talking about \$3,000,000. If this continues and especially for the need for training and so forth in these areas where they do not

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

61st Legislative Day

June 25, 1985

have a college district, it could become quite a financial burden in the years to come. If no referendum were held or were successful by December 1989, according to this Amendment, the ICCB would have the authority to assign a school district to a community college. Some school districts might be successful with the referendum early, but the pressure wouldn't come until 1989 when the prospect of annexation of a community college district would increase the incentive for passage. During the interim period, these districts would continue to find it necessary to pay charge-backs from the educational funds. This would be a regression to the 1965 era because school districts, then, had authority to levy a tax to pay charge-backs without referendum. This authority was been removed by the Legislature in 1977 to create encouragement to join a community college district. It would make no public policy sense to go back to 1965 policies for 42 school districts which is 3% of the total state's population. These Amendments would not address the issue of school consolidation where a school district belonging to a community college district would consolidate with a school district not in a community college district. The new school district would have two classes of taxpayers; one class paying to directly support the community college operation and one paying a lesser amount to the school district to pay charge-backs. Pressure would mount to deannex from the community college district in order to be taxed at a lesser rate. The result would be disintegration of the community college district structure. This issue will become more acute as school consolidation increases as an issue. You will recall that the community college district lost three school districts, parts of districts within the last two years. While these Amendments purport

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

61st Legislative Day

June 25, 1985

to be Amendments to a require referendum, closer scrutiny shows that the threat of a forced annexation without referendum is being used as pressure to point out and to pass the referendum. Madam Speaker, I believe that this is very important. So much work has gone into this Senate Bill. Could have we the attention of the Assembly? I know that sometimes these things become boring, and I'm trying to make it as close as I can. But I am trying to bring out to all of the Members of this Assembly, the importance of how we have to defeat these Amendments so they don't destroy the Bill and destroy the future for education to the community colleges in the State of Illinois. I'm just going to say that with the Illinois community college system now enrolling close to one half of all enrolled in higher education in the state, with it providing most of the dislocated worker training, with it being asked to increase it's training and service to industry and business as the state's economy continues in transition, with it enrolling over 65% of the minorities enrolled in public and private higher education, and with it providing most of the retraining services to those who must be retrained periodically throughout their lifetime, where would we be if everyone elected to permanently support community colleges through charge-backs, as 3% of the population is attempting to do through these Amendments? I ask you to earnestly defeat this Amendment. Thank you."

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

Hoffman: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. I rise to join Representative McGann in opposing this Amendment and the next Amendment. He is accurate when he says that if these Amendments are adopted, they will defeat the intent of House Bill 355. At

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

61st Legislative Day

June 25, 1985

present, there are only 42 high schools in unit districts which encompass about 8% of the total land area in the state and about 3% of the state's population that are not included in a junior college district. To tell you the truth, Ladies and Gentlemen, we... as we look back, we probably made a mistake when we didn't assign all territory into a junior college district initially. What this has led to, of course, is a tremendous problem for those high schools and unit districts that are not in a junior college district because they have to pay the tuition. One of those school districts is located right west of here, Jacksonville, and their budget for 1985 - '86 contains a quarter of a million dollars which has to be taken out of their local education program to pay charge-back costs. It's an unfair burden on the local school districts. And with all due respect, of course, to the Sponsor of the Amendment, I rise in opposition to the Amendment."

Speaker Breslin: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Hartke: "Tom, I don't rise in opposition. As a matter of fact, I'm supportive of this measure, but I have some questions. Right now, how does the local school districts make up these funds when they get the charge-back bill to them?"

Ewing: "Right now, Representative, they have to take it out of their education funds."

Hartke: "Okay, then, this Amendment would allow them to add an additional tax with a referendum to their local school districts to pay that charge-back cost."

Ewing: "That's correct. And any of the prior speakers who indicated that this Amendment wasn't going to do that, are incorrect. It will allow the school districts to make up

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

61st Legislative Day

June 25, 1985

and to stop that drain on their education fund."

Hartke: "Okay. And without this Amendment, it would be mandated that they would raise that tax, correct?"

Ewing: "They're going to raise the tax with or without the Amendment. With the Amendment if they raise the tax, then they are freed from being required to be assigned to a junior college district or to form one. Without the Amendment, they're going to get the tax imposed without a referendum and then they're going to have to join the district or create a new one."

Hartke: "Okay. And I understand there is only, what, 42 school districts in the state that do not belong to a junior college district?"

Ewing: "I understand it's in that area. I can't tell you for sure the number."

Hartke: "Which is 8% of the land area and 3% of the population. When a junior college district makes this charge-back, is it at full cost right now to that unit?"

Ewing: "They pay the... The high school district has to pay the going tuition rate of that junior college when any student goes to the junior college from the high school district."

Hartke: "Alright. That should be the actual cost, then, of the education of that student."

Ewing: "I cannot tell you how the junior colleges set their tuition fees, but I would imagine it would be, yes."

Hartke: "To the Bill."

Speaker Breslin: "Proceed."

Hartke: "I do believe this is a good Amendment and it gives the local school districts the opportunity to raise their taxes with a referendum. It would also help the school... the junior college districts, in my opinion, because then that money would be there and they could get paid timely. I still have some problem on how they would be able to

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

61st Legislative Day

June 25, 1985

determine what tax rate to raise or to charge to bring up the number other than going on a possible history of how many students attend out-of-state or out-of-district schools, but I think it's a good Amendment and I'm supportive of it."

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

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

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Ewing, to close."

Ewing: "Ladies and Gentlemen of the Assembly, first of all, I do want to apologize to the Sponsor of the Bill. Of course, no offense was made in filing an Amendment without contacting him, though my staff may have messed up in that regard. It's probably a common practice here, but I do extend to the Sponsor my apology. I would like to quote from a letter from the Illinois Community College Trustees' Association, when they say, 'the Bill now stands, it is not opposed by any organization.' That's not correct. It is opposed by the IAA, the Illinois Farm Bureau. I would also like to point out in that letter that they say the issues which this Bill addresses are complex and defy simple resolution, and that's probably true also. But the fact is, there is a simple resolution as far as imposing on people without a referendum - a tax increase, something many of us find very objectionable. When the junior college system was created in this state, there was a promise that they would not force everyone into one. But that promise has been forgotten by the junior college trustees, and it is absolutely their aim to get areas that

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

61st Legislative Day

June 25, 1985

they can't serve and to tax them. Ladies and Gentlemen, most of us don't mind paying for services when we get them. We don't like to be taxed without a referendum and for services that we can't enjoy. This Bill solves a problem as far as our high school districts. It provides for a tax to pay the charge-back. That's fair. I ask for your support. Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #1 to Senate Bill 355 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'nos' have it. Representative Ewing has asked for a Roll Call. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Satterthwaite, one minute to explain your vote."

Satterthwaite: "Madam Speaker and Members of the House, I rise in opposition of this Amendment. The experience is that until 1977, this tax was permitted in the hopes that the areas of the state would come in under their own volition. Since that has not happened, we, then, went to the system of essentially penalizing the local school districts instead. I think that we should not penalize the local school districts, and I see the votes are there. Thank you."

Speaker Breslin: "The Gentleman from Marion, Representative Friedrich, one minute to explain your vote."

Friedrich: "Well, Madam Speaker, I think it's wrong when we take on a position that we're going to impose things on folks back home and they don't have a right to make their own decision. The Farm Bureau is not exactly a radical organization. In fact, in my opinion, they've been very responsible through the years. And they don't think it's fair and I don't either to impose a junior college district on someone who lives 60 miles away and will never get any benefit from it. I think the Amendment is a good

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

61st Legislative Day

June 25, 1985

Amendment, and I don't know... I don't understand exactly why you're voting against it."

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

Ewing: "Madam Speaker, I appreciate your courtesy in granting me the Roll Call. I'm not sure now that that was a wise decision."

Speaker Breslin: "The Clerk will take the record. On this question there are 35 voting 'aye', 76 voting 'no', and 3 voting 'present'. And the Amendment fails. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Ewing, amends Senate Bill 355 as amended."

Speaker Breslin: "Representative Ewing."

Ewing: "I would withdraw that Amendment."

Speaker Breslin: "Withdraw Amendment #2. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative McGann now asks leave for immediate consideration of Senate Bill 355. The Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 355, a Bill for an Act to amend the Public Community College Act. Third Reading of the Bill."

Speaker Breslin: "Representative McGann."

McGann: "Thank you, Madam Speaker, Members of the Assembly. I believe we've had much debate and discussion in the last 15 or 20 minutes in regards to this Bill. I would be very happy to answer any questions. I'd asked any questions about any of those... answer any questions about those who are sponsoring and supporting this legislation. And I'd asked for an 'aye' vote."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 355. And on that question, the Gentleman from

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

61st Legislative Day

June 25, 1985

Cook, Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We all come from different districts and different parts of the state, but I think that we can all agree that this is legislation that truly serves the policy of the state to provide comprehensive opportunities for junior college training throughout the state. I'm happy to rise in support of this legislation."

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

Ewing: "We've had a full debate on this issue. I certainly would stand in opposition to the Bill as it's currently constituted. It's a tax without a referendum. It's unfair to those people upon whom it's being imposed, and I'd ask for a 'no' vote."

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

Ropp: "Thank you, Madam Speaker. I stand in support of the Bill now, particularly coming from an area that does not have a community college and some 800 plus students who do not have a chance to go to a community college because they're 40 to 50 miles away. It would provide an opportunity for us to have a community college of administrative type, very low in cost in relation to buildings. I think the opportunities that these young people have far outweigh the areas that we have talked about as to the taxing mechanism. Vocational education is important. This will be provided, and I urge your favorable vote."

Speaker Breslin: "The Gentleman from Edgar, Representative Woodyard."

Woodyard: "Thank you, Madam Speaker. I also rise in support of Senate Bill 355. I certainly have been involved in these discussions and negotiations that have gone on for quite a

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

61st Legislative Day

June 25, 1985

long period of time, particularly, with the community college people. I might add that I don't think Bill 'Hart' was involved in this agreed agreement, but certainly most of the organizations heavily involved are in agreement that this is by far the best way to address this problem of the nondistrict district. And I urge your support on Senate Bill 355."

Speaker Breslin: "The question is, 'Shall Senate Bill 355 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 111 voting 'aye', 14 voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. With leave of the Assembly, we will go back to Senate Bill 329, Representative Dunn. It appears on page 15 on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 329, a Bill for an Act to amend the Regional Service Agency Fellowship Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Read the Bill on Third."

Clerk Leone: "Senate Bill 329, a Bill for an Act to amend the Regional Service Agency Fellowship Act. Third Reading of the Bill."

Speaker Breslin: "Representative Dunn."

Dunn: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Senate Bill 329 would create a program for... create the Regional Service Agency Fellowship Program which would allow for internships in municipalities for the purpose of providing students in public administration the opportunity to work in municipal government and provide

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

61st Legislative Day

June 25, 1985

those governmental agencies the opportunity to have the benefit of these students. And I would ask for a favorable vote."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 329. And on that question, is there any discussion? There being no discussion. The question is, 'Shall Senate Bill 329 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final action. Have all voted who wish? The Clerk will take the record. On this question there are 115 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we are going now to the Special Order of Call on Transportation. The first Bill on that Order is Senate Bill 137, Representative Mautino. Clerk, read the Bill."

Clerk Leone: "Senate Bill 137, a Bill for an Act regulating the use of automobile repairers and rebuilders. Third Reading of the Bill."

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

McCracken: "Just an inquiry of the Chair. Can't we just finish this Order of Business?"

Speaker Breslin: "It doesn't seem to be possible right now. So, that's why we're going to the Order of Transportation and we will be back."

McCracken: "Why is that?"

Speaker Breslin: "It's just a matter of handling the schedule, Sir. Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. Senate Bill 137 sponsored by Representative Topinka has one Amendment on that legislation. Excuse me. An Amendment has been filed

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

61st Legislative Day

June 25, 1985

and I... I'm not taking it back to Third. I will... I will not take it back to Second. I'll leave it on Third. It was Representative Koehler's Amendment. The Bill is in its same form as it came over from the Senate. This adds the following provisions for the list of improper claim practices by insurers. It was part of the legislation addressing chop shops in the State of Illinois. What this does is set up and implements reasonable standards to verify that a repairer who has been designated to provide the estimate, perform repairs or engage in other service connected with an insurer's loss of a vehicle is licensed in the State of Illinois. Also that the insurance check when made out to both the repair shop and the individual, that it is submitted to the individual who is licensed in the State of Illinois. This legislation provides that there is a statement that the business is licensed. There will be a license on the wall showing the number and the expiration date and the...an advertisement as it pertains to service complaints that could be brought to the attention of the Attorney General's Office. And it's also included in here requirements that are required to appear on all estimates and receipts. I think it's a good piece of legislation. I ask for it's adoption and passage."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 137. And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Just a few questions of the Sponsor. Will the Gentleman yield?"

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

McCracken: "Just for the purposes of clearing the record. What kind of reasonable standards must be adopted and implemented? Do they need to be reduced to writing? Do they need to be made available to the customer?"

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

61st Legislative Day

June 25, 1985

Mautino: "Yes."

McCracken: "Yes to both?"

Mautino: "Yes."

McCracken: "Okay. So that when you come in you'll be handed, in effect, a statement of standards."

Mautino: "It will be placed on the wall and also the licensure will be on the estimates and the billing forms, the license number and also in a place in the facility will be the information on the wall that is licensed... the license will be shown and the provisions for the standards would be there."

McCracken: "Okay. And who does the licensing, Secretary of State?"

Mautino: "Yes. Under the Motor Vehicle Code, yes."

McCracken: "Alright. And has he promulgated any rules relative thereto or is he given the authority to do so by this Bill or the Vehicle Code?"

Mautino: "Yes, he has and I understand from Representative Topinka and Representative Kubik that there is no opposition. The standards are provided and rules and regulations are provided. Correct me if I'm wrong."

McCracken: "Okay. Alright. And the violation Section is a failure to provide as a persistent tendency of notification on any written estimate prepared by an insurance company in connection with an insured loss that Illinois law requires the vehicle repairers must be licensed."

Mautino: "Correct, yes."

McCracken: "Okay. Nothing further. Thank you."

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

Terzich: "Mautino, is this a licensure Bill? What does this Bill do? Does it only require that people who have licenses are authorized to repair automobiles or make insurance... or

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

61st Legislative Day

June 25, 1985

insurance companies can only deal with license?"

Mautino: "No, it doesn't do that, but what it says is when there is an insured loss, if the check is made out to the repair company as well as the individual that for the protection of both the insurance company and the individual that they are not dealing with the chop shop or the parts. There is no tracking or trading on the parts. This licensure sets up those standards and rules and so that when a person comes in then they are well aware that this facility abides by the rules, regulations and standards of the Secretary of State's Office. And it is a licensure Bill."

Terzich: "How would a person know whether or not he's dealing with a chop shop? Just because he's got a license, does that mean he... they don't used parts, or where does the license facility get their parts and one that isn't licensed where would they get their parts? Is there something in the license that says that they're not a chop shop or something like that?"

Mautino: "Well, they do already have the tracking system for parts and there is an additional Bill, I think, 1136 that tracks those up to eight years. I guess there is no guarantee for anyone that a place doesn't use questionable parts and there is no way we can license for that in the State of Illinois, but at least you'll know you'll be working with and providing your vehicle to a facility that has at least been licensed, completed the questionnaires and are under the standards and regulations of the Secretary of State's Office."

Terzich: "Who does the policing of this? Aren't these repair shops currently licensed by either local units of government or, you know, to do business? Why would we need this legislation?"

Mautino: "Under the home rule provisions, they are. Statewide,

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

61st Legislative Day

June 25, 1985

they are not and the inspection provisions would be under the Secretary of State under Motor Vehicle Code."

Terzich: "Doesn't the Secretary of State presently, you know, check into repair shops to see if they have any stolen parts or chop shop parts or something like that?"

Mautino: "I understand that they do. This would maintain that those individuals operating are registered with the State of Illinois and there is some recourse for an individual which may not be the case if they weren't licensed."

Terzich: "Well, if the Secretary of State went and found some stolen automobile parts in a repair shop, I assume that they would charge them with some type of felony charge. Wouldn't they presently?"

Mautino: "I would assume so, yes."

Terzich: "Then why would you need something like this to... Why would you need this type of legislation?"

Mautino: "Mainly because there are some repair shops that are not registered. Some are fly-by-nights where they take the down payment and they never complete the work. At least the individual customer would know that there is recourse if, in fact, the person is licensed and under the standards of the state."

Terzich: "Well, to the Bill. You know, all this Bill does sound like is it... it's supposedly licenses repair shops. And that is currently done by local units government. There are laws on the books that does protect them from repair shops. I really don't know what this Bill would actually do other than supposedly is another licensure Bill which function... it does nothing really, other than to say that I may be a reputable repair shop and you can only do business with me. I actually don't see any purpose in this type of legislation."

Speaker Breslin: "Representative Mautino, to close."

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

61st Legislative Day

June 25, 1985

Mautino: "I believe it has been adequately discussed. It does provide confidence for the consumer that when they take their automobile to a repair shop that individual is under the auspices of the Secretary of Secretary State, the motor vehicle law as well as complaints that can be brought against them under the licensure provisions and that when checks from insurance companies are submitted, they will be submitted to agencies that are not fly-by-night operations. I ask for an 'aye' vote."

Speaker Breslin: "The question is, 'Shall Senate Bill 137 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 106 voting 'aye', 7 voting 'no', and 1 voting 'present'. Capparelli wants to vote 'aye'. There are, therefore, 107 voting 'aye', 6 voting 'no', and 1 voting 'present'. And this Bill, having received the Constitution Majority, is hereby declared passed. Senate Bill 239, Representative Flinn. Clerk, read the Bill."

Clerk Leone: "Senate Bill 239, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Flinn."

Flinn: "Thank you, Madam Speaker. Senate Bill 239 is a Bill that passed the Senate by 58 'yes' and no 'no' votes. I don't whether that's important or not, but it is to me in this case. The... What the Bill does is adds to the list of violations of which a court is not required to report to the Secretary of State, speeding violations if they're only ten miles over the 55 miles per hour. It does not change the speed laws at all. The fines remain the same. It doesn't touch that portion of the law. It simply takes away the requirement of reporting the speeds on the

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

61st Legislative Day

June 25, 1985

interstate highways of over 55 miles an hour and under 65."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 239. And on the question, the Gentleman from Adams, Representative Mays."

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

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

Mays: "Representative Flinn, did you say this just applies to the speed limit on interstate highways?"

Flinn: "No, I take that back. The original Bill does, but there was an Amendment put on by Representative O'Connell. If you wish to question the Amendment, it deals with something under 55. The original Bill dealt only with the 55 miles an hour on the speed limit."

Mays: "Okay. Representative O'Connell, then, would you yield for a question on the Amendment #1 that was adopted?"

Speaker Breslin: "Representative O'Connell."

Mays: "What, you know, what we're doing is creating a number of classes of nonreportable offenses to the Secretary of State's Office. Is that not correct?"

O'Connell: "We're adding to a number of nonreportable offenses found in, I believe, it's 16-204. Chapter 95 and half."

Mays: "Can you... you know, for the benefit of a lot of us in this chamber, could you tell us what some of those nonreportable offenses will be?"

O'Connell: "Sure. Sure. Speeding violations not in excess of 12 miles per hour over any limit of 35 miles per hour or less, lighted lamps, farm or slow moving vehicle, signal lamp or device, required driving lamps, illegal flashing lamps, flashing lights, defective brakes, use of unsafe tire, no safety glass, tow truck identification, suspension system, head set receivers in the car, improper explosive warning, improper radioactive warning, improper flammable warning.

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

61st Legislative Day

June 25, 1985

Now, I might add, Representative, that the nonreportable aspect of this Bill is only effective if there is a local ordinance which addresses these specific violations. If there are no local ordinances that do so, they become reportable offenses."

Mays: "In other words, home rule municipalities may enact an ordinance that says that these shall not be reported to the Secretary of State's Office; otherwise, this is not reported... otherwise these will be reported."

O'Connell: "Any unit of... any municipality. Strike that. Any unit of local government home rule or nonhome rule."

Mays: "So, the Adams County Board could pass an ordinance of sorts saying that these should not be reported to the Secretary of State."

O'Connell: "Well, if you have a county police department..."

Mays: "A sheriff's office."

O'Connell: "Alright."

Mays: "Okay. Then they can do that and then for those people that are ticketed for driving 47 miles an hour in a 35 mile an hour zone, they will not have that ticket reported to the Secretary of State's Office. Is that correct?"

O'Connell: "If they are issued a ticket and the violator pays the amount of the ticket, which is not more than \$15, and if the defendant or the violator accepts the violation and pays the ticket, then it become a nonreportable offense if there is a local ordinance."

Mays: "Thank you very much. To the Bill. You know, this is a policy call. I'm sure there are some of these offenses that are in here that many of us don't give a whole heck of a lot of care about, but there are some in here that I think do matter a little bit, especially in regards to speed limits. If we've got a 55 mile an hour on... limit on an interstate, why, then, should we not have... why

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

61st Legislative Day

June 25, 1985

should we have an allowance for going 65 miles an hour without a nonreportable offense? By the same token if in some of our small towns, we've got a 35 mile an hour. Why, then, should we have an allowance for going 47 miles an hour for a nonreportable offense? The Secretary of State's Office, as I understand it, opposes this Bill. They believe that it will substantially decrease the number of convictions that are reported to the Secretary of State's Office. And they also believe that they cannot properly access of drivers records if convictions for moving violations are not reported to their office. For that reason, I stand in opposition to this Bill."

Speaker Breslin: "The Gentleman from Jefferson, Representative Hicks."

Hicks: "Yes, Madam Speaker, Ladies and Gentlemen of the House. This Bill came about due to the fact that insurance companies have been somewhat abusing the rights of looking at speed limits as far as the charges that are... and the violations of speed limits. Currently in Illinois, if you get a speeding ticket for 5 miles an hour over, the insurance company looks at that and they have a reason to raise your rates. And that's what's happening. Insurance companies are abusing the rights to look at your violations and they are raising rates in the State of Illinois. That's the reason the Bill really came about; because, if you have a violation for less than 10 mile an hour over the speed limit, there is really not a need for you to have your insurance rates raised up. So, I stand in favor of the Bill and ask for your 'aye' vote on the Bill."

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

Piel: "Thank you, Madam Speaker. Will one of the two Gentlemen yield? I'm not sure which one would be better qualified to answer the question."

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

61st Legislative Day

June 25, 1985

Speaker Breslin: "Representative Flinn is the Sponsor. Proceed."

Piel: "Representative Flinn, basically my question deals with the Amendment. Can you give me an example? What worries me is the situation, let say, that we have a 20 mile an hour speed limit, that's why I say may be it'll be Representative O'Connell, but whichever one. Let's say that we have a 20, 25 mile an hour speed limit. We're talking about a residential area. The way I read this is it's basically giving them an option of going 37 miles an hour. You start going down a residential street - I think we all have the problem with the dragsters going down our residential streets - and you start adding in a 10 mile an hour difference on that, that's the way I'm reading the Amendment. Could you explain to me when it would be acceptable to go 40... let's say, 37 in a 25 or when it would not be acceptable?"

Flinn: "Well, let me try to explain to you. First, the Amendment does not grant them that privilege to speed. It only grants the local government the right to take that away as a reportable offense and fine them. Now, we're not changing any of the speed laws, those that are under 55 or those that are over 55. The speed laws are staying intact as they were. All we're doing is picking out some areas where there is a severe penalty involved in speeding in addition to the fine. And we're thinking that since the state police now are serving as judges out there of 56 miles an hour, 58 miles an hour and that sort of thing, knowing full well that this might be the third reported violation of the speed laws and; therefore, the person would lose their license, have it suspended - we're trying to take the policemen out of position of being a judge."

Piel: "I understand, Monroe, but what my question basically is just to the one area that concerns me as far as the

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

61st Legislative Day

June 25, 1985

Amendment goes. The original Bill, I'm not arguing with. I'm not arguing with any of the other parts of the Amendment, even though I could, but I... The granting of the 12 miles an hour in a city. Now you start talking about 12... because I know that municipalities in our area, lots of time what they'll do, they'll, you know, give the people if it's 25, they'll give them up to maybe 30. But anything over that, they pull them over. And that's the question that I have. Maybe Representative O'Connell..."

Flinn: "Well, the answer to that question is it doesn't grant any miles over the speed limit. It just let's local government take those violations, if they so desire, take those violations as one of those that are reported to the Secretary of State for one of the three violations. It doesn't do anything to local government except let them do that if they have a desire to do so."

Piel: "In other words basically what we're saying is - correct me if I'm wrong. As an example, if I... in ABC community they decide that anything over 10 miles and over, they will not report this. In other words, I would still be fined for the offense of 35 in a 25, but that would not be reported to the Secretary of State."

Flinn: "Providing that local government took that action."

Piel: "Fine. Thank you very much."

Speaker Breslin: "The Gentlemen from DuPage, Representative Barger."

Barger: "Thank you, Madam Speaker. Many, many years ago in the State of Illinois, we had difficulty with local speed traps, the funding of local police departments by enforcing local rules and regulations, that not everyone in the State of Illinois knew existed and they were not uniform. This particular Bill allows for the opportunity for local police

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

61st Legislative Day

June 25, 1985

departments to increase their funding by operating speed traps, by enforcing unusual rules and regulations that are not normally enforced. It is not in the best interest of honest law enforcement. Police officers now have discretionary power to not issue a ticket if they think that a ticket ought not be issued. This Bill is not in the good interest of the people. It's not in the good interest of government. It is a disservice to us as citizens and to those people we represent if we allow it to pass. I suggest very strongly that we vote 'no' on this Bill."

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

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

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Flinn, to close."

Flinn: "Thank you, Madam Speaker. I suspect the previous speaker has not read the Bill. And certainly, if he read an analysis that said what he said, he read a bad analysis. This does not provide for speed trap. It doesn't change the speed laws at all. All it provides for by the Amendment is to let local government, if they see fit, to change the reporting of violations within a certain area from 35 miles up, for example, up to 47 as somebody pointed out. The original Bill, all it does... does not change the 55 miles an hour speed limit. All it does is provide that the court shall not be required to report speeding violations of up to 10 miles per hour over the 55. And that's all the Bill does. So, I would ask for a favorable vote, Madam Chairman (sic - Speaker)."

Speaker Breslin: "The question is, 'Shall Senate Bill 239 pass?'

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

61st Legislative Day

June 25, 1985

All those in favor vote 'aye', all those opposed vote 'no'.
Voting is open. Representative O'Connell, one minute to
explain your vote."

O'Connell: "Thank you, Madam Speaker. This Bill does a couple of
things. First of all, it gives the local governments the
opportunity to enforce its own speed limits under 12 miles
an hour. It allows them to eliminate the inefficiencies of
crowded court dockets for people that show up in court and
wait all day for a flashing light that wasn't repaired
properly, for a use of an unsafe tire. These are minor
violations. What we're trying to do is to give the local
units of government the opportunity to eliminate
inefficiencies and still maintain safe streets. The Bill
is proposed by the chiefs of police from the Cook County
area, that is the Amendment is. There is no way that they
want to enforce laws that will be construed or the lack of
enforcing laws that will be construed as providing for
unsafe highways. The real opposition to this measure is
that the Secretary of State's Office and certain law
enforcement agencies will not be getting the surcharges
that they get now. Right now, if... particularly a
downstate motorist, if he has the use of an unsafe tire, he
can be facing a fine of up to \$90. The flat \$50 fee for
the violation and then surcharges which are piled up by \$5
increments. That's what the Secretary of State is worried
about is not getting that \$5. I would suggest that this is
a very good government Bill. It's a good Bill that
eliminate a lot of the inefficiencies that are in our court
systems and maintain safe streets."

Speaker Breslin: "Have all voted who wish? Have all voted who
wish? The Clerk will take the record. On this question
there are 75 voting 'aye', 35 voting 'no', and 4 voting
'present'. And this Bill, having received the

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

61st Legislative Day

June 25, 1985

Constitutional Majority, is hereby declared passed. Senate

Bill 243, Representative Van Duyne. Clerk, read the Bill."

Clerk Leone: "Senate Bill 243, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Van Duyne."

Van Duyne: "Thank you, Madam Speaker. It's a very simple Bill.

It reduces the definition of retired members from eight years to six years and reduces from 62 years of age with a minimum of four year service in order to become eligible for your retired license plates. That's all there is to it. And I move for the passage of House Bill... Senate Bill 243."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 243. And on that question, is there any discussion? There being no discussion. The question is, 'Shall Senate Bill 243 pass?' All those in favor vote 'aye', all those opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 89 voting 'aye', 20 voting 'no', and 8 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 492, Representative Wolf. Clerk... Out of the record. Senate Bill 583, Representative Rea. Clerk, read the Bill. And Representative Churchill. Clerk, read the Bill."

Clerk Leone: "Senate Bill 583, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker, Ladies and Gentleman of the House. Senate Bill 583 provides that the Secretary of State shall not issue a supplemental license to new or used car dealers outside of their market area unless three or more licensed dealers make application to hold a joint sale

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

61st Legislative Day

June 25, 1985

and the Secretary has considered the ability of the applicants to honor their service warranties and guarantees on vehicles offered for sale. I would move for passage of the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 583. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, I would inquire of the Clerk. Is there Amendment adopted on this Bill?"

Speaker Breslin: "In answer to your question, no Amendment has been adopted."

Cullerton: "Thank you."

Speaker Breslin: "Is there any further discussion? There being no further discussion. The question is, 'Shall Senate Bill 583 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Representative DeJaegher, would you change my vote from 'aye' to 'no', please? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', 5 voting 'no', and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 610, Representative Vinson. Clerk, read the Bill."

Clerk Leone: "Senate Bill 610, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Vinson. Representative Vinson."

Vinson: "Has the Clerk read the Bill, Madam Speaker?"

Speaker Breslin: "He has."

Vinson: "Is Representative Cullerton on the floor, Madam Speaker?"

Speaker Breslin: "He is."

Vinson: "Then, Madam Speaker, to the Bill. Ladies and Gentlemen of the House, for months I have known just how important

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

61st Legislative Day

June 25, 1985

this Bill is to the automobile industry and their many lobbyists that gather around this chamber. And for months, I have known just precisely how important this Bill is to the Illinois Department of Transportation. You will note, standing in the rear of the chamber in the middle aisle, Secretary 'Bays' of the Department of Transportation. He has been on the floor of this Assembly for the past five days working on this Bill. You have the finest road program offered to you in history because of his efforts on this particular Bill. This is a finer road program and a more elaborate program than Representative Ronan brought to you with the gas tax. This Bill has brought you that road program. I deeply understand the dilemma that those automobile industry lobbyists and Secretary 'Bays' pose for you on this particular issue. But let me suggest that there is something else you ought be thinking about and those are the people back home, the people back home who feel that the mandatory seat belt law is the single worst vote, the single worst law, the most obnoxious intrusion on their freedom as individuals this chamber has ever perpetrated on them. Today you have the chance to give them what most of them regard as a meaningful piece of liberty, the freedom for them to choose whether or not to wear their seat belt. Senate Bill 610 would repeal the mandatory seat belt law in Illinois. It is going to be your one and only chance to vote on that issue. It is going to be the one vote that many people look to you for in this General Assembly's Session. I ask that you vote for freedom and that you vote for the repeal of the mandatory seat belt law. I ask for an affirmative Roll Call on Senate Bill 610."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 610. And on that question, the Lady from Cook,

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

61st Legislative Day

June 25, 1985

Representative Didrickson."

Didrickson: "Thank you, Madam Speaker, Members of the House. I hate to stand up here and oppose my conservative colleague on the right here to me. However, I think he happens to be misreading the general public's growing support on an issue of safety. If we look at a recent poll that was conducted just this March in 1985, it was a market research opinion poll, 600 people statewide. What did we find? Sixty-three percent favor the law; 62% favored belts over bags; 78% said they'll comply. If we look back at the 'Katz' poll which was done a year ago, we find that this recent poll has increased the public support on safety belts. Chicago had a 61.3% favors of safety belts. Statewide, it was 60.3%. I mentioned that I felt that my colleague was misreading the general public's support on safety belt issues. I also think that we ought to look at some statistics because, quite frankly, that's what I think the public has finally educated themselves on versus an emotional hype. We repeal laws in the State of Illinois because they become obsolete or they're ineffective. We haven't even given them a chance to try the safety belt law. I'd like to put together some numbers for you that the public hasn't even seen with regards to compliance. I'm not going to use New York City's or New York State's numbers with regards to 70% compliance. I'm going to use 54% compliance for my conservative colleague here. With 54% compliance in the State of Illinois, it is estimated we can save 235 lives, prevent 34,000 injuries and let's look at the dollars if we're going to talk about conservative measures. Cost, \$9,600 per average injury; per fatality \$210,000. That adds up to a savings in the State of Illinois with regards to insurance, health care and medical rehabilitation and welfare costs to a savings the first

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

61st Legislative Day

June 25, 1985

year of \$343,000,000. I don't think that can be ignored and I don't think the public is ignoring statistics. I would like to close with... Three years ago when I first came down here and I recognized that many freshmen weren't down here with regards to the child restraint law or the safety belt law that was passed previously. We passed the child restraint law overwhelmingly. It had bipartisan support. It had bipartisan leadership on it. That was half the loaf. We're going to be buckling up and we have been putting safety belts and restraints on our kids and now, we're going to repeal the other half, the other components of parents. And what we're going to end up with is a whole class of orphans if we don't vote 'no' on 610."

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

Brookins: "Thank you, Madam Speaker and to the General Assembly. I rise to speak to this Bill with mixed emotions. I have taken a poll in my district and I have talked to the constituency and the people that I most respect, and they say, smilingly, 'Why force us to put on these seat belts?' I, myself, have never used the seat belts, but I know as a practical matter that this will save lives. I know that it is for the good of all, and I know that it is effective. So, with that from my knowledge, I'm going to have to do something that I rarely ever do and that is go against the people that have told me not to use... not to... that they don't use the seat belts, but I know that they are law abiding people and that they'll do what is best for them. So with that I will have to support the seat belt law."

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

Friedrich: "Madam Speaker, I have a true story to tell you and I think you might find it interesting, although Secretary

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

61st Legislative Day

June 25, 1985

Edgar did not find it to be very funny. Just last week one of my constituents went to take her drivers license test and it is the practice and the rule of the Secretary of State's employees that they have to buckle up when they're giving a driving test. Well, the test was successful. They came back to the station and the Secretary of State's employee couldn't get out of the belt. It wouldn't come unfastened. So, they went inside and got someone to help. They couldn't get it unfastened. They finally had to drive to the Ford garage and have the belt cut off so the lady could get out. Now, I think that gives you an idea of what you could come up against in this. Let me tell you a couple of things. When this came up last time, I told you that six countries in Europe have national mandatory seat belt laws. Only one of those, only one has a better... a lower fatality rate than the United States. Now, I have an article before me which says car seat belt laws don't save life, British government says. Compulsory use of seat belt does not save lives, according to a startling British government report. And one expert says, it's because belted drivers are much more reckless and cause more accidents. Now, who are you trying kid? We're... You're not endangering someone else when you don't put your seat belt on. And I resent, I resent very much more and more government telling you what you can do and setting you up for harrassment. And every time you pass a law, there is more regulation, more people involved, more taxes. Let's don't get government into everybody's business. It's not the obligation of the government to protect everybody from everything."

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

Ronan: "Thank you, Madam Speaker, Members of the House. Will the Sponsor yield for a few questions?"

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

61st Legislative Day

June 25, 1985

Speaker Breslin: "He will yield."

Ronan: "Representative Vinson, let's not talk about the rhetoric of this concept and let's not talk about some of your hypothetical examples. Let's talk about the facts. Do you believe that this law will save lives of citizens here in the State of Illinois?"

Vinson: "No, I think it'll cost lives."

Ronan: "Well, obviously, you're wrong on that state. There is no question about it. Alright, it will cost lives and we're going to have a tremendous..."

Vinson: "You're right. It's going to cost lives."

Ronan: "It's going to cost lives - your repeal. The legislation you're bringing before the General Assembly will cost probably 300 lives here in the State of Illinois."

Vinson: "No. No. No. The mandatory seat belt law..."

Speaker Breslin: "Representative Vinson, the Gentleman is speaking to the issue."

Ronan: "Secondly, let's talk about..."

Speaker Breslin: "Proceed."

Ronan: "Let's talk about... let's talk about injuries. Representative Vinson, what do you think about injuries? Will your repeal cause increased injuries here in the State of Illinois?"

Vinson: "My repeal will save lives and will save injuries."

Ronan: "Well, Representative Vinson, you're wrong again. Not only is it going to cost lives, it's going to cost increased injuries. The statistics that have been documented in states and in countries that have instituted mandatory seat belts show that in each Legislative District here in the State of Illinois, three lives will be saved next year if we keep this law on the books. And over three hundred serious injuries will be prevented in every district. The Members of the General Assembly have a very

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

61st Legislative Day

June 25, 1985

clear decision to make. If you want see residents of your district killed, if you want to see residents of your district maimed, if you want to cause serious injuries in your district, then vote for this bad concept. But if you really care about the people of your district and if you really care about the citizens of Illinois and if you really care about a safe driving environment that's going to show that we want to move this state in the right direction, you'll vote against this bad concept. This Sponsor has brought many unique ideas before the General Assembly this year, but this is a bad idea. It has no warrant, and it really moves us in the direction that Illinois should not be going. I'm appalled at this idea, and I hope that we all work together to defeat one of the worst Bills in this Session of the General Assembly. Thank you."

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

Tate: "Thank you, Madam Speaker, for the flowers."

Speaker Breslin: "You're welcome."

Tate: "Madam Speaker, Ladies and Gentlemen of the House, this issue certainly is not a new one, but this, without question, has to the most classic example of big brother government that we've ever had. The previous speaker had indicated this is an issue of one that strikes to the heart of safety and what's doing right for our constituents. If you really, truly believe we're here to do what's right for our constituents, then there's no question of how you should vote on this Bill, because what's right for the citizens of this state, what's safest for the citizens of this state are airbags. There's no questions. All the studies would indicate that air bags are much safer than seat belts. And what really the issue is here is... I guess, if you want to support GM and you want to support the auto makers here and

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

61st Legislative Day

June 25, 1985

you... then you probably should vote against this Bill. But if you want to do what's right for your constituents, if you want to do what's right for the safety of your constituents, then you should vote against this Bill. There has been no other issue, since I've been down here in this General Assembly, that has generated the intensity from our constituents that this issue has. Just last night, I had a little old lady call me at 10:30 in the evening and said, if this Bill goes into effect, she'll leave the State of Illinois. Right here... right here are just letters and letters and petitions from constituents that want to see the repeal of this legislation. If you want to do what's right and if you want to represent your constituents, you should repeal this bad piece of legislation."

Speaker Breslin: "The Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Madam Speaker. We seem to have a difference of opinion about this... Ladies and Gentlemen, may I have your attention? We're talking about saving lives here. Alright? We seem to have a difference of opinion in this chamber as to whether this legislation is going to save lives or not. Mr. Vinson would have us believe that in spite of the experience of the State of New York, somehow it's going to be a miraculous difference here in Illinois and that if we have a seat belt law, it's actually going to cost us lives. Mr. Ronan has told you different. I'm telling you different. Common sense tells you different. I am going to propose, as an Amendment to legislation in just a minute, a study which, at the end of two years, will show us whether we are saving lives and whether we are preventing injuries here in Illinois. There may never be another time in your life when you can reach up and push a

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

61st Legislative Day

June 25, 1985

button and save 500 lives or save 400 lives. There may never be another time in your life where you can reach up and push a button and prevent 30 or 40,000 injuries every year in one state. Now, this is a tough political decision for many of you. Many of you feel that a lot of the people who you represent don't want this law, and they don't. It is an unpopular law. You will probably never meet the people whose lives you have saved. You will probably never meet their children. You will probably never meet the people whose injuries you have prevented. You'll probably never meet their children or their families or their friends. And, yet, by your action, voting against this Bill, you can save hundreds of lives. You can prevent tens of thousands of injuries, if you've got the guts. Now, Ladies and Gentlemen, I know it's a very unpopular thing to do, to vote against the repeal of the seat belt law, but you've got to make a decision. You've got to decide if other people's lives are more important than your political career. I suggest that other people's lives are more important than your political career. I suggest that you vote 'no'. I suggest you have some guts. Thank you."

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

Olson: "Thank you, Mr. Speaker... or Madam Speaker, Ladies and Gentlemen of the House. I'm speaking to you as a survivor. I've worn seat belts since 1952. That's longer than some of you are. Within nine months of my first installation of a seat belt, I had a tire blow off the front rim and I was headed for the woods in northern Wisconsin, but I managed to save my life. Eleven years ago, I was picking my wife up at a hospital in Monroe, Wisconsin. An Indiana motorist ran a 'T' intersection. I could hear the fan belts... I mean, the fan motor coming through the radiator and the radiator coming into the engine and the engine coming into

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

61st Legislative Day

June 25, 1985

the front seat. I was not injured because I was wearing a seat belt, and that was before the advent of the shoulder harness. Anyone who would posture and say that this legislation that we passed last year would not save lives is not being correct with you. As Representative Curran has spoken, this may be a courageous decision for you. We weren't sent down here to pander. We were sent down here to make tough decisions. I'm going to oppose this Bill."

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

Dunn: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. To get back to the other side of this issue, we seem to overlook the fact that the seat belts are in the car now. If you want to wear them, all you have to buckle them. I don't know that we need big brother to tell us we need to buckle them. And first... and more importantly, wait till your people back home find out what it's going to cost them. In our county, a 25 dollar traffic ticket, which is what is proposed here, will cost a total of 67 dollars by the time the court costs are added in. So what you're voting here for today is to... is to put a 67 dollar traffic ticket on the back of someone who happens to run to the grocery store and forgets to buckle the safety belt. I'm for safety belts. If we really were serious about wanting to require that people wear safety belts, seat belts, we could impose a five dollar warning fine that the officer could just... we could have meter maids like we have in our parking... We could have them run around town looking for people without seat belts and hit them with a five dollar ticket everytime they saw one. Eventually that would make people wear seat belts. This is... This is a sledgehammer approach, and it will prove to be very unpopular and it really isn't needed. If we're going to talk about safety, it's summertime now. If someone is

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

61st Legislative Day

June 25, 1985

driving down the road toward me wearing a seat belt or not wearing a seat belt, they probably are no more a hazard one way or the other. But if they don't have their sunglasses on and they're driving into the sun, they might be a hazard to me. Maybe we ought to think about requiring everybody to wear sunglasses in the summertime. I think we... what we're hearing back home in our districts is that we overregulate. This is a classic example of going too far with regulation. We don't need this Bill, and I would... or we don't need the seat belt law, and I would urge the favorable passage of this Bill to send a message that we are responsive to what the people want. I urge an 'aye' vote."

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

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. You know, this is the second Bill that Representative Vinson has sponsored that attempts to repeal a law that I have passed. The first one dealt with Wrigley Field. And when we debated that issue, we heard about Representative Vinson propound the interest of the Tribune Company, that big corporation up in Chicago. And we were talking about buzz words like free enterprise system and letting the Tribune Company having the right to play night games. And then when we get to this second Bill that he wishes to pass to repeal a law that I passed, he talks about these big corporations coming down here to Springfield, and you know what they're doing? Do you know what outrages him so much? They've hired lobbyists. They actually raised money and hired lobbyists to come down here and try to pass a Bill that's in this big corporation's best interest. Well, let's call 60 Minutes with this scoop. We've got all these Bills right here that I've

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

61st Legislative Day

June 25, 1985

looked at throughout the Session, and we've got Bills that do unbelievable things for big corporations, give them tax breaks in the millions. And no one seems to get that upset about it, especially Representative Vinson. But these big corporations come down here and they hire lobbyists to try to pass a Bill and we're supposed to be outraged. Well, I've said, right from the start, I don't share their motivation. I don't share the big car manufacturers' motivation. I share their goals. Now, the other thing is that he mentions that's kind of ironic, that the Secretary of Transportation is in favor of killing this Bill, and he may have made a political promise to somebody in an effort to vote against the Bill. Now, isn't that... Give me a break. I mean, that's going to happen on just about every Bill from every Department within the State Government. And, once again, we all participate in that process. Now, when you think about it, to listen to some of the opponents, they say, 'Well, we don't know whether seat belts save lives or not. Sometimes they don't, sometimes they do.' As if it's a fifty-fifty proposition. That's ludicrous. If you look at all of the countries in Europe, in Australia and Ontario and New York State, you realize that the death rate goes down dramatically. We know that seat belts don't hurt people. If you took one instance when it did, you'd find 10,000 others where it saved the lives. We all know that. So, what's the next excuse we've got to come up with to try to justify being against this Bill? Well, we talk about freedom of choice. Last week, when we talked about a Motion to table this Amendment on this Bill, I heard Representative Friedrich talk about the right to... the people's right to control their own body, as if it was a pro-life/pro-choice vote. I mean, we have all these closet civil libertarians from central Illinois

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

61st Legislative Day

June 25, 1985

who all of sudden now are concerned about their freedom of choice, their freedom of right, their right to go out and kill themselves if they want to. It's very important to understand that this does not simply talk about the safety of the driver. This Bill talks about the safety of other... of pedestrians on the highway and of other drivers of other cars. It's very important. That's what makes the Bill constitutional, and that's what makes it important for the rest of the citizens of the state. Representative Johnson, in the past, has talked about where are we going stop? Where are we going to stop? Pretty soon we'll tell people what they can and cannot eat. We tell people what they can't put into their body. We have laws that deal with drugs. You can't put cocaine in your body. You can't put PCP in your body. You can't put marijuana in your body. The government says that you can't do that. There's no one down here that would think about repealing those laws. That's government intrusion. The real reason... Let's get down to it. The real reason why there's any talk about repealing this law is because, unfortunately, the public has not decided to wear their seat belts. Only about 12 percent wear their seat belts. I concede that. So, that means there's all these great percentages of our constituents who don't wear their seat belt. Now, I'm convinced that about three-quarters of them know they should wear their seat belt, and they don't mind if we tell them to do it. But it's that other 25 percent that's sitting down and writing these letters. And as I said before, I didn't mean to be facetious about it, if you went and took a poll up at the Rehabilitation Institute in Chicago, where half the people in there are there because they weren't wearing seat belts in cars, you'd get a different result than if you get on a country and western

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

61st Legislative Day

June 25, 1985

radio station and have people call in. The fact of the matter is, people have told me, they've told the Governor that they don't remember to wear their seat belts; but, if they had the law, they'll be reminded to wear their seat belts. The Governor has indicated he has no intention of signing this Bill if it was to pass. It's going... It's going to go into effect on Sunday night at midnight. We know that. Even if this Bill passed, it's going to go into effect, and we're going to have the opportunity to see what's going to happen over the next year. And if it works like it worked in New York, where they have a 40... almost a 40 percent reduction in fatalities, a 75 percent usage rate of the seat belts, higher in the rural areas because they tend to follow the law a little better than ... unfortunately, than those of us in the cities, we're going to end up saving 350 to 500 lives, 40,000 injuries. And then we've got to listen to somebody say, 'Well, it's going to cost us 67 dollars for a fine.' It just doesn't make sense. When we talk about important Bills down here, we're talking about money. All these Bills deal with money. Just about every one of them. This one deals with money, true, and that's why the car manufacturers are here, but it also talks about saving the lives of many of our constituents and many... and saving the lives of those families that don't have to lose their loved ones. For that reason, we should vote against the Bill."

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

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

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

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

61st Legislative Day

June 25, 1985

question is put. Representative Vinson, to close."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think that the emotions expressed in the course of this debate accurately reflect the emotions that people feel on this issue. There are three reasons why you will make up your mind on how you vote today. You may make up your mind on this issue because you've talked to Secretary 'Bays', or you may make up your mind because you've talked with an auto industry lobbyist, or you may make up your mind on this issue because you've listened to what your constituents think of a law that is the most obnoxious intrusion on their freedom this Assembly has ever perpetrated on them. If you make up your decision, if you make up your mind on the basis of what the people back home think, about their jealous concern for their individual freedom, then you're going to vote for this Bill, and then you're going to be able to go home and face those people in a Fourth of July parade. I ask you, what are you going to do in that Fourth of July parade if you vote 'no'? I urge an 'aye' vote on this Bill."

Speaker Breslin: "The question is, 'Shall Senate Bill 610 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Representative Flinn, one minute to explain your vote."

Flinn: "Well, Madam Speaker, I'm voting 'aye' on the Bill, and I'll tell you why. One of my constituents talked to me, and a number of them have talked to me about the buckle... seat belt law and why we wouldn't repeal it. He said, 'If you're going to leave that law on the books, why don't you add smoking, ban smoking? Smoking kills more people with heart attacks and emphysema each year than automobile accidents do.' He said, 'Why don't you ban drinking? You know, we tried that some years ago and that didn't work."

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

61st Legislative Day

June 25, 1985

But why don't you try that? That breaks up families. That causes all kinds of problems that seat belts can't solve. Why don't we just tell people what they can do all the time, not part of the time, all of the time."

Speaker Breslin: "The Lady from..."

Flinn: "'Let's be a closed society.' And I couldn't answer his questions, so I voted 'aye' on this Bill."

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

Oblinger: "Thank you very much, Madam Speaker and Members of the General Assembly. It's amazing to me that we are reminded that we are to listen to our constituents. I represent a district right between Representative Tate's and Representative Vinson's, and I would invite you to come over and look at my book where I record my constituents. They're about fifty-fifty. There isn't an overwhelming cry from them that I should repeal the seat belt. It's a wonder that my constituents are so different from theirs."

Speaker Breslin: "The Gentleman from Grundy, Representative Christensen."

Christensen: "Thank you, Madam Speaker. The people of my district have told me outright they're opposed to mandatory seat belts. First, we passed the safety belts... or safety seats for infants. Then we come up with seat belts in school buses. Now we come up with mandatory seat belts in the front seat for driver and passengers. The next thing you know somebody's going to come up with the idea that we have seat belts on bar stools. I think this is... I think this is one time that we ought to join with Sam Vinson and pass this Bill out of here."

Speaker Breslin: "The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you, Madam Speaker. If we would believe some of

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

61st Legislative Day

June 25, 1985

the previous speakers today in their true comaitment to safety, we will expect to see some Bills asking us to put roll bars and to where helmets in our automobiles as well, because who can argue the safety factor of those facilities? What we have to do is maintain a balance between concern for the welfare of the drivers and concern for their personal freedoms. We can manipulate statistics, but the only statistic that really counts are the voters back home. If we are not sent here on the basis of listening to the people who send us here, I think we need to go back home. This is an intrusion of government. It's an invasion of personal choice. And it's unenforceable. And an unenforceable law is no longer a law. We need to vote this measure across. I vote 'aye'."

Speaker Breslin: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Yes, Ma'am. This Bill is one of the hottest topics in my district, and I just completed a survey in my district and 77 percent of my constituents want me to vote to repeal this measure. I feel the law would be unworkable, and I think we're missing the point. You know, just because we pass a law, that's not going to save lives. People have got to want to do it. And in my district, they're totally opposed to this thing. So, why pass a law that, like Representative Weaver suggested, is unworkable? My law enforcement people say they don't know how they're going to enforce it. So, if they don't know how, why pass the thing? Now, the Governor has stated he's not going to sign this Bill, as I understand it, so we're going to have the law. But it's an indication, is it not, when we vote this Bill or approve of this Bill, to have the seat belt law repealed? I don't think the people of the State of Illinois want it, and that's why I'm supporting this

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

61st Legislative Day

June 25, 1985

measure to repeal the Act."

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

Stephens: "Thank you, Madam Speaker. I'm sure glad I paid attention to the debate this morning; because, in doing so, I've learned that the city people don't obey the law as well as country people do. That was a courtesy of a Chicago Representative. I kind of like the idea of seat belts on bar stools. That makes more sense than this one; because, when you're sitting on a bar stool, maybe you're not in control of yourself. Truly a question of American freedom, the freedom to choose. I kind of resent those that remark that what we're really doing is saving lives here, and they stand before us nobly and tell us how many lives they're going to save. If they indeed want to save lives, why don't we just force everyone to have public transportation? Take away one more right. Take away the right to have their own car. And I'll guarantee you that we'll save lives. Take away their right to smoke cigarettes or the right not to exercise daily, their right not to have a good diet. And we can just regulate everything, and we'll have the healthiest, longest-living nation in the world. But that's not why my ancestors came here. They came here for a certain right to choose certain things. Now, I wear my seat belt and I encourage you to wear yours. And I think the public discussion will encourage people to wear their seat belts, but it's their choice. And if they choose not to, then so be it. So, I cast my vote 'yes'."

Speaker Breslin: "The Gentleman from Franklin, Representative Rea, one minute to explain your vote."

Rea: "Thank you, Madam Speaker, Members of the House. By the way, I've had my light on from the very beginning. I hope my light is working. As Cospnсор of the Amendment, I

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

61st Legislative Day

June 25, 1985

strongly support this Bill. It's not that I don't believe in seat belts, but I think that instead of mandating, that if we truly want to do something and something that will be effective, we should provide more information and education as to the value, because there are times that, yes, it also may take one's life. And I heard one Sponsor or one person speak earlier that said that it saved their life. Well, I happened to be on the other end a few years ago, that, by not having a seat belt, I was probably saved because I was tossed out of the car and the car was completely, where I was sitting, was completely caved in and would probably not be here today if I'd have had my seat belt fastened. This does not mean that I don't think that in more cases than naught you probably should have your seat belt fastened. But if we want to do something, let's provide information and education. There's been over 50,000 signatures collected from one person in my district in opposition to the seat belt law. As I've traveled throughout this state, people are very much opposed, not that they're opposed to seat belts, but because of the mandating. I ask that you vote 'aye' on this. Let's put enough votes up there to pass this out of the House. Thank you."

Speaker Breslin: "Gentleman from Will, Representative Regan."

Regan: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I wear my seat belt. Then again, I think that everyone should. The statistics are rather clear, but it's your personal freedom, your personal choice. It's interesting to me that this Orwellian Bill came out of the House Session in 1984. How far can government go into the lives of personal freedoms? I'll tell you how far they can go. The next step will be that they'll force you to put padding on your bathtub and on your toilet seat because that's a very dangerous room in your house. They'll have

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

61st Legislative Day

June 25, 1985

state inspectors to come in to check your step ladders in your home because that's a very dangerous part of home maintenance. You won't be able to change lightbulbs pretty soon because that's dangerous, as well, and God knows, light your gas grill. That should certainly be outlawed. I think that government has a right to educate the people in regards to what safety is, not legislate."

Speaker Breslin: "The Lady from Lake, Representative Stern."

Stern: "Madam Speaker and Members of the House, I certainly vote against this repeal and I would say to you that I am following the dictates of my district. I have not received a single request to vote for the repeal, and I have quite a high stack of letters of people urging me to encourage the use of seat belts and to vote against the repeal. And just by the way, I have a roll bar in my car. Maybe that is next."

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

Parcells: "Thank you, Madam Speaker. Here again two districts right next to each other seem to have different people living in them because I have had numerous requests to repeal this law, and my district is right next to Representative Stern's. I, myself, wear a seat belt. My neighbor told me that if this goes into law, he will be against the law. He will not wear his seat belt. His life was saved, as Representative Rea's was, because the motor ended up in the front seat where he would have been if he had had a seat belt on. He said, 'I don't care if you pass the law. I'm not going to wear it. I will die in the form I want to die and don't strap me into my car to die.' I would urge your 'aye' vote for this repeal."

Speaker Breslin: "The Gentleman from Will, Representative Van Dwyne, one minute to explain your vote."

Van Dwyne: "Thank you, Madam Speaker. No one argues that the

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

61st Legislative Day

June 25, 1985

seat belts wouldn't help or at least they're available, as John Dunn said, if you desire to use them. Martke says, and I agree with him, that people have to be taught that they want to. Now, I propose that we do something, rather than negative, that we do something positive and hope that our insurance companies may develop some kind of a positive program wherein if you do have an accident and you can prove that the seat belt did save you and other people from harm, that maybe you might get a rebate or a little cut off on your premium. You know, all the argument and the worry on this Bill is kind of a joke in my mind, especially when we legalize abortion and throughout our country we're killing a million and a half little babies every year, and now we talk about seat belts."

Speaker Breslin: "Ladies and Gentlemen, I'd like to introduce to you a former Member and the former Speaker of the House, Bill Redmond. Speaker Redmond? The Gentleman from McLean, Representative Ropp, one minute to explain your vote."

Ropp: "Thank you, Madam Speaker and Members of the House. This Bill, should it pass or not pass, will have done one good thing. It will encourage a number of people to wear seat belts by their own choice. If this Bill does not pass, then, in fact, everyone will be forced to wear seat belts. A year ago, when this Bill was brought up, I made one statement and I think it is still true today, that God has given all of us a brain. It's a real tragedy that we have to legislate on how to use it."

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

Washington: "Yes, Madam Speaker, Members of the House, I voted the way I did, and I know many of my colleagues did also, but one thing that hasn't been said here today, that in your innercity urban areas, poor, plighted areas, many of

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

61st Legislative Day

June 25, 1985

the situations of those people have been misused and abused. And what am I saying? I'm saying simply that this would allow a more of a police state, give the policeman an excuse to go in and harrass people. And for that reason, I voted the way I did because I don't want to see any further privilege of being able to harrass individuals on a technicality of doing something which they're not. And for that reason, I voted 'no'."

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

Huff: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I just wish, Ladies and Gentlemen, that we would regulate the utilities with the same fervor that we want to impose on people's personal freedoms. I'm voting for personal freedoms. I vote 'aye'."

Speaker Breslin: "Ladies and Gentlemen, please come to order. We still have people who wish to explain their vote. Representative... Representative Ronan, for what reason do you rise?"

Ronan: "Thank you, Madam Speaker. If this vote would get the requisite number of votes, I want to make sure we have a verification."

Speaker Breslin: "Very good. Representative Greiman, one minute to explain your vote."

Greiman: "Thank you. I was... I appreciate the opportunity to be recognized. I came into the chamber, and I didn't know what Bill was being debated. And I thought this was a 'Saturday Night Live' routine. I have rarely heard, honestly, such humorous analogies, such outrageous twisting of reason and logic that, you know, somehow we were going to, from this, from this very important Bill - and everybody has a very great deal of seriousness about it -

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

61st Legislative Day

June 25, 1985

for that reason, I am going to vote for the repeal."

Speaker Breslin: "The Gentleman from Kankakee, Representative Pangle, one minute to explain your vote."

Pangle: "Thank you, Madam Speaker. When we passed this Bill out a year ago, we all thought it was fine and great until we went home. And when we went home, we were asked by the people that elected us to come to Springfield, 'Why in the world would you vote for such a Bill?' I, too, have a lot of letters. In fact, I have 3100 people who signed petitions for the repeal and I've got three letters from people for the seat belt law. One previous speaker said that we are here to do the job for the public. That's exactly right. The reason that we have the Amendment, the reason that we have the repeal Amendment is simply because the public has told us over the last twelve months they want the Bill... the law repealed. And I would certainly hope we get a lot of green votes and get it repealed."

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

Young: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. To explain my vote, I know some of my colleagues from the innercity have a concern that this Bill will lead to further and extra harrassment from the police and law enforcement agencies to the minorities, who we represent. But I'd like to point out that I think it's a matter of balancing interests and that extra harrassment that we will undoubtedly receive has to be outweighed by the very simple and plain fact that seat belts save lives and they will save lives in the innercity, as well as in the country. And I think this is a bad Bill, and I urge a 'no' vote."

Speaker Breslin: "The Gentleman from Cook, Representative Preston, to explain your vote."

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

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

61st Legislative Day

June 25, 1985

we're going to go to all these draconian things. That's the next step. Now, choice, of course, is another meaning for some people. And a lot of those people who are jumping up now talking about freedom of choice, purely, in other areas, aren't quite as concerned about freedom of choice. And apparently the people who care so desperately and deeply about civil rights and human rights, somehow when we got to the Order of Business where we deal with draconian civil rights, representing defendants' rights in criminal cases, somehow it just ebbs away, all that care and concern for individual rights. I really am touched that the Membership can have such great concern, such... that this is it. This is the cutting edge for American democracy. We live in an urban society. We have some things that we're not comfortable with. We have to recognize that we have to... sort of the life you save may be your own."

Speaker Breslin: "Representative, your time is up."

Greiman: "Thank you very much."

Speaker Breslin: "The Lady from Cook, Representative Wojcik, one minute to explain your vote."

Wojcik: "Yes, Madam Speaker and Members of the House, I think I'd like to point out a few things to the Members of the Assembly. Yesterday, we sat and we debated criminal law. If we vote against this, we will again be debating criminal law. We are going to be making the people of Illinois criminals, because they're not going to buckle up. I want to ask every one of you in this House, are you going to buckle up? Are you going to abide by the law? You can't be told what to do. The system will be tested. All it will do is create utter chaos, and we do speak of freedom. We do have freedom. That's what our forefathers were founded on, freedom of choice. Again, we're taking that choice away from the people in the State of Illinois. And

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

61st Legislative Day

June 25, 1985

the House. The United States Constitution leaves to the states the ability to, and the power, to legislate for the health, safety and welfare of its citizens. Well, we in Illinois in this General Assembly have taken that ball and run with it, and we run with it and we run with it and we run with it. We raise taxes. We hurt people. We throw money at problems that don't solve those problems. We raise penalties for crimes when it doesn't do any good. We create new crimes where there was no need to create new crimes. But rarely, very rarely, we come up with legislation that actually protects people. And we did that in this instance. We passed a seat belt law that simply was created for the purpose of saving lives and saving people from horrendous injury. That's what the seat belt law does..."

Speaker Breslin: "Your time is up, Sir."

Preston: "Now we're faced with the repeal which is the outrage of all. I urge a 'no' vote."

Speaker Breslin: "The Gentleman from Winnebago, Representative Mulcahey, one minute to explain your vote."

Mulcahey: "Thank you, Madam Speaker. I am voting 'yes' because I think it's the right thing to do."

Speaker Breslin: "Is there any further discussion? Any further explanation of votes? Have all voted who wish? The Clerk will take the record. On this question there are 56 voting 'aye', 56 voting 'no' and 3 voting 'present'. Representative Vinson, for what reason do you rise?"

Vinson: "Would you poll the absentees, Madam Speaker?"

Speaker Breslin: "Poll the absentees, Mr. Clerk."

Clerk Leone: "Poll of the Absentees. Sutker. Terzich. Turner."

Speaker Breslin: "Representative Terzich. Representative Terzich wishes to be recorded as voting 'present'. Representative... Representative Vitek, for what reason do

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

61st Legislative Day

June 25, 1985

you rise?"

Vitek: "How am I recorded?"

Speaker Breslin: "How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'present'."

Vitek: "Vote me 'no'."

Speaker Breslin: "Representative Vitek votes 'no'.

Representative McAuliffe, for what reason do you rise?

Representative McAuliffe changes his vote from 'present' to

'no'. Representative Nash, for what reason do you rise?"

Nash: "How am I recorded?"

Speaker Breslin: "'Present'."

Nash: "Vote me 'no', please."

Speaker Breslin: "The Gentleman changes his vote from 'present' to 'no'. Representative Turner, for what reason do you rise?"

Turner: "Record me 'aye', please."

Speaker Breslin: "Record Representative Turner as voting 'aye'.

Mr. Clerk, what's the count? On this question there are 57 voting 'aye', 59 voting 'no' and 1 voting 'present'. And this Bill, having failed to receive the necessary Majority is... Representative Vinson, for what reason do you rise?"

Vinson: "Madam Speaker, I do not want to put this on Postponed Consideration."

Speaker Breslin: "You do want to?"

Vinson: "I do not want to."

Speaker Breslin: "Very good. This Bill, having failed to receive the necessary Majority, is hereby declared lost. Senate Bill 755, Representative Preston. Clerk, read the Bill."

Clerk Leone: "Senate Bill 755, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Preston."

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

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

61st Legislative Day

June 25, 1985

the House. What Senate Bill 755 does is to give the regional superintendent of schools the authority to issue a school bus driver permit to transport children to and from child care facilities and to hold out certain criteria for the establishment... or to hold out criteria for issuance of that permit. Included in the criteria that the regional superintendent of education will have for the issuance of these bus driving permits is to make it similar to the requirements for school bus drivers and to require those criteria to be met, to have the driver of the child care facility bus be 21 years of age or older, that they have a valid driver's license, that they have no record of revocations or suspensions of that driver's license within the previous three year period and so on. And I'd be glad to answer any questions, and I ask for your 'aye' vote."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 755. And on that question, the Gentleman from Adams, Representative Mays."

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

Speaker Breslin: "He will."

Mays: "When we discussed this Bill on Second Reading, there was a series of questions that I asked that, after review of the Bill, we felt were unanswered. And the answer we received... the questions pertained to the use of volunteers in driving for day care centers on special trips and things like that. And the questions centered, would those people need to be licensed under this Bill? Now, the response that we got at this time, correct me if I'm wrong, was that, no, you did not feel they would need to be licensed under that Bill. We then had staff meet with each other. Are you still certain of that response, Representative?"

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

61st Legislative Day

June 25, 1985

Preston: "That is my... I'm certain of nothing. I'm ... That is my belief, that that response is still valid."

Mays: "Okay. To the Bill. This... The Sponsor is sincere and very well-intentioned in this piece of legislation, and I have no qualm with the intent. I do believe that the questions we raised, however, were valid, the response, and it is still a questioned response, would indicate that indeed a volunteer driving for a day care center on a day trip or a trip to the zoo or something like that may, indeed, have to be licensed under this Bill. There's another Bill that's pending on Second Reading in the House, sponsored by Representative Young, with the same intent, although the language is much more clear on this particular aspect. And for that reason, I personally am going to oppose this Bill in hopes that we can vote for Representative Young's, which is much more clear on that point that we raised on Second Reading when the Amendment to this Bill was being considered."

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

Klemm: "Yes, will the Sponsor yield, please?"

Speaker Breslin: "He will."

Klemm: "Just for legislative intent, Representative, two instances that I can think of that was called to my attention. One is that we have a small and local taxi cab company that does some picking up children, taking to day care centers. Would they be required to be licensed in addition to their regular licensing provision?"

Preston: "Representative Klemm, I'd have to ask you one question before I can answer that. Are these taxi cabs hired by the parents of the children or by the day care facility?"

Klemm: "By the parents."

Preston: "Well, by the parents, then the answer is no, they would

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

61st Legislative Day

June 25, 1985

not. However, if it was the day care facility that hired the taxi cabs, they would have to meet this criteria. And incidentally, the criteria here for issuance of that license is not terribly stringent at all."

Klemm: "Alright. Then the second request for clarification for your legislative intent would be, again, for the volunteers or a neighbor who has their child driving to the day care center, picks up one or two neighbors to take to the day care center. Would that person, in your legislation, be required to be licensed?"

Preston: "Absolutely not. Again, if they are doing this as an agent of the day care facility, then that driver would have to have this license. If they are doing it as a parent who is accommodating other parents whose children are going to the same destination, this law doesn't affect them at all."

Klemm: "So it's only those that are provided for by the licensed day care center for transportation purposes."

Preston: "That is correct."

Klemm: "Thank you very much."

Speaker Breslin: "The question is, 'Shall Senate Bill 755 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 94 voting 'aye', 18 voting 'no' and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we have a brief, very brief, introduction by Representative Tate."

Tate: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. It's my pleasure today to introduce Ms. Rhonda 'Cullison', a 1985 graduate of Decatur McAurthur High School, participated in the student council, class council, cheerleading, band, softball, gymnastics and other

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

61st Legislative Day

June 25, 1985

activities while in high school. Ms. 'Cullison' was named 'Who's-Who' among American high school students, received the 'Lyle' Music Award, and she's accumulated 278 dollars while working as a counselor in East Bay Camp Nursing Home Special Olympics. Ms. 'Cullison' is Miss Teenager Illinois. Let's have her... give a warm welcome."

Rhonda 'Cullison': "First of all, I'd like to say that I'm very honored to be here today. I grew up in Illinois, so, to me, Illinois is home. I was born in Decatur, the soy bean capital of the world, also known as 'Pride of the Prairie'. You, as leaders of our government body, are faced with many decisions, and I pray that God will direct you throughout this Session. Thanks to you this is what Illinois... you've made a great state. I'm very honored to represent Illinois at the National Pageant, and I hope my dream of becoming Miss National Teenager will come true. But regardless whether I win the title or not, they will remember us here in Illinois. Thank you."

Speaker Breslin: "The next Bill on this Order of Call is Senate Bill 756. Does Representative O'Connell have leave to present this Bill for Representative Ronan? Hearing no objection, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 756, a Bill for an Act to amend the Illinois Vehicle Code. Has been read a second time previously. No Committee Amendments."

Speaker Breslin: "Repr... Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, O'Connell - Ronan, amends Senate Bill..."

Speaker Breslin: "Representative O'Connell."

O'Connell: "Thank you, Madam Speaker. Amendment #1 is essentially... or is the Bill. It is a very significant piece of legislation which, for the first time in many,

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

61st Legislative Day

June 25, 1985

many years, has addressed modernization of the Illinois Commercial Transportation Law. Hence, the name for this Act is the Illinois Commercial Transportation Act. It takes out of the Utility Section of the Illinois Revised Statutes and places it into Chapter 95.5 provisions... or strike that - creates its own Section 18-(c) which is the Illinois Commercial Transportation Act. It is the result of numerous meetings and conferences between every facet of individual who represents or has any dealings with commercial transportation, trucking, as well as railroad, in this state. It is an agreed Bill, endorsed by the International Brotherhood of Teamsters, United Transportation Union, International Brotherhood of Railway and Airline Clerks, the Illinois Railroad Association, the Illinois Trucking Association, the Midwest Truckers' Association, the Illinois Movers' and Warehousemen's Association, the Small Truckers' Alliance, the Illinois Intrastate Motor Carrier Rate and Tariff Bureau, 'Mack and Wriggle' law firm, representing a number of transportation clients, Transportation Consulting and Services and Cost-Cutter Consultants and, by all means, it is endorsed by the Illinois Commerce Commission whose staff should be commended for its deliberation and analysis into an area which is quite esoteric and quite detailed."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 756. And on the question, the Gentleman from Adams... no. The Gentleman from Cook, Representative Levin."

Levin: "Would the Gentleman yield for a question?"

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

Levin: "Representative, I believe that in the Sections that you're changing were the provisions that we passed several years ago regulating towing services, like Lincoln Towing

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

61st Legislative Day

June 25, 1985

and so on. Does this affect that, and do you make any substantive changes in the regulation of towing services?"

O'Connell: "Representative, what it does in that Section, it reduces from 72 to 24 hours the requirements for free storage."

Levin: "For what?"

O'Connell: "Free storage of the towed vehicle."

Levin: "That's the only change it makes?"

O'Connell: "That's the only substantive change with regards to tow trucks."

Levin: "Okay. Thank you."

Speaker Breslin: "Is there any further discussion? The Gentleman from Madison, Representative McPike."

McPike: "Only for a comment, Madam Speaker. Since no one on the House floor, on either the Republican or the Democratic side, has read this Amendment, it probably should go to Interim Study and we should probably devote some time to this issue next year like we did on telecommunications and on... and on the energy portion of the Bill. It's unfortunate that sometimes the General Assembly becomes so bogged down in other matters that we can't devote enough time to every issue. This seems to have been one of those issues. And hopefully we'll be able to take a better look at this next year. I recognize the Bill is going to pass, but I don't think that means that we're not going to come back and take a better look at this next year."

Speaker Breslin: "The Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Madam Speaker. The Sponsor of this Amendment is absolutely correct. This issue has been under study and under review by any number of associations as well as the Illinois Commerce Commission for the last two years. A lot of movement has occurred in the last five or six weeks, but this Bill... or this Amendment, if adopted,

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

61st Legislative Day

June 25, 1985

would put this Bill into the identical form that House Bill 2196 was in when it was before this chamber about three or four weeks ago. And, you know, I'm not saying there won't be any further fine tuning of a piece of legislation like this as the years follow. It seems like we very seldom hold anything sacrosanct after the passage date of a given Bill, but I think this is the best effort as a culmination of any... of a couple of years on this topic and the involvement of any number of groups affected by this legislation. So, I would urge the approval of this Amendment and hopefully the passage of the Bill on Third Reading."

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

Ronan: "Okay. Thank you, Madam Speaker. I, too, rise in support of this Amendment. As has been stated, a tremendous amount of work has gone into this concept. Some Members of the General Assembly have reviewed it. We feel it's a fair compromise, and we feel it moves a long way in establishing transportation policy here for the State of Illinois. I move for the adoption of Amendment #1."

Speaker Breslin: "Is that considered a close? Are you closing on the Amendment? The question is, 'Shall Amendment #1 to Senate Bill 756 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: "Floor Amendment #2, offered by Representative O'Connell."

Speaker Breslin: "Representative O'Connell."

O'Connell: "Madam Speaker, I'd like leave to withdraw Amendment #2."

Speaker Breslin: "Withdraw Amendment #2. Are there any further

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

61st Legislative Day

June 25, 1985

Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. The Gentleman now asks leave for immediate consideration of Senate Bill 756 on Third Reading as amended. Are there any objections? Hearing no objections, the Gentleman has leave. Proceed, Representative Ronan. Read the Bill, excuse me, first."

Clerk O'Brien: "Senate Bill 756, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Ronan."

Ronan: "Thank you, Madam Speaker. We basically discussed the Bill. The Amendment is the Bill. A tremendous amount of time and effort has gone into it by the Commerce Commission, the railroad industry, the trucking industry. No one is completely satisfied with what's come out, but it's an important move in the right direction. I think transportation policy in Illinois has been well served by this concept. I applaud Representative O'Connell for his hard work on the measure, and I look forward to a large number of green votes on this fine Bill."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 756. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Senate Bill 756 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 98 voting 'aye', 1 voting 'no' and 26 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 771, Representative Friedrich. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 771, a Bill for an Act to amend

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

61st Legislative Day

June 25, 1985

Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Friedrich. Representative Friedrich."

Friedrich: "Thank you, Madam Speaker. I would like to table Amendment #1. This has been worked on by both the Secretary of State and the Department of Transportation..."

Speaker Breslin: "Excuse me, Representative. This Bill is on the Order of Third Reading. The Gentleman now asks leave..."

Friedrich: "Yes, I would like to move it back to Second."

Speaker Breslin: "... to return this Bill to the Order of Second Reading for the purposes of an Amendment."

Friedrich: "Thank you."

Speaker Breslin: "Does the Gentleman have leave? Hearing no objection, the Gentleman has leave. Read the Bill on Second, Mr. Clerk."

Clerk O'Brien: "Senate Bill 771, a Bill for an Act to amend the Illinois Vehicle Code. This Bill has been read a second time previously."

Speaker Breslin: "Are there any... read... Are there any Motions filed?"

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

Speaker Breslin: "Representative Friedrich moves to table Amendment #1 to Senate Bill 771. And on that question, is there any discussion? There being no discussion, 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 it, and the Amendment is tabled. Are there any further Amendments?"

Clerk O'Brien: "Amendment #2 was withdrawn. Floor Amendment #3, offered by Representative Friedrich."

Speaker Breslin: "Representative Friedrich."

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

61st Legislative Day

June 25, 1985

Friedrich: "Madam Speaker, this becomes the Bill. It has to do with the Financial Responsibility Law. There has been some problems. This is operated, as you know, by the... both the Department of Transportation, who gets the original accident report, and then reports to the Secretary of State. Because of the procedure in the present law, there's a long delay, and sometimes it's up to six months before the driver is really... loses his license or furnishes financial responsibility filing. This speeds up the procedure. It is an agreed between the two, and I think it will cut the time down to about 100 days. So, I move the adoption of Amendment #3."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment #3 to Senate Bill... Correct the board, Mr. Clerk. The Gentleman has moved the adoption of Amendment #3 to Senate Bill 771. This is an Amendment, not a tabling Motion. The question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Friedrich now asks leave for immediate consideration of Senate Bill 771 as amended on Third Reading. Does the Gentleman have leave? Hearing no objection, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 771, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Friedrich."

Friedrich: "As I previously explained, Madam Speaker, this deals with the Financial Responsibility Law. It will simplify the process. We have about 20,000 drivers out there now

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

61st Legislative Day

June 25, 1985

who have been involved in an accident with no insurance. And this should cut the time down to about 60 days before they receive notice that they'll either have to comply with the law or have their license suspended. I would appreciate your vote."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 771. And on the question, the Gentleman from Knox, Representative Hawkinson."

Hawkinson: "Thank you, Madam Speaker. Will the Representative yield for a question?"

Speaker Breslin: "He will."

Hawkinson: "How does it cut down... is it going to cut down the time period?"

Friedrich: "It's going to cut down the... It requires the Department of Transportation to notify the Secretary of State that they do have a report, a person has been involved in an accident and the report shows they have no insurance. And that's to be done within 45 days."

Hawkinson: "Does it, in any way, change the requirements as to how an individual would comply with the law or the notices that that individual will receive?"

Friedrich: "He'll get his first notice at the end of 45 days that he could be subject to the law if he does not prove that he had insurance at the time."

Hawkinson: "And that notice will be from the Secretary of State's Office?"

Friedrich: "It will... The original notice may come from the Department of Transportation saying they're notifying the Secretary of State that their report shows they have no insurance. The responsibility of seeing that he has insurance in the finality will be at the Secretary of State and there's a suspension provision also."

Hawkinson: "But there's no change in the requirements as to how

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

61st Legislative Day

June 25, 1985

they fulfill their responsibilities or the time period or how they completely satisfy of get out from under the suspension?"

Friedrich: "No, they have to have the release and insurance and so on, the same as it is now."

Hawkinson: "Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 771 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1229, Representative Shaw. It appears on page 22 on your Calendar. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1229, a Bill for an Act to amend Sections of the Illinois Vehicle Code. This Bill has been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Ronan. Representative Ronan. Representative Shaw, what is your pleasure?"

Shaw: "Madam Speaker, could we pass this and come back to it?"

Speaker Breslin: "We'll take this Bill out of the record. Representative Friedrich, there are two Bills that have been added to this Order of Business with agreement on both sides of the aisle. We would like to go to those two Bills first. Representative Friedrich."

Friedrich: "Madam Speaker, the... the Minority Leader has asked

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

61st Legislative Day

June 25, 1985

that we have the Conference now. I'm sorry. I thought this would be the end of it."

Speaker Breslin: "They have agreed for two other Bills added to the Call. So, we will get back to that as soon as we finish. I understand Representative Ronan is back. So we will go back to Senate Bill 1229. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1229, a Bill for an Act to amend Sections of the Illinois Vehicle Code. This Bill has been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Floor Amendments?"

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

Speaker Breslin: "Representative Ronan."

Ronan: "Oh, the... yes, Madam Speaker. Amendment #2 is a request that came to me from the Secretary of State's Office to clean up the Bill as I amended in Committee, and I was happy to accept the Amendment. I move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 1229. Is there any discussion? Hearing none, the question is, 'Shall Amendment #2 to 1229 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Ronan now asks leave for immediate consideration of Senate Bill 1229 as amended. Are there any objections? Hearing no objections, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1229, a Bill for an Act to amend

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

61st Legislative Day

June 25, 1985

Sections of the Illinois Vehicle Code. Third Reading of
the Bill."

Speaker Breslin: "Representative Ronan."

Ronan: "I'll be glad to handle this Bill for Representative Shaw. He and I have worked extensively on it during this Session. Basically what this Bill does is it deals with the issue of summons that are issued in municipalities. It clarifies two points in the law. It allows firms that handle this matter to be able to mail out multiple warrants which will cut down their expenses. And, secondly, it deals with the Secretary of State's Office in its ability to deal with warrants. I'll be glad to answer any questions concerning the legislation. I think it's an important concept for the city and the State of Illinois. I move for the passage of Senate Bill 1229."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1229. And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. To the Bill. We debated a similar Bill earlier in the year which gave the City of Chicago the right to suspend drivers' licenses on the mere existence of parking violations when they were ten or more or where there were two or more warrants outstanding. This Bill differs in a couple of respects. One, it makes it 20 tickets, but it still doesn't require convictions. It still doesn't require an identification of whether the party whose license is being suspended is the same party guilty of the parking violation. It still doesn't require any due process hearing before a suspension. It still doesn't require any of those things. Now, there's a second part to the Bill which apparently some company in Chicago or the Chicago area has requested which allows for the suspension upon the final judgment for a parking violation.

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

61st Legislative Day

June 25, 1985

Now that's added to the Bill. That's an improvement to the Bill, but it's an alternative to the Bill. So, we still have the objectionable Section in the first part of Amendment #2. Making it 20 tickets doesn't make it any less objectionable. There is still no due process. There's still no right to a hearing. And this Bill is something that the City of Chicago wants for revenue, and they don't care if due process is included in it. It still isn't there. It's still a bad Bill. We should defeat it again."

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

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

Speaker Breslin: "He will."

Ronan: "Yes."

Bullock: "Representative Ronan, is what counsel McCracken said about this Bill correct? And, if so, is there a hardship provision?"

Ronan: "Representative Bullock, what Representative McCracken has said is partially correct. He's somewhat correct in his analysis, as he normally is. What we've done here is we've raised the provision to 20 violations. How is someone going to make 20 mistakes without notification? I think that we've got a serious problem, not only in the City of Chicago, but around the state with people who don't tend to obey our parking laws, and we're talking about 20 violations have to be issued before this Bill kicks into effect with the Secretary of State's Office. So, I feel that there is a situation where at some point we have to act as rational, reasonable human beings; and, when 20 violations occur, that individual obviously in that vehicle has abused the law to a sufficient degree that there should

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

61st Legislative Day

June 25, 1985

be action taken by the State of Illinois."

Bullock: "But, Representative Ronan, my question is, Mr. McCracken, who I think is certainly a learned individual and is exhibiting some concern here for civil liberties of all citizens, in fact, if a person owns a car, is not driving it, and gets an auto ticket, your Bill would say that that person is liable for those tickets whether they were driving the car or not. And my question is, is in this Bill a hardship provision for an individual who, by chance circumstance, may need his driver's license to gain employment or to maintain employment? Is there any provision in the Bill for that?"

Ronan: "No, there is not, Representative Bullock, but we're not talking about an individual who drives a vehicle and makes a mistake. We're talking about 20 violations on the law. Okay, Representative Bullock?"

Bullock: "Well, I mean a parking..."

Ronan: "We're not talking about an individual whose young person takes a car out one evening and then parks in a no parking zone and gets a ticket. We're talking about continued misuse of a vehicle."

Bullock: "One last question."

Ronan: "Twenty misuses."

Bullock: "One last question. Is there anything in the statute that would speak to the hardship issue as it relates to this Bill, even though it's not in your Bill?"

Ronan: "No, there's nothing in the statute, to my knowledge, that speaks to the issue of hardship, but I'll be glad to look at that as a concept and you and I can work on that for the rest of the Session."

Bullock: "Well, I don't make a habit of opposing Representative Ronan, who I have tremendous respect for. I don't know where he picked this Bill up, and I don't know why

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

61st Legislative Day

June 25, 1985

Representative Shaw is proceeding with this Amendment. Because, if there's not a provision in here for hardship, we are, in fact, doing exactly what Representative McCracken has indicated. And I happen to think he's absolutely right, and I'm sorry that I can't agree with Representative Ronan and Shaw who I think are absolutely wrong. We cannot say that a parking violation, in fact, subjects an individual to the rescission of their license, without a trial, mind you, and at the same time, not provide any provisions for hardship if those individuals need for gainful employment their driver's license. I think this is a very serious infringement on the rights and liberties of individuals. I know that the Sponsor is as concerned as I am about individual liberties. But in this particular case, Al, I've got to agree with McCracken and urge a 'no' vote."

Speaker Breslin: "Representative Ronan. Representative Ronan, Representative Daniels has indicated that they would like to have a Republican Conference at this moment. I would request that you would take the Bill out of the record and we can come back and deal with it immediately thereafter."

Ronan: "That will be fine."

Speaker Breslin: "Thank you very much. This Bill is out of the record. Representative Friedrich, for a Motion. Representative Friedrich, for your request."

Friedrich: "Madam Speaker, I would like for a 30 minute recess for the purpose of a Republican Conference in Room 118 immediately."

Speaker Breslin: "How long will it take, Representative Friedrich?"

Friedrich: "Thirty minutes."

Speaker Breslin: "Okay. The Gentleman has requested 30 minutes for a Republican Conference. That will be held immediately

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

61st Legislative Day

June 25, 1985

in Room 118. I must make an announcement, however, Ladies and Gentlemen, for the benefit especially of the Republican side of the aisle. I have been advised by the Speaker of the House that this day he has called Representative Daniels and that call has not been returned. This House is in recess until a quarter after twelve. You have 30 minutes. We're in recess."

Speaker Greiman: "The House will be in Session. A Message from the Senate."

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in passage of Bills of the following title, together with Amendments, and the adoption of which I am instructed to ask concurrence of the House, to wit; House Bills #38, 69, 82, 83, 100, 112, 137, 150, 152, 167, 182, 204, 228, 253, 261, 264, 269, 270, 301, 340, 408, 419, 467, 489, 578, 621, 714, 743, 807, 809, 833, 851, 852, 864, 879, 882, 889, 891, 894, 950, 968, 986, 997, 1016, 1035, 1039, 1059, 1079, 1104, 1142, 1177, 1204, 1208, 1212, 1249, 1265, 1301, 1356, 1362, 1382, 1392, 1411, 1412, 1455, 1458, 1491, 1500, 1544, 1555, 1578, 1654, 1680, 1714, 1769, 1806, 1813, 1833, 1849, 1860, 1889, 1901, 1918, 1925, 1944, 1948, 1951, 1955, 1962, 1969, 2032, 2106, 2113, 2129, 2132, 2181, 2217, 2219, 2273, 2275, 2276, 2349, 2368, 2407, 2414, 2436... 2431, 2436 and 2450, passed the Senate as amended June 24, 1985. Kenneth Wright, Secretary.'" "

Speaker Greiman: "We were, I believe, on the Order of Special Call - Transportation. Senate Bill 1229 is... Mr. Clerk, is that on Second Reading still or Third? That's on Third Reading. Alright. That Bill will just be out of the record for a couple of minutes, and we'll get right back to that Bill. So, on the Order of Transportation, Special

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

61st Legislative Day

June 25, 1985

Call, appears Senate Bill 1091. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1091, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Panayotovich. Second Reading of the Bill."

Clerk O'Brien: "This Bill has been read a second time previously. Amendment #1 was adopted previously."

Speaker Greiman: "Are any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Sangamon, Mr. Curran."

Curran: "Thank you, Mr. Speaker. Amendment #2 simply determines that the Department of Transportation will tell us and the Governor and our Legislative Leaders whether we are saving lives and preventing injuries by using seat belts in Illinois. It's the kind of thing we had a discussion here about not too long ago. I think we all have a right to know it. I think we have a responsibility to know it. This Amendment sets forth the determining factors as to how we will get that information at the end of two years. I ask for an 'aye' vote."

Speaker Greiman: "Gentleman from Sangamon, Mr. Curran, moves for the adoption of Amendment #2 to Senate Bill 1091. And on that, is there any discussion? The Gentleman from Lake, Mr. Churchill."

Churchill: "Will the Gentleman yield?"

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

Churchill: "Representative Curran, how is this effectiveness of the mandatory seat belt law to be accounted for?"

Curran: "We simply ask the Department of Transportation to let us know whether we're saving lives or preventing injuries. I

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

61st Legislative Day

June 25, 1985

think that's the kind of thing that I would want to know. I would imagine you'd want to know. And that's what this Bill does... this Amendment does."

Churchill: "So, is there some type of data that is to be provided, and what type of data is that?"

Curran: "We ask the Department of Transportation, in consultation with the Secretary of State and the State Police, to compile statistics regarding the lives saved by the requirements of the seat belt law."

Churchill: "And so then you're asking them to investigate every situation in which there's been an accident, or are you asking them just to compare figures with one year versus the past year?"

Curran: "You know, the truth is I'm not familiar enough with the way they conduct their business to give you that answer. I'm simply asking them to come up with the information. I don't know enough about how the Department of Transportation runs its statistics to know the answer to that. I think we all want to know, though."

Churchill: "Do you have any idea what the cost of this would be?"

Curran: "Can't image it would be very much at all. I imagine that most the statistics are available on a regular basis anyway through the Department of Transportation. This simply sets forth a mechanism whereby at the end of a two year period, we get that information presented to us so that if we want to make any changes in the seat belt law, we can then make them. And we can make them on an enlightened basis."

Churchill: "Mr. Speaker, to the Amendment. I think the concept of finding out the effect of the seat belt law is one that I'd like to find out, too. I just question whether or not the Amendment really is going to produce that type of result. Without putting in some standards that we're

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

61st Legislative Day

June 25, 1985

measuring, whether we're measuring traffic fatalities, those with and without seat belts or if we're measuring one year's effectiveness versus the other year's effectiveness, I don't really see how we're going to be able to come up with accurate figures to determines whether or not seat belts have saved lives. I think what we want to go is really get accurate figures, and I just don't think this Amendment does it."

Speaker Greiman: "Mr. Leverenz."

Leverenz: "Thank you, Mr. Speaker. I rise in support of the Amendment. The Bureau of Traffic Safety already keeps a broad laundry list of statistics, and it would be very simple for them simply to add the question, use of seat belts - yes or no, to the information that they already document. And it may be that in the forms that they are printing currently for current use, they have already, on their own, added that column to continue to get the same information that they have been, as well as to find out if seat belts were in use at the time the injury or fatality occurred. So, I would solicit everyone's 'aye' vote for the Amendment."

Speaker Greiman: "Gentleman from Macoupin, Mr. Hannig. Mr. Panayotovich."

Panayotovich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As the Sponsor of the Bill, in working with the Secretary of State's Office on this, I rise in support. The Secretary of State gave me this Bill, and we pulled it back off the Consent Calendar for a couple of Amendments and they don't see any problem with it. So, I hope that we can adopt this Amendment and move for an 'aye'."

Speaker Greiman: "Question is, 'Shall Amendment #2 be adopted?' Okay. Mr. Tate."

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

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

61st Legislative Day

June 25, 1985

Speaker Greiman: "He indicates he will."

Tate: "Mike, I know you've already indicated that you're not really sure how the Department... Apparently, in this Amendment, you're not recommending what kind of data the Department uses. Is that correct?"

Curran: "Mike, in the Amendment, we are not determining specifically how the innerworkings of the Department of Transportation would be changed. It is my understanding now from talking to staff, the Department of Transportation already intends to develop the kind of information that we want. This Amendment sets forth the way that information should get to us, as Members of the General Assembly, in two years so that we can know whether what we've done, that is passage of the seat belt law, is saving lives and preventing injuries. I cannot imagine any person in this room who would not want to know that."

Tate: "I can appreciate that. I'm not rising to oppose the Amendment. I'm just trying to... I do, however, have some reservations because what you're directing is the Department of Transportation, which, you know, we all know that Greg 'Bays' was in favor of the... and the Department was in favor of the seat belt law and so was the Secretary of State. However, that doesn't concern me, in terms of a biased report. What I am concerned with though is whether we're going to... to determine an objective report, how we're approaching that and the vehicle that we're setting up to deliver that information. I'm not... In fact, I'm not totally sure we wouldn't be better off... insurance companies often have... In fact, there was recently, after last year, the insurance companies released statistics trying to determine that. And do you have any idea whether the Department of Insurance wouldn't have a better capability of working with? Because, one statistic they

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

61st Legislative Day

June 25, 1985

used was insurance claims. Like, I heard the statistic that there were projections, supposedly, that there would be a... like 40,000 fewer claims if we had a seat belt law. But if you can address for me that question and in addition to that if anyone knows what kind of information that Transportation and the Secretary of State has to give us a report back. That's what I'm really trying to find out."

Curran: "First, it is my understanding the Department of Transportation intends to change its form to include the kind of statistical data that we need here, so that starting on or about July 1, they would be having a different accident form that would say whether people were wearing their seat belts or not. That's first. Second, it is my understanding that the insurance companies get their information from the Department of Transportation. And so they would... And so, what we would be getting from insurance companies would really be information we've already given to them. It's simply a way for that information, which we all know that we need, to get back to us and simply a formal way to declare that it should come to us at the end of two years so that we can be enlightened about our choice of having mandatory seat belts in this state, so that we can know whether seat belts are saving lives and preventing injuries, which we all hope it will do."

Tate: "Al, just one more question. One more question. The... My last question then is the final report that they will submit to us which will be on or before October 1, 1987, explain to me what... what that report... basically what information we'll basically be provided with. Is this going to be like a relative or comparison type thing where like before seat belts and then after seat belts, one of those?"

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

61st Legislative Day

June 25, 1985

Curran: "I think it's with seat belts and without seat belts.

And I'm not going to get into the fine tuning of how the professionals in the Department of Transportation... they have an Office of Transportation Safety. I don't want to get into those details. I don't think that's our business here. What those... What the Department of Transportation will do is tell us that as of the statistics that are compiled by July 1, 1987, which will get on October 1, 1987 or before, whether we're saving lives and preventing injuries. I don't know any other way to say it. I'm not suggesting that your questions are insincere or misdirected. It just seems to me that we should leave that matter up to the Department of Transportation."

Tate: "No problem."

Speaker Greiman: "Gentleman from Adams, Mr. Mays."

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

Speaker Greiman: "He indicates he will."

Mays: "Mike, was Amendment #1 adopted to this Bill?"

Curran: "I believe that is was, Jeff."

Mays: "Or was that withdrawn? Because I notice that Amendment #2 incorporates the language of Amendment #1 within it. What does that Section of Amendment #2 do?"

Curran: "Amendment #2 determines that the Department..."

Mays: "That Section that pertains to... I think it incorporates Amendment #1 within it. What does that do?"

Curran: "Yes, I asked the Legislative Reference Bureau yesterday. They said that if we did not incorporate the language in Amendment #1, effectively we'd be gutting the Bill. I had that conversation yesterday afternoon. It simply makes it technically correct, Jeff. I called on that exact matter because Representative Mautino asked me about what you are now asking me."

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

61st Legislative Day

June 25, 1985

Mays: "Okay. So, even though Amendment #1 was adopted, Amendment #2 had to contain those same provisions to be technically correct. Is that correct?"

Curran: "I talked to somebody named Stewart whose last name begins with an F. I can't remember. 'Fararra', or something like that."

Mays: "Okay."

Curran: "From the Legislative Reference Bureau. He told me that yesterday afternoon."

Mays: "Okay. And then just to the Section of the Amendment that is yours. Why October 1 and July 1?"

Curran: "July 1..."

Mays: "Of '87? Why not before then so that we could consider the stats in a timely manner before this Assembly so that, you know, we wouldn't have to go through all the rules and things like that to get around... finding is that indeed this has not saved the lives or has not done that? Why these dates?"

Curran: "Usually these things are checked out at the end of three or five years, Jeff. In this case, I wanted to move it up to two years so that we would know at the end of two years. That's the reason for July 1, 1987. It gives us two years of statistics. The reason for October 1 is then to give them 90 days to compile those statistics in some way that are meaningful to us, give them to us before the Veto Session of that year."

Mays: "Thank you."

Speaker Greiman: "Mr. Mulcahey."

Mulcahey: "Move the previous question."

Speaker Greiman: "No, it's not necessary. The question is, 'Shall Amendment #2 be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendment?"

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

61st Legislative Day

June 25, 1985

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Cook, Mr. Panayotovich, moves to... asks leave of the House, using the Attendance Roll Call, to waive Rule 37(c) so the Bill may be heard at this time. Does the Gentleman have leave? The Gentleman has leave. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "Senate Bill 1091, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

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

Panayotovich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Secretary of State's Office is having a problematic... a problem with the recordkeeping on suspensions of drivers' license and registration on a two year period. This Bill corrected that problem. It was put on the Consent Calendar out of Committee, and we brought it back for a couple of technical Amendments, and also Representative Curran's Amendment. I move for immediate passage."

Speaker Greiman: "The Gentleman from Cook, Mr. Panayotovich, has moved for the passage of Senate Bill 1091. 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? Mr. Clerk, take the record. On this question, there are 109... 111 voting 'aye', 1 voting 'no', none voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Special Call - Transportation appears Senate Bill 379. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 379, a Bill for an Act to amend

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

61st Legislative Day

June 25, 1985

Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Kulas, on Senate Bill 379."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 379 amends the Illinois Vehicle Code. This Bill came to us from the Joint Committee on Administrative Rules, and all the Bill does is it specifies that drivers' licenses may be suspended or revoked by the Secretary of State for convictions of traffic related offenses which occur on military installations within Illinois. At the present time, the Secretary of State does do this, and all this Bill would do would give them the statutory permission. And I would ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook, Mr. Kulas, has moved for the passage of Senate Bill 379. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. We'll return to this Order of Business later in the day. On the Order of Special Call - Elections appears Senate Bill 506. Mr. Terzich. Mr. Clerk, read the Bill. The Bill is, I believe, on Second Reading."

Clerk O'Brien: "Senate Bill 506, a Bill for an Act to amend Sections of the Election Code. This Bill has been read a second time previously. No Committee Amendments."

Speaker Greiman: "Yes, is there any Floor Amendments?"

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

61st Legislative Day

June 25, 1985

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

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

Terzich: "I don't have a copy of Amendment #1, but I would move that we adopt Amendment #1."

Speaker Greiman: "The Gentleman from Cook moves for the adoption of Amendment #1 to Senate Bill 506. On that, is there any discussion? The Gentleman from Cook, Mr. Leverenz."

Leverenz: "What's it do?"

Terzich: "What it does, it simply deletes the 10 percent, and inserting in lieu of 10 percent of that, and by changing line nine through 11, in lieu of school district, and on page 12 by deleting 'election'. It's just a minor technical Amendment."

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

Vinson: "Representative, DeWitt."

Speaker Greiman: "I'm sorry. What, Sir?"

Vinson: "DeWitt. You said the Gentleman from Cook, Mr. Vinson. It's DeWitt."

Speaker Greiman: "Oh, I thought you said... Yes, the Gentleman from DeWitt, Mr. Clinton... Mr. Clinton... Mr... Wait a minute. Mr. Vinson."

Vinson: "It's alright, Mr. Speaker. That's the least of the mistakes that have been made in that Chair in the past two days. Ladies and Gentlemen of the Assembly, I rise in strong opposition to Floor Amendment #1 to this Bill. What Floor Amendment #1 does is to take away power from the people. What the Bill does is to reduce the number of petition signatures to... for the people to put a referendum on the ballot. The Bill reduces it to eight percent. The Amendment raises it back to 10 percent, where it is now. What you're doing if you vote for this

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

61st Legislative Day

June 25, 1985

Amendment, and I would request a Roll Call vote - you're taking power away from the people. I don't think that's right, and I would urge a 'no' vote on the Amendment."

Speaker Greiman: "The Gentleman... The Lady from Cook, Ms. Braun."

Braun: "I have a question of the Sponsor."

Speaker Greiman: "Proceed."

Braun: "Representative, is there any specific situation which gave rise to your interest in making referenda more difficult? I mean, what... why do we have this Bill?"

Terzich: "Am I on? Alright. Well, what I'm doing... this Amendment is simply going to restore it back to basically what the present requirement is. That's all."

Braun: "But... "

Terzich: "Who am I speaking to?"

Braun: "Carol Braun."

Terzich: "Oh, hi, Carol."

Braun: "How are you? Is there a specific situation which gave rise to the underlying Bill, as well as the Amendment, in making referenda more difficult? I'm... I can't figure out why we have this legislation, or if there is something specific that you're trying to address... issue."

Terzich: "Well, this... Number one, no, this is not my Bill. I mean, this is a Senate Bill. It's not mine."

Braun: "Alright."

Terzich: "I want you to understand that, and I just want to restore it right back to where it presently is, with the 10 percent for good government."

Braun: "Thank you."

Speaker Greiman: "Mr. Piel."

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

Speaker Greiman: "Indicates he will."

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

61st Legislative Day

June 25, 1985

Piel: "Representative, basically what you want to do is, you want to put the Amendment on - correct me if I'm wrong - but you want to put the Amendment on to bring it back to almost exactly what it is presently, but if you put an Amendment on, then you've got a potential vehicle over in the Senate. Is this correct?"

Terzich: "Well, I don't know if you'd have a potential vehicle over in the Senate, but you certainly have a good Sponsor over in the House, so I wouldn't let that happen."

Piel: "So basically, you know, you're in favor of the Bill, but if you don't amend it, then it goes right to the Governor. So you were going to put the thing back in the original form. They're going to disagree with it, because they've already passed the thing out, and it's going to come back here. You're going to disagree with them, and then you're going to go into Conference Committee with the Bill. Right?"

Terzich: "Well, I don't believe so. I think that they would... "

Piel: "But I think the Bill... the reason... the way the Bill is right now, you've got a Bill that's a... you know, basically, as one of the speakers before said, it's a people's Bill. It's a situation to where it will, you know, let the people have their voice heard in a lot easier manner. And what you want to do is move it back to where it's going to be hard for the local, small individual to have his voice heard. Isn't this right?"

Terzich: "Well, Representative, it's also my option. I don't have to call the Bill either, I mean, as far as the Amendment is concerned, and it still would stay in that same place. I think it's a good Amendment, and I would move to adopt it."

Piel: "Well, the way the Bill states before the Amendment, Mr. Speaker, Ladies and Gentlemen of the House, it's a... it's

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

61st Legislative Day

June 25, 1985

a situation to where it will help the little man, the little woman, who wants to have their voice heard through government. What the... the Sponsor of the Amendment wants to do is bring the Bill back into the original form and basically the way the law states right now. So, the individual, what it does, it creates more signatures needed for an advisory referendum. If the citizens throughout the state want to have an advisory referendum right now, it's 10 percent. The Bill came over here at an eight percent figure. The Sponsor wants to raise it back to 10 percent, and I would ask for defeat of the Amendment, and I would also ask for a Roll Call on the Amendment."

Speaker Greiman: "The Gentleman from Cook, Mr. Terzich, to close."

Terzich: "Well, again, the Bill provides that the petitions requesting at a local question of a public policy be placed on a ballot must contain signature in equal, and I want to change that to 10 percent of the votes cast in the political subdivision proceeding. The Bill allows the governing body of a political subdivision to authorize submission of this question. There are presently no policy on that. This is a good Amendment, and I would move for its adoption."

Speaker Greiman: "The question is, 'Shall Amendment #1 be adopted?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Sorry, Bob. Yes, Representative Terzich?"

Terzich: "No, you know, I don't know why they think this is a vehicle, because I'll tell you right now, if the Bill... if it's not amended, I'm just going to table the Bill anyhow, so I don't know why they vote 'no'."

Speaker Greiman: "Mr. Clerk, take the record. On this question, there are 16 voting 'aye', 87 voting 'no', 6 voting

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

61st Legislative Day

June 25, 1985

'present', and the Amendment fails. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Thank you. Third Reading. We'll get back to it, Mr. Terzich, unless... Alright. Next, Special Call - Agriculture. On that Order appears Senate Bill 418. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 418, a Bill for an Act relating to the regulation of rivers, lakes and streams in the State of Illinois. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Effingham, Mr. Hartke."

Hartke: "Yes, Senate Bill 418 provides that no permit shall be required to drain lands used for agricultural purposes. It is supported by the Farm Bureau and the Illinois Environmental Council, and I would... answer any questions. If not, I'd appreciate an affirmative vote."

Speaker Greiman: "The Gentleman from Effingham moves for the passage of Senate Bill 418. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by... I'm sorry, Mr. Ryder. I didn't see your light. The Gentleman from Jersey, Mr. Ryder."

Ryder: "Thank you for recognizing, Mr. Speaker. I understand that may have happened at other times in the past. Representative, I'd like to ask some questions, please. Will the Gentleman yield?"

Speaker Greiman: "Indicates he will."

Ryder: "Thank you very much. What is the law now about draining of agricultural areas? Is this something that's regulated by the State of Illinois?"

Hartke: "Yes, the Department of Transportation requires a permit for certain drainage areas and so forth. This would eliminate that need for a permit."

Ryder: "Is there a cost to the permit?"

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

61st Legislative Day

June 25, 1985

Hartke: "Not that I'm aware of."

Ryder: "Alright. Are there limits on the amount of land that can be drained? Are we talking about 40 acres or 1,000?"

Hartke: "Depends upon the area."

Ryder: "Are there limits now?"

Hartke: "Yes."

Ryder: "Okay. So we're removing those limits."

Hartke: "No, we're limiting them to ten square miles in certain drainage areas and one square mile in urban areas."

Ryder: "But we're basically kicking the Department of Transportation out of the farmers drainage area. Is that correct?"

Hartke: "That's a fact."

Ryder: "That sounds like a good idea to me. Thank you."

Speaker Greiman: "The Lady from Cook, Ms. Braun."

Braun: "Thank you. Representative Hartke, I'm kind of confused, because it looks like the Senate Amendment to the Bill said that you had to have a permit from IDOT, and that it preempted local governments from being able to make decisions about their streams and lakes and rivers."

Hartke: "No, this eliminates the permit requirement for agricultural land."

Braun: "Okay, and it..."

Hartke: "It eliminates it. Eliminates it."

Braun: "Okay, but is there a preemption in the Bill?"

Hartke: "What do you mean by that?"

Braun: "Pardon? I'm sorry. What was your answer?"

Hartke: "What do you mean by that?"

Braun: "A preemption."

Hartke: "You mean home rule?"

Braun: "Right."

Hartke: "I'm not sure."

Braun: "Could you check?"

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

61st Legislative Day

June 25, 1985

Hartke: "I would think that... I would think that they have the... they have the right, still, for that permit requirement."

Braun: "Alright. Thank you."

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

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

Speaker Greiman: "Indicates that he will."

McPike: "It... It appears that the Bill requires permits for all water related construction. I think it would be our concern that even the smallest project, for example, building a boat dock in Lake Michigan, would require that type of permit. My question is, does DOT's rule making power take care of this concern? Will they be able to make rules that get around these common sense problems?"

Hartke: "I think that's the intent, yes."

McPike: "I don't know if it's intent, but the question is, do they have that authority, or does this need an Amendment?"

Hartke: "No, I think they have that authority."

McPike: "They have the authority to adopt administrative rules sufficient to create exemptions?"

Hartke: "That they do, but this... this exempts farmers from that requirement."

McPike: "What I'm looking for is a 'yes' answer to this. On page six of the Bill, 'The Department of Transportation may make such reasonable rules and regulations as be... as may be necessary to administer this Act.' 'To administer this Act.' Does that cover the intentions and the problem that I just raised?"

Hartke: "If you're looking for a... 'yes' answer, you got it."

McPike: "The answer is 'yes'?"

Hartke: "Yes."

McPike: "Thank you."

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

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

61st Legislative Day

June 25, 1985

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

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

Young: "I'm not quite sure I understand. What is the state of the law right now, Representative?"

Hartke: "The law right now requires that a farmer must get a permit to clean his ditches in his field, his drainage areas and drainage structures, and we feel that's... that's not necessary at all. The Department sometimes grants these permits. Sometimes it does not, and we think it's undue harrassment of the farmer's right to drain his ground."

Young: "Okay. As far as the Bill relates to units of local government, what is the status of the law right now?"

Hartke: "This does not give the units of local government any... DOT any authority over units of local government - any new authority at all."

Young: "As I read Senate Amendment #1, it seems to say that a unit of local government could not do anything without permission from Department of Transportation."

Hartke: "This does not give the DOT any new authority that it already has over this... this... "

Young: "Okay. My analysis says that this Amendment provides that no unit of local government shall undertake construction in a public body of water without a permit from DOT. Is that a faulty analysis?"

Hartke: "That's... That's current law now, and we're not exempting that. This just reiterates current law."

Speaker Greiman: "The Gentleman from Livingston, Mr. Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I would like to make some comments that may clear some of the questions about this Bill. The Department of Transportation, a number of years ago, set forth some rules and regulations without going through the hearing process,

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

61st Legislative Day

June 25, 1985

without going through JCAB, to try and regulate all manner of drainage in this state. It has been very poorly and spasmodically enforced throughout this state, and now, there is a new effort by the Department to enforce that as it refers to farm drainage. And it can deal even with a farmer putting a tile in his field and taking it to an outlet. The Farm Bureau is concerned about that type of regulation. They are concerned about it, because they feel that the Department really lacks the authority to do it. This Bill is set out to clear that up and to limit the Department's authority to issue rules and regulations and to direct all of these small drainage projects, whether it be a farmer putting in a waterway or a small tile outlet to a drainage ditch. I think it's a good Bill. It is supported by the Farm Bureau, and I would ask for your support."

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

Frederick: "Mr. Speaker, Ladies and Gentlemen of the House, would the Sponsor yield for a question? Representative... "

Speaker Greiman: "He indicates... Yes... for a question."

Frederick: "Representative, does this Amendment have anything to do with coastal zone management?"

Hartke: "Excuse me. I didn't understand the question, or I didn't hear the question."

Frederick: "Alright. Does this Amendment have anything to do with coastal zone management, which is management of private property along a lake?"

Hartke: "Absolutely not."

Frederick: "Thank you very much."

Hartke: "The Lady from Cook, Ms. Braun. Did you speak on this before?"

Braun: "Mr. Speaker, I had asked a question that the Sponsor had not answered, and I just read the Bill. And I think it's

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

61st Legislative Day

June 25, 1985

been clarified, and so I'd like to clarify it. There apparently is a preemption in this legislation. However, the preemption exists already in current law, as I understand it, and the legislation only cleans up an existing preemption that is in the law. Is that correct, Representative Hartke?"

Hartke: "I think that's what I said."

Braun: "Okay. Thank you."

Speaker Greiman: "Mr. Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. On Senate Bill 418, a lot of people did a lot of work. The Department of Transportation worked together with the Farm Bureau, with the Illinois Environmental Council who also supports this Bill, even though it does give the... give the farmers the right to do it without permit, but it does call for environmentally responsible techniques to be used, and I would ask for a favorable Roll Call."

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

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

Speaker Greiman: "Indicates he will."

Woodyard: "Yes, I know there was a lot of controversy surrounding the... the indication that the Department of Transportation was going to be able to promulgate rules and regulations on farm drainage districts. Now, does this Amendment, Chuck, grandfather in the existing drainage districts and exempt them from rule promulgation? And if that's correct, would any new drainage districts being formed fall under the purview of promulgation of rules and regulations by the Department of Transportation?"

Speaker Greiman: "Yes, Mr. Hartke?"

Hartke: "This... This does not grandfather in any existing drainage districts, but it... "

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

61st Legislative Day

June 25, 1985

Woodyard: "What the question is, would it exempt from permits existing drainage districts?"

Hartke: "Not if they're going to make a substansive (sic - substantial) change in the drainage system."

Woodyard: "Oh, I thought that... "

Hartke: "That would... That would affect over ten... "

Woodyard: "Ten square miles. Yeah."

Hartke: "Right."

Woodyard: "Oh, I thought that's what Farm Bureau was opposed to, to start with."

Hartke: "The maintenance, they're okay, of those districts."

Woodyard: "Yeah, the maintenance, but... "

Hartke: "New... New construction over that ten square miles, would still require a permit."

Woodyard: "Even... It would require permitting from IDOT, if it fell within the criteria of the twelve square mile interpretation of what is maintenance and what is construction."

Hartke: "New construction."

Woodyard: "New construction."

Hartke: "Maintenance, no."

Woodyard: "Okay. Okay. Then that would require a permit."

Hartke: "New construction would."

Woodyard: "Yeah."

Hartke: "Not maintenance of that... "

Woodyard: "Okay."

Hartke: "Of that ditch."

Woodyard: "Do you know what the... Have the professional engineers or consulting engineers - do they support this Bill? Or do you know?"

Hartke: "Yes, they do. Yes, they do. Yes."

Woodyard: "Thank you."

Speaker Greiman: "The Gentleman from Boone, Mr. Wait."

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

61st Legislative Day

June 25, 1985

Wait: "Thank you, Mr. Speaker. I'd just like to stand in support of this. I've worked on this Bill quite a bit, and while it's not exactly all that the farmers were asking for, here, it is a compromise between the conservation people, the Farm Bureau and many other parties here. I think it's a good Bill, and we should support the Sponsor on this, because it will help to solve a lot of problems that we've had out there. Thank you."

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

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

Speaker Greiman: "He indicates that he will."

Weaver: "Representative, on this Bill, would a farmer who is clearing brush to provide for additional or improved drainage be required - as the Bill is amended - would he be required to obtain a permit from DOT?"

Hartke: "He would not need a permit if it was a prior improved channel. In other words, if he has... if he has a drainage ditch that has, you know, has grown up in weeds and brush and trees and so forth, he could go in and clean that out."

Weaver: "That would not... "

Hartke: "No permit."

Weaver: "That would not be considered construction."

Hartke: "No, that's not construction. That's maintenance."

Weaver: "Okay. Well, as I understand it, that is part of where this problem arose, is that some modification of the drainage area would be considered construction, but you're telling me that... "

Hartke: "Right. But... "

Weaver: "But you're telling me that this Bill... "

Hartke: "Under the current rules, he would need a permit, but this would eliminate that..."

Weaver: "Okay."

Hartke: "... need for that permit to maintain that."

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

61st Legislative Day

June 25, 1985

Weaver: "I'm all for it. Thank you."

Speaker Greiman: "Mr. Hartke to close."

Hartke: "Yes, I might remind the Body that this... this Bill passed through the Senate 59 to nothing, and I really thought there would be very few questions on this, but everyone is enlightened now. I'd appreciate an affirm vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'aye', 6 voting 'no', and none voting 'present', and this Bill, having received the Constitutional... Harris votes 'aye'. Harris 'aye'. Mr. Friedrich, for what purpose do you seek recognition?"

Friedrich: "Mr. Speaker, you've just received a Hollywood candy bar. That's the fifth largest candy company in the world. It's from Centralia."

Speaker Greiman: "Well, if we could just let me declare this, and then we'll get back to you for a commercial. On this question, there are 110 voting 'aye', 6 voting 'no', none voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. Yes, Mr. Friedrich, the Gentleman from Marion."

Friedrich: "You had most of my commercial already. We just wanted you to enjoy a Hollywood Candy Company bar. They're the fifth largest in the world, and they're in Centralia. And they're expanding, and we're proud of them. And we think you ought to be, too."

Speaker Greiman: "Now... We move now to Special Call - Games of Chance. And on that Order appears Senate Bill 1375. Clerk, read the Bill."

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

61st Legislative Day

June 25, 1985

Clerk O'Brien: "Senate Bill 1375, a Bill for an Act to authorize off-track pari-mutuel wagering in Illinois. Third Reading of the Bill."

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

Giorgi: "Mr. Speaker, as the House well knows, Senate Bill 1375 is just a shell Bill now, and it's going to have to go back to the Senate for concurrence of the Leaders and the Governor's Office and the interested parties so that a comprehensive Bill can be written that we can all live with if we're going to have off-track betting. So I'd the Assembly to support me and send this Bill to the Senate."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Giorgi, moves for the passage of Senate Bill 1375. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action for the moment. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question... The Lady from LaSalle, Ms. Breslin, votes 'aye'. Mr. McCracken votes 'aye'. Mr. Leverenz votes 'aye'. Ms. Alexander votes 'aye'. Mr. Pedersen votes 'aye'. Mr. Stephens votes 'aye'. Mr. LeFlore votes 'aye'. Mr. Homer? Mr. Homer votes 'no'. Mr. Curran votes 'no'. Mr. Davis votes 'no'. Mr. Saltsman votes 'aye'. Braun... Ms. Braun votes 'aye'. Alright. We're going to dump this Roll Call. There's just too many changes. I can... We can no longer have an accurate count, and I know it's important to have an accurate count. On this... The question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is, again, final action. Mr. Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker, just to explain my vote."

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

61st Legislative Day

June 25, 1985

Just so people understand, to reiterate, this is a shell Bill on off-track betting. The Bill was passed out of the Senate and we've entered into - and I say 'we' - we're going to have a meeting in the Governor's Office tomorrow with representatives of the all the Legislative Leaders to see if we can work out an agreement with regard to this. If it can't be worked out, there's going to be no Bill. All this is is a shell Bill, a vehicle which will be nonconcurrent with in the Senate, and there will be a Conference Committee with regard to this issue. So it's... You're not voting for anything that's bad. It doesn't... The Bill doesn't say anything. It just amends the Horse Racing Act."

Speaker Greiman: "Mr. Vinson?"

Vinson: "Mr. Speaker, this is nothing more than a vehicle for off-track betting, and I would urge a 'no' vote on the subject and would request a verification, should it appear to get the requisite number of votes."

Speaker Greiman: "Mr. DeJaegher."

DeJaegher: "Ladies and Gentlemen, the Sponsor of the Bill, Representative Cullerton, both of them have explained to you that basically this is a shell Bill. The Governor of the State of Illinois is concerned what racing is doing, the income it's generating today. All this is basically is for a period of review. You're really doing nothing with this particular Bill at the present time. All we're doing is trying to exercise options. Let the Governor decide basically which way we should go pertaining to pari-mutuel betting. I think that all of us must agree to this, that something has to be done with the racing industry in the State of Illinois. For that reason, I encourage each and every one of you. You're not committing yourself to nothing at the present time. Give us a green vote. Let us

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

61st Legislative Day

June 25, 1985

decide the issue. See what these issues are going to bring. Then we can respond to that particular question."

Speaker Greiman: "Have all... Have all voted who wish? Mr. Bullock, one minute to explain your vote."

Bullock: "Thank you, Mr. Speaker. I was off the floor and didn't know this Bill was called. I join with Representative Vinson in verifying the Roll Call, and I guarantee you, if you vote for this Bill, you're voting to take money away from the county fairs. You're voting for a subsidy for the super rich. You're voting to subsidize individuals that draw salaries of \$2,000 a week. One owner, in fact, in the State of Illinois, has a family of four that draws a half million dollars before taxes, before the reports to the state. Some individuals from districts in Southern Illinois say that they are against gaming, in fact, say that they are against subsidizing the super rich, but they are voting 'aye' on this Bill. Representative Vinson and I will assure you that the Roll Call on this Bill will get the maximum exposure because it clearly is a subsidy for the super rich. The State of Illinois cannot afford to bail out an industry that clearly will not clean up its house, will not clean up its act. If you send this vehicle out of here to the Senate, you are preparing to tell the citizens of your district, back in your district, that you want to subsidize an industry that clearly is not being fair with the taxpayers of our state, and it's an irresponsible vote, and you should vote 'no'."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Ms. Zwick, one minute to explain your vote."

Zwick: "Thank you, Mr. Speaker. Members of the House, I would simply say to you that it doesn't seem to me to be terribly responsible at this point to be cutting off the debate and

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

61st Legislative Day

June 25, 1985

discussion on a Bill that has such great possibilities for enhancing the revenues of the State of Illinois. I know we all think it's... many out there think it's late in the Session, but it's really pretty early in the Session. We haven't discussed this measure as thoroughly as we should. I don't think it's appropriate for us to be saying 'no' to off-track betting at this point, before we have any real Bill before us, and I think the responsible thing to do is at least continue the debate on this measure by voting it out of here today so that it can continue. You will have an opportunity to vote against it at a later point, should any real proposal come forth. So I would simply urge you to vote 'yes' on this measure at this time."

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

Huff:: "Yes, Mr. Speaker, with regards to this issue, I'm reminded of an admonition from the Bible that says that it's easier to get a camel through the eye of a needle than for a rich man to gain entrance into heaven. But with this issue, the rich won't mind going to hell, I can assure you, Mr. Speaker, if they can go by way of Illinois. The red vote is the right vote."

Speaker Greiman: "Have all voted who wish? Mr. Cullerton? Mr. Cullerton wishes to change his vote... "

Cullerton: "Yes, normally, I don't do this, but at the request of the Speaker, I will change my vote to 'no'."

Speaker Greiman: "Mr. Cullerton votes 'no'. Mr... The board is still open. Ms. Currie, change me to 'no'. Mr. Turner. Mr. Turner, you're 'no'. You were already 'no'. Mr. Mautino, one minute to explain your vote."

Mautino: "I can see what the power of... the Leadership has in this case, but I'd like to remind our downstate Legislators that in order to get something out of this Session, we're going to have to put some chips on the table. Is that..."

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

61st Legislative Day

June 25, 1985

okay. Alright."

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

Leverenz: "Thank you, Mr. Speaker. A few weeks ago, at the end of moving House Bills out of the House, we got to the point where we tried to move a few vehicles for the appropriations process, and all of a sudden, it all broke down, and we couldn't move a few vehicles over to the Senate. And it all depends in this process on compromise, and we have to move Bills to get to the point where we can have something in final form to vote on. I would encourage the Members of this side of the aisle that if we cannot make the process work, we'll have to scrutinize the Bills that come before us in the coming days, and we can play the same game, and maybe even better, and to kill a few Bills. And so, I would encourage my colleagues to look for Bills to send to an early grave. Thank you."

Speaker Greiman: "Speaker Madigan, to explain his vote."

Madigan: "Mr. Speaker, in explaining my 'no' vote, at the beginning of the Roll Call, I was recorded as 'aye' in an effort to move this stripped Bill to the Senate, where it could be put to a Conference Committee. The Bill currently provides nothing. It is a stripped Bill. The Bill is a proposal from Governor Thompson. It emanated from Governor Thompson's task force on the horse racing industry, and I am prepared to work with the Governor, which I have told him, and to work with the other Legislative Leaders to attempt to fashion a Bill that can be acceptable to the General Assembly, but I will not participate in political games designed to gain political advantage in some future election. And so, therefore, I wish to be recorded 'no', and if there is a legitimate effort to revive this Bill, then we can revive it under agreement. Thank you."

Speaker Greiman: "Have all voted who wish? Have all... Yes, the

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

61st Legislative Day

June 25, 1985

Gentleman from DuPage, Minority Leader Daniels. Mr. Daniels."

Daniels: "This is a telephone call to Mike. Amen."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 2 voting 'aye', 94 voting 'no', 21 voting 'present', and the Bill fails. Special Call - Human Services. On that Order appears Senate Bill 295. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 295, a Bill for an Act to amend Sections of the Mental Health and Developmental Disabilities Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. White, on Senate Bill 295."

White: "Mr. Speaker and Ladies and Gentlemen of the House, we had a thorough discussion on this piece of legislation a few nights ago, and all it does is change the name of a category of social workers. And I ask for favorable consideration of this piece of legislation."

Speaker Greiman: "The Gentleman from Cook has moved for the passage of Senate Bill 295. And on that, is there any discussion? The Gentleman from Lake, Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. I just want to rise and say that we did have a thorough discussion on this issue. There were some concerns that I had and some concerns that some of the Members of this side of the aisle had. I believe those have now been cleared, and I would stand in support of the Sponsor's Motion."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'aye', none voting

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

61st Legislative Day

June 25, 1985

'no', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of... Special Call - Human Services appears Senate Bill 653. Mr. Bullock? Mr. Bullock? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 653, a Bill for an Act to amend Sections of the Abused and Neglected Child Reporting Act. Third Reading of the Bill."

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

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 653 as amended basically deals with the subject of child abuse and the reporting of child abuse in a uniform manner, and the Amendment to the Bill would ensure that uniformity in those forms used by employers, and that there be actual knowledge of the act and its reporting requirements. I don't need to suggest to Members of this Assembly the epidemic that abounds in our society today as it relates to abused children, abused and neglected children. This Bill attempts, in some small measure, to add to the list of professional and state agencies required to report cases of abuse, including neglect. This mandates that employers merely sign a statement indicating their knowledge and their responsibility to report, and persons mandated to report who knowingly fail to report this, in fact, commit a disorderly conduct charge. Mr. Speaker and Ladies and Gentlemen of the Assembly, I urge its adoption and an 'aye' vote."

Speaker Greiman: "Representative Breslin in the Chair."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 653. And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker, Ladies and Gentlemen. The

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

61st Legislative Day

June 25, 1985

Bill as originally drawn was a requirement that a person working for a particular type of provider or employer would acknowledge his duties to report abuse as required by the Act. I don't know if DCFS was the author of that Bill originally, but it certainly supported it. The Amendment adopted in the House requires that DCFS distribute copies of the Act to all employers, in addition to the original requirement that the statement of the employees of the particular employer sign a statement acknowledging their duties thereunder. The Department is opposed to that Amendment; and, because it's on the Bill, is opposed to the Bill. It's estimated that the cost of reproducing the Act and mailing it to the estimated 50,000 persons involved, or employers or parties involved, or 500,000 forms would be about \$340,000. I submit that although the intent is very good, and there's no quarreling with that, the fact of the matter is that it goes beyond what is necessary to inform those mandated under the law that they, in fact, have that duty to report suspected cases of abuse. I think the original Bill served that purpose, and I think in voting on that, you should consider this. Thank you."

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

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

Speaker Breslin: "He will."

Dunn: "Does this Bill -- and I think while I was waiting to speak, I think I see the answer. I want it clarified. Does this Bill provide that someone who is charged with the responsibility of reporting child abuse must, before they themselves are subjected to a criminal penalty, must knowingly fail to make a report. Is that correct?"

Speaker Breslin: "Representative Bullock."

Bullock: "That is correct, Representative Dunn."

Dunn: "One other question. Are there guidelines someplace that

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

61st Legislative Day

June 25, 1985

provide the people who are supposed to report child abuse with some guidelines about what constitutes child abuse for the purpose of making a report, what triggers a report and what doesn't, or is this a case by case judgment call on the part of all these people?"

Bullock: "No, the Department of Children and Family Services, Representative Dunn, is required to distribute the pamphlet explaining this."

Dunn: "I can't hear you. Required to what?"

Bullock: "DCFS is required to promulgate and distribute the guidelines that you refer to."

Dunn: "Thank you."

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

Bullock: "Madam Speaker, I ask for a favorable vote."

Speaker Breslin: "The Gentleman... The question is, 'Shall Senate Bill 653 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 98... 99 voting 'aye', 17 voting 'no', and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, Representative Hensel will take the Chair now for the purpose of an introduction. Representative Hensel."

Hensel: "Thank you, Madam Speaker. It gives me great pleasure today to introduce to you some people from St. Charles, Illinois, which is in my district. We have a Resolution, a Joint Resolution, Senate and House, which I won't read so we can move right along, but the swim team from St. Charles High School coached by Dave Bart, won state championships in 1979, 1980, 1982, 1983, 1984 and 1985.

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

61st Legislative Day

June 25, 1985

And at this time, I'd like to present Dave Bart, who will introduce the members of his swimming team."

Dave Bart: "Thank you. I would like to introduce to you the people that represented St. Charles at the state meet this year. Before that, I'd like to introduce my assistant coaches, and I'll just kind of wave their way... your way when I announce their name. First is our diving coach, John Mizanin; then my two assistant coaches, Ken Pearson and Angie Vallejo. And these are the swimmers and divers which were at the state champions for us: Rick Williams, David Fix, Rich Foster, Andy Edmondson, Fred Westhoff, Mike Lambert, Jay Zuber, Aaron Turner, Mark Wainwright, and our last member, Mike Avolio."

Hensel: "Thank you, Members of the House, and now we can get back to the Order of Business, and I appreciate everything that they've done for us. Thank you."

Speaker Breslin: "Ladies and Gentlemen, the next Order of Business is Senior Citizens, Disabled Persons. The first Bill is Representative Soliz' Bill, Senate Bill 954. It appears on page nine on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 954, a Bill for an Act to amend the Illinois Act on Aging. Third Reading of the Bill."

Speaker Breslin: "Representative Soliz."

Soliz: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 954 is a Bill that will provide for the establishment or a study of the establishment of an affirmative action program for senior citizens in the State of Illinois. It would authorize the Department of Aging to enter into a contract with a university or higher education institution to study the issue of whether there can be implemented in the State of Illinois an affirmative action program to further the employment opportunities of senior

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

61st Legislative Day

June 25, 1985

citizens, those over the age of 60, and what we decided to do as a result of several... an Amendment that was introduced by Representative Oblinger is to ensure that the senior citizens that would, in fact, benefit from this program, would engage in professions to which they would be able to find employment, not those that they would be prohibited from seeking employment given their age. For example, there is an Amendment which would prohibit them or would exclude the provisions of the affirmative action programs from participation in careers such as policemen or firemen or other professions where we all recognize that perhaps age could be a factor and could prohibit their becoming gainfully employed in these... these professions. So, what we are trying to do with this Bill is essentially enter into a study through the Department of Aging to study the issue of whether employment opportunities can be furthered, can be expanded, can be promoted by the Department of Aging for senior citizens or those over 60 years old, and I ask for an affirmative vote on this... on this issue."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 954. On that question, Representative Frederick."

Frederick: "Madam Speaker and Ladies and Gentlemen of the House, I, too, rise in support of Senate Bill 954. After much discussion in the Committee, we came up with this compromise, which is a very good compromise, and I urge you to vote 'aye' on this Bill."

Speaker Breslin: "The question is, 'Shall Senate Bill 954 pass?' All those in favor vote 'aye', all... Representative Wojcik, for what reason do you rise?"

Wojcik: "I have a question of the Sponsor."

Speaker Breslin: "Did you put on your light?"

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

61st Legislative Day

June 25, 1985

Wojcik: "It's on."

Speaker Breslin: "Representative Wojcik, proceed with the question."

Wojcik: "Representative Soliz, could you tell me the Department on Aging's feelings regarding this Bill?"

Soliz: "The Department of Aging was concerned first that they didn't have the personnel to be able to handle the study. One of the reasons for the Amendment, I believe it was #1, was to authorize them to contract the study out to an institution of higher learning. And so, that particular concern has been rectified. The second concern was that they didn't have the money to be able to finance the study. They indicated that they need approximately \$30,000 - 20 to \$30,000 to fund this... this study. What we have done in the Department of Aging budget is to include an Amendment which would essentially fund or provide the funds for the study. And so, that Amendment was approved in the Appropriations Committee. So, I believe that all of their concerns have been addressed, and I don't think that they would be opposed to this Amendment."

Wojcik: "Thank you very much."

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

Regan: "I would ask the Speaker if he would leave for a question, please."

Speaker Breslin: "He will yield. Proceed."

Regan: "Representative, I just want to make it clear in my mind what this study is before I vote. Is this study for... if affirmative action is possible for senior citizens? Is that what this study is?"

Soliz: "What this study would essentially do is explore the possibilities, the opportunities for those over 60 years old... to enter into the employment areas that they may be

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

61st Legislative Day

June 25, 1985

qualified to enter into. There was a concern that we don't want to mislead our senior citizens, and that was the reason for Amendment #2, I believe. This would, of course, provide for a study into employment opportunities where it's foreseeable that senior citizens could be engaged in fruitful employment opportunities."

Regan: "You mentioned affirmative action before. Is that in the Bill, or was that just a terminology that you used?"

Soliz: "I don't recall whether that's the exact terminology used in the Bill, but what we are providing for here is employment opportunities or the study of employment opportunities for senior citizens. And there was a feeling, I think, in Committee that there are, in fact, many opportunities or employment fields in which senior citizens can gainfully be employed. However, because there... these fields or these professions or these careers are not... they're not informed of these opportunities, they are... they are not able to take advantage of them. So, what we want to do, basically, is have a... the Department of Aging study the issue. We want to be able to discover what these opportunities are. I don't... I'm not sure that I know what they are in any particularity, but I know that our senior citizens have not lost all opportunity to be gainfully employed at the age of 60 or any age... particular age, and many of them are... can, in fact, be gainfully employed, and what we seek to do here is basically identify those opportunities for them and then implement a program whereby they can become gainfully employed."

Regan: "Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 954 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who

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

61st Legislative Day

June 25, 1985

wish? Have all voted who wish? The Clerk will take the record. On this question, there are 110 voting 'aye', 3 voting 'no', and none voting 'present'. Representative Flowers wishes to vote 'aye'. There... And Representative Huff votes 'aye'. There are, therefore, 112 voting 'aye', 3 voting 'no' and none voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. The next Special Order that we will go to deals with insurance. Excuse me. The next Order deals with civil law. But it is a very short Order of Call. The first Bill is Senate Bill 164, Representative.. The next Bill is Senate Bill 887, Representative O'Connell. Clerk, read the Bill."

Clerk Leone: "Senate Bill 887, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill."

Speaker Breslin: "Representative O'Connell."

O'Connell: "Madam Speaker, I would defer to my hyphenated Sponsor, Representative Hartke, who is a non-lawyer and stands a much better chance of passing this Bill than I."

Speaker Breslin: "Representative Hartke."

Hartke: "Thank you, Madam Speaker, Members of the House. Senate Bill 887 is a Bill that requires that if a woman, wife, seeks an abortion, that she must have her husband's permission, a 24 hour... give a 24 hour notice before an abortion can be performed. My fellow Members, I feel that the father of the unborn child has an equal right as well as the woman to at least have an option on this operation. I urge that you give a vote for life for this Bill."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 887. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

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

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

61st Legislative Day

June 25, 1985

Cullerton: "Representative O'Connell... Oh, Hartke. Representative Hartke, normally I don't... I just didn't understand this Bill. If... There was a House Amendment adopted to the Bill. Is that correct?"

Hartke: "Yes. A House Amendment?"

Cullerton: "Yes."

Hartke: "Well, I'm not sure, but there's a Senate Amendment to it."

Cullerton: "Okay. Okay. There was a House Amendment that allows for an injunction... Okay. First of all... Let's start over. Maybe you could just tell me what the Senate Bill does first, and then I'll ask you about the House Amendment. Okay, maybe... Let me tell you what I think it does and see if this makes sense. It allows the spouse, who is the father of an unborn child, to receive an injunction that would prevent the mother from having an abortion if the child is viable. Is that... Does that sound right?"

Hartke: "That's correct."

Cullerton: "Okay. It allows for a court to hear testimony on both the husband's... father's behalf and the mother's behalf when the father wishes to prevent this abortion and to issue an injunction when the father's interest outweighs the interest of the mother's. But this only deals with a viable child... fetus. So, my question would be, when can you get an abortion, now, of a viable fetus? I thought it was only when the court finds that the mother's life or health are in danger. I thought that's the only time you could... that a woman can get an abortion now. Okay, and that's the question. Maybe Representative Pullen can answer that. I really, honestly, am asking this question, not to... I'm going to vote 'present', you know, like I always do. I'm just curious... Madam Speaker, perhaps

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

61st Legislative Day

June 25, 1985

Representative Pullen could answer this question, then."

Speaker Breslin: "Is the Lady a Sponsor of the Bill?"

Cullerton: "I don't know. O'Connor... O'Connell looks to me like the Sponsor."

Speaker Breslin: "I'm sorry. The rules provide that the Sponsor will answer questions. If the Lady would like to speak in debate, she can surely be recognized."

Cullerton: "Representative O'Connell is a Sponsor. Perhaps he can answer the question."

Speaker Breslin: "Representative Pullen has been... is, I understand, is indicated one of the five Sponsors. So, Representative Pullen, in answer to the questions."

Cullerton: "If I can rephrase the question. My understanding now is, the only time that you can have an abortion of a viable fetus would be if... if there is a... finding that the mother's life or health are in danger. And so, I didn't understand this Bill because it would allow for an injunction to be granted at the request of the father to preclude a viable fetus from being aborted, but if the only time that a viable fetus could be aborted would be if the mother's life was in danger, then that... when would this Bill be necessary? So that's... that's the question I have. Maybe I'm misunderstanding the current law. Perhaps Representative Pullen or McCracken can answer it."

Pullen: "This Bill provides for the right of the father to seek an injunction when the baby is viable, late term abortions, and the exemption... the exception is when the mother's life or physical health are in danger. That is a tighter exemption than the Supreme Court guideline that allows abortions up until labor is completed and delivery is made when the mother's life or health is in danger, because the word 'health' has been used as a loophole for a Mack truck."

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

61st Legislative Day

June 25, 1985

Cullerton: "You mean, they're allowing abortions of... in the third trimester?"

Pullen: "Yes."

Cullerton: "When the mother's life is not at stake?"

Pullen: "Yes."

Cullerton: "What type of... what are they using as the definition of 'health'?"

Pullen: "It can include mental health, which can include anything from aggravation and inconvenience on up to, literally, a mental problem."

Cullerton: "Couldn't... Would it be unconstitutional for us to pass a law that just defines health as 'physical health'?"

Pullen: "This does not prohibit... unfortunately, this does not prohibit abortions under that situation. It grants the father of the baby the right to seek an injunction, and then, it is still up to the court whether, in particular circumstances, the father can receive that injunction."

Cullerton: "Okay. I understand the purpose of the Bill. Thank you."

Speaker Breslin: "The Gentleman from DuPage, Representative... The Lady from Cook, Representative Currie, on the question."

Currie: "Before yesterday's action in this House to adopt House Amendment 1, it could have been argued that this was a silly Bill, since present state statutes do not permit abortions in the third trimester unless the life, the health, the safety of the mother is threatened. That's the law. We certainly could have argued there was no point in offering another kind of judicial action to make sure that our laws were adequately enforced, but that would have been the major argument against this Bill. With yesterday's action, to say that the life, the health of the mother is restricted to physical health, to physical life,

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

61st Legislative Day

June 25, 1985

that, makes absolutely no sense whatsoever. This Bill is not only a senseless one, since it seems to say that, never mind giving birth to a child may turn the woman into a psychotic and, therefore, perhaps somebody who ought not to be taking care of that child. In addition, this Bill is flatly unconstitutional. Too often in this Legislature, we have cheerfully spent taxpayer dollars in a fruitless pursuit of some kind of notion that we know will be struck down in the courts. I don't know how much we've spent in this Legislature of our taxpayer dollars to play games in courts of law, games in this area that we know we're going to lose. When are we going to wake up and say that we have better ways to spend our taxpayer dollars, better ways in education, for example, in human services, to see that these babies that are born are given a proper chance to make it in this world? Here we are, a state that is 48th on the list in terms of infant mortality. We do a crummy job with the babies that come into our jurisdiction after they are born, and here we are, wasting our time on Senate Bill 887, a law that, under the Danforth Decision by the United States Supreme Court, will clearly be held unconstitutional. It's a waste of money. It's a waste of time, and it's taking us and our people in altogether the wrong direction."

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

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. What I object to in Senate Bill 887 is the possibility that a mother may be allowed to die or suffer very grievous permanent injury while a spouse, for good reasons or vindictive reasons, seeks to file a lawsuit asking for injunctive relief, and in the delay period, where a temporary restraining order may be issued, perhaps

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

61st Legislative Day

June 25, 1985

even without notice to that mother, without giving that mother an opportunity to hire a lawyer to go into court and argue against the temporary restraining order, that temporary restraining order against an abortion may be issued by the court, setting a hearing within 10 days, and in that 10 day period, a mother's life or health may be in such danger that there may be irreparable harm done to her while the court process is dragging on. That could have been cured in this legislation. It would have been easy to say in this Bill, to add a sentence or two that indicates that under no circumstances where there is a medical emergency, could the medical procedure be hindered while the court is undertaking consideration of the injunction action. But that type of language was not included in this Bill, and it was not included in the Amendments of this Bill. So, while I am sympathetic to the proponents of this legislation, and I think a father, unlike some of the opponents, I think a father does have a right to at least some input into the decision process where his wife is seeking an abortion. This Bill goes far beyond that, and this Bill could cause the death of the mother while someone is filing a lawsuit, before the court has had sufficient opportunity to consider the merits of that injunction action. While the court wheels are progressing, a person could die or be seriously and permanently injured. And for that reason, I cannot support this legislation."

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

Stephens: "Thank you, Madam Speaker, Members of the House. I rise in support of this Bill for the simple reason that it's... I think, as a Legislative Body, it's important that we make the statement that the child to be born has two parents. And the rights of the father are every bit as

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

61st Legislative Day

June 25, 1985

important as the rights of the mother. Simple notification of that father before you take that child's life seems to me to make a whole lot of sense, and I urge an 'aye' vote on this Bill."

Speaker Breslin: "The Lady from Lake, Representative Stern."

Stern: "Madam Speaker and Members of the House, besides reiterating the decision of the Supreme Court, which I'm... does not give the father input to this decision, I would make the point only that to suggest that an abortion is had by a woman for purposes of avoiding inconvenience or for reasons of aggravation really denigrates a very serious bit of major surgery. To have an abortion in the last trimester is major surgery, Ladies and Gentlemen. It is not something to be undertaken lightly and is not undertaken lightly by the women of Illinois. And for us to pass another unconstitutional Bill on such a subject seems to me an outrageous waste of time and state money. I urge a 'no' vote."

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

McCracken: "It's important that we're talking about two lives, here. We're talking about a viable fetus, which is the scope of the application of this Bill, and we are balancing that viable fetus against the health of the mother. Certain decisions have either impliedly or expressedly expanded the scope of health of the mother to include things other than physical health or well-being in a physical sense. This Bill would seek to address two issues not currently addressed - one, whether the father has an interest in this issue - the husband, I should say, as opposed to a father; and two, whether or not this General Assembly should balance the one life of the fetus against the life and only the life or threat to physical health of

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

61st Legislative Day

June 25, 1935

the mother. The balancing should be relatively equal, I submit to you, one life for another. And a 'no' vote is a vote saying that the life of the fetus is not worth as much as the mental health of the mother, and I think that's a vote we don't want to make, and that is precisely, and you're looking at me, Representative, and I am precisely correct. That is what this vote says, and a 'no' vote would be the wrong indication to give to the people of the State of Illinois. Those who are in favor of seat belts and say the state can intervene on that, should be in favor of this Bill, as well. There is absolutely no validity to the argument that the injunctive process would endanger the welfare of the mother. By its very nature, it is an equitable remedy, where the welfare or health of the mother would be taken into account. It is an emergency measure, where the welfare and health of the mother would be taken into account. Under no circumstances would the life be threatened by resort to this judicial remedy, and I submit to you that this should be voted unanimously, because everybody here claims to be in favor of life."

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

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

Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Hartke, to close."

Hartke: "Thank you, Madam Speaker... Speaker and Members of the House. It is not the intent of this legislation to harm the mother. The intent is to recognize the father's rights. You know, we've... we've looked at the mother so

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

61st Legislative Day

June 25, 1985

often, we forget about the father. He has just as much right for the life of that child as the mother does. We're talking about a husband, the father of the child. We're talking about the father of the unborn child. We're talking about a viable fetus, and the court making the decision. I ask for an affirmative vote."

Speaker Breslin: "The question is, 'Shall Senate Bill 887 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final action. Have all voted who wish? The Clerk will take the record. On this question, there are 72 voting 'aye', 34 voting 'no', and 10 voting 'present'. Representative White wishes to change his vote from 'aye' to 'no'. There are, therefore... Representative Giorgi wishes to change his vote from 'present' to 'aye'. Representative Bowman, for what reason do you rise?"

Bowman: "What... What is the required Majority on this vote?"

Speaker Breslin: "Excuse me?"

Bowman: "What is the required Majority for passage?"

Speaker Breslin: "60 votes for passage. What is the count, Mr. Clerk? On this question, there are 72 voting 'aye', 35 voting 'no', and 10 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 889, Representative Capparelli. It appears on page 21 on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 889, a Bill for an Act to amend an Act in relationship to the office of public defender. Third... Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Representative Capparelli. Clerk, read the Bill."

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

61st Legislative Day

June 25, 1985

Clerk Leone: "Senate Bill 889, a Bill for an Act to amend an Act in relationship to the office of public defender. Third Reading of the Bill."

Speaker Breslin: "Representative Capparelli."

Capparelli: "Madam Speaker, Senate Bill 889 requires that a public defender, when appointed by a court to defend a person under the Parental Notification Abortion Act... As you know, the Notice of Abortion Act was passed by the Illinois General Assembly in 1983. The Act, at that time, required parents of a minor who is under 18 years of age to be notified of a pending abortion by the physician who is to perform the abortion. This Act allows for a minor who does not wish her parents to know of the abortion to go to court and ask for a waiver of notice. It also provides that the court shall appoint counsel for the minor. I'd ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 889. And on that question, the Gentleman from Knox, Representative Hawkinson. Representative Hawkinson."

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

Speaker Breslin: "He will."

Hawkinson: "Representative, I understand that this is an Amendment to the Public Defender Act. My question is, if the court chooses to appoint other counsel other than someone from the public defender's office, there is nothing in this Act that requires the appointment to be made of a public defender, is there?"

Capparelli: "That's right. That's right."

Hawkinson: "Thank you."

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

Preston: "Thank you, Madam Speaker. Would the Gentleman yield

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

61st Legislative Day

June 25, 1985

for a question?"

Speaker Breslin: "He will."

Preston: "Representative Capparelli, I don't understand what the purpose of this Bill is."

Capparelli: "When this was given me, the only reason this Bill is being introduced is to ensure that the provisions of providing counsel for a minor will not be a problem in having this Act to go into effect. It's not in effect, and they're making rules and regulations now, and this will probably be one of the rules that a minor must have counsel."

Preston: "And that... that... the court would still be free to appoint court-appointed counsel who is not a public defender, in these cases?"

Capparelli: "Yes. It does not have to be... They can go to have their own private attorney, yes. Right."

Preston: "Well, not private, but I mean... can... may the court appoint an attorney who is not a public defender to be paid by the county to defend... to represent this minor seeking an abortion? Or is the court constrained to only appoint a public defender?"

Capparelli: "It does not require the court pick or pick only a public defender, but it gives that option."

Preston: "I'm sorry. I didn't hear what you said."

Capparelli: "It does not require that the court pick or only pick a public defender, but it gives them that option."

Preston: "I see. Thank you."

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

Levin: "Would the Sponsor yield?"

Speaker Breslin: "He will."

Levin: "The way I read this, this is a new state mandate imposed on local jurisdictions. Somebody's got to pay for the public defender. Isn't it the counties that pay? Has

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

61st Legislative Day

June 25, 1985

there been a State Mandates Act filed in terms of how much this is going to cost the local jurisdiction to set up this new bureaucracy?"

Capparelli: "Well, the court will be minimal, they say here, in that... like in Massachusetts, the parental notice law is in effect, and they have set up a group to aid these minors, and they are voluntary attorneys."

Levin: "But this isn't going to be limited to voluntary attorneys."

Capparelli: "No, it does not."

Levin: "So, you know, we are... there is going to be some substantial cost, here, to the counties of the state. Is there an appropriation to pay for this... this new mandate?"

Capparelli: "No, there's not. No."

Levin: "Madam Speaker, Ladies and Gentlemen of the House, I think this Bill, you know, just shows how silly we're getting in terms of some of these abortion Bills. The last Bill we had imposed the courts between a husband and a wife, and this Bill tries to resurrect a law we passed that sends us to court which was found to be in serious problems, by throwing monies that somebody's going to have to pay for, the taxpayer, either at the state level or local level, so that we can have this old jerry-built system of taking what is really a very private, personal decision and holding it up to court scrutiny. And now, we're going to go the step further. We're going to involve the expenditure of taxpayers' money, not only to defend against these unconstitutional laws, but now, we've got to set up a whole bureaucracy of attorneys. I guess, as an attorney, I ought to be in favor of this, but I think we ought to save the taxpayers' money and defeat Senate Bill 899."

Speaker Breslin: "The Gentleman from Madison, Representative

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

61st Legislative Day

June 25, 1985

Wolf."

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

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Capparelli, to close."

Capparelli: "Okay. Thank you. As I said, the reason that the Bill as introduced is to provide counsel for these minors, which will be presenting a problem, probably, in the near future, according to the Seventh District Court of Illinois, and we would ask for a favorable Roll Call."

Speaker Breslin: "The question is, 'Shall Senate Bill 899 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Ropp, one minute to explain your vote."

Ropp: "Thank you, Madam Speaker. I think it's interesting how, in the last period of time, we are able to create, let's say, a conception in an auger jar, and now we're in the process of dealing with a very close family matter. We're taking that and giving that option out of the realm of family discussion and decision making and putting it into some hands of some attorney. I think the whole premise of families is at stake here, and I really question why we need to attempt to further break up family relations in the State of Illinois. And that's why I'm going to vote 'no'."

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

Bowman: "Thank you. Inquiry of the Chair. If this imposes a financial responsibility on another unit of government, is there not an Extraordinary Majority required?"

Speaker Breslin: "Is the basis for your question that an Extraordinary Majority would be required because there is

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

61st Legislative Day

June 25, 1985

an expenditure of state funds?"

Bowman: "No, no, because it requires other units of government to... it's a mandate. The State Mandates Act, I think, would require this, because other units of government are going to have to expend monies without a reimbursement from the state."

Speaker Breslin: "Representative Bowman, in answer to your question, this Bill requires a Constitutional Majority for passage. That is 60 votes. Have all voted who wish? The Clerk will take the record. On this question, there are 76 voting 'aye', 32 voting 'no', and 6 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The next Order of Business, Ladies and Gentlemen, if Representative Huff is in the chamber, is School District Reorganization. Representative Huff. Clerk, read the Bill. It's Senate Bill 1010."

Clerk Leone: "Senate Bill 1010, a Bill for an Act relating to school districts and boards of education. It's been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Huff, amends Senate Bill... "

Speaker Breslin: "Representative Huff."

Huff: "Madam Speaker, I'd like leave to table Amendment #1."

Speaker Breslin: "The Gentleman... The Gentleman moves to table Amendment... Committee Amendment #... The Gentleman moves to table Amendment #1 to Senate Bill 1010. On that question, 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 it, and Amendment #1

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

61st Legislative Day

June 25, 1985

is tabled. Amendment #2, Representative Huff."

Huff: "Madam Speaker, I'd like to withdraw Amendment #2."

Speaker Breslin: "Withdraw Amendment #2. Are there any further Amendments?"

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

Speaker Breslin: "Representative Huff."

Huff: "I'd like to... leave to withdraw that, too."

Speaker Breslin: "Withdraw Amendment #3. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, Huff."

Speaker Breslin: "Representative Huff."

Huff: "I'd like to withdraw Amendment #4."

Speaker Breslin: "Withdraw Amendment #4. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #5, Ronan - et al."

Speaker Breslin: "Representative Ronan, on Amendment #5. Are there any hyphenated Sponsors of that Amendment?"

Clerk Leone: "Ronan - Braun - and Soliz."

Speaker Breslin: "Representative Braun, could you present this Amendment for us?"

Braun: "Thank you. Withdraw Amendment 5."

Speaker Breslin: "Withdraw Amendment #5. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #6, Kulas."

Speaker Breslin: "Representative Kulas. Representative Kulas."

Kulas: "Thank you, Madam Speaker. Leave to withdraw Amendment #6."

Speaker Breslin: "Withdraw Amendment #6. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #7, Madigan, amends Senate Bill..."

Speaker Breslin: "Representative Madigan. Is anyone prepared to present this Amendment for Representative Madigan? Representative Madigan is here. Representative... Withdraw

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

61st Legislative Day

June 25, 1985

Amendment #7. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #8, Madigan, amends Senate Bill 1010."

Speaker Breslin: "Representative Madigan."

Madigan: "Request to withdraw that Amendment."

Speaker Breslin: "Withdraw Amendment #8. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #9, Madigan."

Speaker Breslin: "Representative Madigan."

Madigan: "Withdraw."

Speaker Breslin: "Withdraw Amendment #9. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #10, Madigan."

Speaker Breslin: "Representative Madigan."

Madigan: "Madam Speaker, Ladies and Gentlemen of the House, Amendment #10 would provide for four items. Number one, it would provide for the creation of a subdistrict council to advise the district superintendent in the City of Chicago and to have veto power over the expenditure by that superintendent of certain discretionary money which is vested in the superintendent's office through the budget of the Chicago Board of Education. Two, it would provide for the creation of school councils to advise the principal in the school in the same manner relative to discretionary money given to the principal in the school. Number three, it would create a requirement that the budget for each school building in the City of Chicago would be subject to a community review and comment process where the principal in the school would present the budget for that building. The principal would be under obligation to get an affirmative vote in favor of the budget. If he failed to get the affirmative vote in favor of the budget, then the Board of Education would be under requirement to return to

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

61st Legislative Day

June 25, 1985

a second community meeting to show the changes that would be made in the budget. And lastly, it provides for the creation of a task force on citizen involvement in education which would continue to monitor the situation in Chicago and would be in a position to recommend further decentralization of that system if, in the judgment of the task force, that action would be needed to provide for better citizen access to the decision making at the Chicago Board of Education. I move the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #10 to Senate Bill 1010. And on that question, the Gentleman from Cook, Representative Levin."

Levin: "Madam Speaker, Ladies and Gentlemen of the House, I'm a realist and I know when the concept of elected school board for the City of Chicago has... has had it for this year. So I do not intend to oppose this Amendment. But what I would say is this, that we have, in failing to deal with an elected school board for the City of Chicago, we, I think, have lost the last, best opportunity to restore confidence in a school system where there is no confidence and what we have is very much a self-fulfilling prophesy. Parents are not willing to put their children into the Chicago schools. They are not willing to keep their children in the schools. They are today voting for an elected school board by moving to the suburbs when the children get to be school age. And if we had been able to deal in some fundamental way with some structural changes that would restore confidence, and I think an elected school board would do that, we would have to change this cycle in terms of what parents and taxpayers think in Chicago; and, having restored some confidence, we might see some students coming back to the system. We might see some parents who are willing to invest their time once again in making the system work. I

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

61st Legislative Day

June 25, 1985

do not believe that what is embodied in Amendment #10 makes a significant enough change in the structure and organization of the Chicago Board that that will happen. I do not think that it's going to change the perception of the average taxpayer and the average parent in the City of Chicago that the system is being turned around. But I think it is a step and despite the fact I don't think it's going to make that much of a difference, I'm going to vote for it."

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

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of Amendment #10. Essentially what it does is effect school reform from the bottom up by giving some accountability at the local level through the creation of the local school council and giving them a role to play in the formulation of a individual school budget. It is probably... it has... this Amendment has the essential idea that the way to reform the schools is not to react by simply shuffling characters at the top, but rather by empowering parents and teachers and school administrators at the local school level. I congratulate the Speaker for coming up with this Amendment and urge your support for it."

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

Brookins: "Thank you, Ladies and Gentlemen. I rise in support of this Amendment and I take issue with my colleague who says there is no confidence in the school system in the City of Chicago. I will not sit here and let him indict every school teacher in the City of Chicago as incompetent and don't know what they're doing. I'm also saying that confidence is returning to the teachers, the administrators and the citizens in Chicago and that we will see a marked

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

61st Legislative Day

June 25, 1985

change and a marked district... a marked change in the educational level and the return of the youths to the... to the City of Chicago and the school system there. I commend the Speaker for this legislation and just thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill... Shall Amendment #10 to Senate Bill 1010 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. Further Amendments?"

Clerk Leone: "Floor Amendment #11, Madigan, amends Senate Bill..."

Speaker Breslin: "Representative Madigan. Speaker Madigan, on Amendment #11."

Madigan: "Madam Speaker, am I the Sponsor of the Amendment?"

Speaker Breslin: "Yes, you are. Representative Vinson, for what reason do you rise?"

Vinson: "I'd be glad to explain the Amendment and then Mr. Madigan can do with it what he wishes. Would that be useful?"

Speaker Breslin: "It would not be proper within our rules, Representative Vinson. Representative Madigan."

Madigan: "We wish to thank Mr. Vinson for his offer. We have other functions you could perform, Mr. Vinson. This Amendment is technical in nature, has no significant change to the Bill and I would move the adoption of the Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #11 to Senate Bill 1010 be adopted?' Representative Vinson, on the question."

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

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

Vinson: "I appreciate those other functions you would offer me, Mr. Speaker, but my understanding is that under the

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

61st Legislative Day

June 25, 1985

Amendment, the subdistrict... the council appointed by the subdistrict superintendent would also have the power to disapprove expenditures from the superintendent's discretionary fund and that is a substantive authority. Is that in the Amendment?"

Madigan: "The answer to your question is yes and, Mr. Vinson, in the original draft of the Amendment, we were dealing with three funds and in each instance, there was a use of different language in terms of the degree of control that the community would have over the funds. This Amendment #11 provides for consistent language in terms of the degree of community control over the money."

Vinson: "Okay, I would join the Speaker in urging the adoption of this Amendment and hope that he will support mine."

Speaker Breslin: "Is there any further discussion? The Gentleman from Cook, Representative Huff. No. The question is, 'Shall Amendment #11 to Senate Bill 1010 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #12, Vinson, amends Senate Bill..."

Speaker Breslin: "Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. Floor Amendment #12 would really..."

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

Madigan: "For the purpose of a parliamentary inquiry. Is this Amendment in order?"

Speaker Breslin: "Representative Madigan, with regard to your inquiry, the Bill... the Amendment is not in order since Amendment #11 was adopted. Therefore, the Amendment is ruled out of order. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #13, Vinson, amends Senate Bill

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

61st Legislative Day

June 25, 1985

1010."

Speaker Breslin: "Representative Vinson."

Vinson: "Well, Madam Speaker and Members of the House, I am somewhat disappointed that in reciprocation of my spirit of bipartisan cooperation, the Speaker didn't join me. This particular Amendment will permit the Hispanic population to be represented on school..."

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

Madigan: "The purpose of a parliamentary inquiry."

Speaker Breslin: "State your inquiry."

Madigan: "Is this Amendment in order and is the Amendment printed?"

Speaker Breslin: "I am informed that the Amendment is not printed and distributed. In addition to that, the Amendment is not in order. Therefore, the Amendment is ruled out of order. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Huff now moves for immediate consideration of... Representative Vinson, for what reason do you rise?"

Vinson: "Madam Speaker, I believe there is a fiscal note filed on the Bill as amended."

Speaker Breslin: "You are correct, Representative Vinson. Therefore, the Bill has to be brought back to the Order of Second Reading. Representative Cullerton, for what reason do you rise?"

Cullerton: "Madam Speaker, I have a Motion with regard to Senate Bill 1010. In reviewing the Fiscal Note Act with regard to the school... School Code, there is a distinction made, as opposed to other Bills. And for that reason, I would move that the Fiscal Note Act not apply to Senate Bill 1010. The Fiscal Note Act found at Chapter 63, Section 42-31

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

61st Legislative Day

June 25, 1985

indicates that for Bills dealing with school districts..."

Speaker Breslin: "Representative Huff, do you agree that the Fiscal Note Act does not apply? Representative Huff."

Huff: "Thank you, Madam Speaker. Then I would renew my Motion to have this heard immediately on Third Reading."

Speaker Breslin: "Very good. The Gentleman agrees. Representative, we'll take a vote on your Motion. All those in favor vote 'aye', all those opposed vote 'no'. The question is, 'Does the Fiscal Act Note apply?' All those in favor say 'yes', all those opposed... excuse me. The Motion is... Representative Cullerton's Motion is that the Fiscal Note Act does not apply. All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this question there are 62 voting 'aye', 49 voting 'no' and none voting 'present', and the House accepts Representative Cullerton's Motion. So, the Bill moves to Third Reading. Representative Huff now moves for immediate consideration of Senate Bill 1010 as amended. Representative Vinson, for what reason do you rise?"

Vinson: "I object to that."

Speaker Breslin: "Therefore, we will take a Roll Call. The Gentleman has moved that we consider this Bill immediately. The question is, 'Shall this House consider immediately Senate Bill 1010 as amended?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This Motion requires 71 votes for adoption. Have all voted who wish? The Gentleman from Cook, Representative Huff, one minute to explain your vote."

Huff: "Well, Madam, do I have the required number of votes to speak on this... on this Motion?"

Speaker Breslin: "The Motion is to have it heard immediately and

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

61st Legislative Day

June 25, 1985

that's what you have one minute to explain your vote on, only that issue."

Huff: "Well... Madam Speaker, I don't think there is anything untoward in this Bill now as it's been amended. This Amendment provides a reasoned, measured step, in my opinion, through that threshold to legitimate community participation with the school system in Chicago, and I would move for an... affirmative vote."

Speaker Breslin: "Vote your switch, Sir. Have all voted who wish? The Clerk will take the record. On this Motion there are 66 voting 'aye', 51 voting 'no' and none voting 'present', and the Motion fails. The next Order of Business, Ladies and Gentlemen is the Special Order dealing with labor issues. The first Bill on that Call is Senate Bill 75. Representative Alexander. Clerk, read the Bill."

Clerk Leone: "Senate Bill 75, a Bill for an Act to amend the Unemployment Insurance Act. Has been read a second time previously. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Alexander, amends Senate Bill 75."

Speaker Breslin: "Representative Alexander."

Alexander: "Thank you, Madam Speaker. I would like to withdraw Amendment #1."

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

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

Speaker Breslin: "Representative Alexander."

Alexander: "I would like to withdraw Amendment #2."

Speaker Breslin: "Withdraw Amendment #2. Are there any further Amendments?"

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

Speaker Breslin: "Representative McPike. Representative

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

61st Legislative Day

June 25, 1985

Cullerton, to present Representative McPike's Amendment, with leave of the Body."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. The Amendment deals with the UI extension. It extends the 1983 unemployment insurance summit agreement by six months. It conforms the Illinois UI Act to the Federal Unemployment Tax Act regarding inclusion of sick pay and disability pay into the definition of taxable wages. An entry of an order of supervision in a criminal trial regarding employment related misconduct makes that employee ineligible for UI benefits. There's a bypass of the Board of Review upon failure to act within 120 days and it allows the Department of Employment Security to use the State Comptroller, or Comptroller, offset procedure to withhold monies that the state may owe a person by the amount that that person received unemployment insurance benefits to which he or she is not entitled. It makes changes to clarify provisions that establish the Director of the Department of Employment Security's salary and other provisions that need revision due to the Department's reorganization of last year. Provides that the information received by the Department of Employment Security from the state and from its political subdivisions and municipal corporations is not confidential and may be disclosed by the Director. And I believe that sums up the Amendment #3."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 75. And on that question, the Gentleman from Peoria, Representative Tuerk."

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

Speaker Breslin: "He will."

Tuerk: "Do you know exactly what you just read now? You know what the Bill does?"

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

61st Legislative Day

June 25, 1985

Cullerton: "Yes, this is the same as House Bill 1263 that you were the Co-Sponsor of."

Tuerk: "Very good. Very good. Quite alert. Well, Madam Speaker and Members of the House, I just wanted to see if the spokesman on that side of the aisle was alive and he is and he seems to be well. He explains that it is the same as House Bill 1263, which for some reason or another got stymied in the Senate. I rise in support of the Amendment. The extension of the UI summit agreement of 1983, which was supposed to expire on June 30, 1986, but this extends it for another six months. Does some other things, as he pointed out in his explanation. I think it's a good approach and should be supported by all Members of the House."

Speaker Breslin: "The question is, 'Shall Amendment #3 to Senate Bill 75 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Alexander now asks leave for immediate consideration of Senate Bill 75 as amended. Are there any objections? Hearing none, read the Bill on Third, Mr. Clerk."

Clerk Leone: "Senate Bill 75, a Bill for an Act to amend the Unemployment Insurance Act. Third Reading of the Bill."

Speaker Breslin: "Representative Alexander."

Alexander: "Thank you, Madam Speaker. The Bill now is in a very good form and it does contain that portion of 12... House Bill 1263 which was almost like an agreed Bill that went out and got 'stymated' over in the Senate. I don't have too much to say about the Bill in its present form except that it is an agreed Bill and I would hope that everybody

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

61st Legislative Day

June 25, 1985

would put those green lights up there as it... for the vote."

Speaker Breslin: "The Lady has moved for the passage of Senate Bill 75. And on that question, is there any discussion? There being none, the question is, 'Shall Senate Bill 75 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 200, Representative Braun. Clerk, read the Bill."

Clerk Leone: "Senate Bill 200, a Bill for an Act to provide for assistant director apprenticeship and training for programs and systems of apprenticeship. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Saltsman, amends Senate Bill 200."

Speaker Breslin: "Representative Saltsman."

Saltsman: "Thank you, Madam Speaker. This Amendment extends the application of the prevailing wage law to include construction in the private sector financed by industrial revenue bonds issued pursuant to its two existing Acts, the Industrial Project Revenue Bond Act and the Illinois Municipal Code and the Industrial Building Revenue Act. Both Acts authorize units of local government to issue revenue bonds to finance construction, industrial, commercial, office and research facilities and this also brings it to the private sector."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 200. And on that question, the

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

61st Legislative Day

June 25, 1985

Gentleman from Peoria, Representative Tuerk."

Tuerk: "Will the Sponsor yield?"

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

Tuerk: "Is this... Is this Amendment the same as your Bill, the House Bill?"

Saltsman: "Yes."

Tuerk: "What happened to that?"

Saltsman: "It passed the House."

Tuerk: "What happened to it in the Senate?"

Saltsman: "Still in Committee."

Tuerk: "That's where it should remain, too. I think this Amendment is a bad Amendment and I would speak against it and ask for your 'no' vote."

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

Saltsman: "Yes, this is a Amendment that protects our contractors to make them be able to provide the efficient bids with the proper wage adjustments that out-of-state, right-to-work construction companies can't come in and invade the contractors of the State of Illinois and underbid them with right-to-work wages and to not go by the prevailing wages in the communities. I do ask for the passage as we did before."

Speaker Breslin: "The question is, 'Shall Amendment #1 to Senate Bill 200 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 59 voting 'aye', 49 voting 'no' and none voting 'present', and the Amendment is adopted. Are there any further... Representative McCracken, for what reason do you rise?"

McCracken: "Point of Order. Pursuant to Rule 36(d), this title of the Amendment just adopted amends the title of the Bill

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

61st Legislative Day

June 25, 1985

and I require... or I ask that it be moved back to Second Reading, First Legislative Day."

Speaker Breslin: "I'll look at the Bill. Representative Braun, for what reason do you rise?"

Braun: "Thank you, Madam Speaker, Amendment #2 has not yet been considered."

Speaker Breslin: "We just voted on Amendment #1. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2."

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

McCracken: "The Amendment is not in order. This is a... This is a timely moment in which to make my Motion pursuant to Rule 36(d). The Amendment 1, which amends the title of the original Bill, has already been adopted. I have made my demand pursuant to rule. The second Amendment is out of order. It should be Second Reading, First Legislative Day."

Speaker Breslin: "Okay, we are on Representative Cullerton's Motion... or Representative McCracken's Motion. Representative Cullerton is recognized on that Motion."

Cullerton: "Yes, let me first just say, Madam Speaker, that I do agree with Representative McCracken, that his Motion is timely. After the first Amendment is adopted, the title is changed. He can certainly demand that it be moved back to Second Reading... at that time, before we adopt any subsequent Amendments. However, I would like to make a substitute Motion that that rule be suspended."

McCracken: "I move to table the substitute Motion."

Speaker Breslin: "Representative Cullerton has offered a Motion to substitute Representative McCracken's Motion. Representative McCracken's Motion... or rather Representative Cullerton's Motion can be adopted by this

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

61st Legislative Day

June 25, 1985

House on a Constitutional Majority, requiring 60 votes. Representative McCracken has now moved to table Representative Cullerton's Motion. All those in favor of Representative McCracken's tabling Motion should vote 'aye', all those opposed should vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question, there are 52 voting 'aye', 54 voting 'no', and none voting 'present' and Representative McCracken's tabling Motion fails. The Chair would note that while there has been discussion on how the rules operate with regard to 36(d) and the movement of Bills, the Chair has not agreed nor been asked to make a ruling on those... on either of those positions. Now, we are back to Representative Cullerton's substitute Motion. Representative McCracken, for what reason do you rise?"

McCracken: "Point of Order, very briefly."

Speaker Breslin: "State your point."

McCracken: "I think if you look at the rules, the conclusion you must draw is that this is not a suspendable demand and I note, of course, the language that any Member may demand. That language is nowhere else used except where it relates to non-suspendable rules. In most other instances, you will note, that the language used is different connoting and... a permissive nature in the sense that it can be overridden by leave or vote of the Body. I would submit to you that at the very least this requires an Extraordinary Majority or may not be suspendable at all and I persist in my demand to return to First Legislative Day, Second Reading."

Speaker Breslin: "Representative McCracken, we have considered your point and we have not taken it. Any rule of this House is suspendable unless it is specifically stated otherwise and that is not the case under this particular

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

61st Legislative Day

June 25, 1985

rule. So, Representative Cullerton has moved to suspend the rule regarding the movement or the advancement of this Bill and it regards Rule 36(d). All those in favor vote... all those in favor of Representative Cullerton's suspending of the rules should vote 'aye', all those opposed vote 'no'. Voting is open. Representative Saltsman, for what reason do you rise? Have all voted who wish? The Clerk will take the record. On this question, there are 62 voting 'aye', 51 voting 'no' and none voting 'present'. Representative McCracken, for what reason do you rise?"

McCracken: "Verify the affirmative."

Speaker Breslin: "The Gentleman has requested a verification of the Affirmative Roll. Representative Cullerton has asked for a Poll of the Absentees. Proceed with the Poll of the Absentees."

Clerk Leone: "Poll of the Absentees. Virginia Frederick. Mautino. Satterthwaite. Shaw. And Sutker."

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

Kulas: "Leave to be verified."

Speaker Breslin: "Representative McCracken, may Representative Kulas have leave to be verified? You do. Proceed with the Poll of the Affirmative, Mr. Clerk."

Clerk Leone: "Poll of the Affirmative."

Speaker Breslin: "Excuse me. Representative Ronan. Representative Ronan asks leave to be verified and that is granted. Representative Brookins asks leave to be verified and that is granted. Representative Hartke asks leave to be verified and that is granted. Proceed, Mr. Clerk."

Clerk Leone: "Poll of the Affirmative. Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Bullock. Capparelli. Christensen. Cullerton. Curran. Currie. DeJaegher."

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

61st Legislative Day

June 25, 1985

Speaker Breslin: "Excuse me. Representative McCracken, Representative Bowman asks leave to be verified and that is granted. Proceed, Mr. Clerk."

Clerk Leone: "DeJaegher. DeLeo. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Greiman. Hannig. Hartke. Hicks. Homer. Huff. Keane. Krska. Kulas. Laurino. LeFlore. Leverenz. Levin. Matijevich. McNamara. McPike. Mulcahey. Nash. O'Connell. Panayotovich. Pangle. Phelps. Preston. Rea. Rice. Richmond. Ronan. Saltsman. Soliz. Steczo. Stern. Terzich. Turner."

Speaker Breslin: "Representative McCracken, Representative Satterthwaite would ask leave to be verified so she can go back to her meeting and she is voted 'aye'. Proceed."

Clerk Leone: "Van Dyne. Vitek. Washington. White. Wolf. Anthony Young. Wyvetter Younge. Mr. Speaker."

Speaker Breslin: "Excuse me. Representative Satterthwaite asks to be voted 'aye', and then to be verified, and so she is. Representative Steczo asks leave to be verified and that is granted. Have any questions of the Affirmative Roll, Mr. McCracken? Representative McCracken."

McCracken: "What is the count, please?"

Speaker Breslin: "There are 63 voting 'aye'."

McCracken: "Representative Bullock."

Speaker Breslin: "Representative Bullock. Representative Bullock. Is the Gentleman in the chamber? How is the Gentleman recorded?"

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

Speaker Breslin: "Remove him. Proceed, Mr. McCracken."

McCracken: "Did you remove him?"

Speaker Breslin: "Yes, I did."

McCracken: "Okay. Representative Giglio."

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

McCracken: "Representative Hannig."

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

61st Legislative Day

June 25, 1985

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

McCracken: "Representative Laurino."

Speaker Breslin: "Representative Laurino. Representative Laurino. Is the Gentleman in the chamber? He is not. Remove him. Representative Dunn asks leave to be verified and that is granted. Representative Nash asks leave to be verified and that is... that is granted. Proceed, Mr. McCracken."

McCracken: "Representative DeJaegher."

Speaker Breslin: "Representative DeJaegher is in his seat. Representative Mautino, for what reason do you rise? Proceed, Representative McCracken."

McCracken: "Representative Terzich."

Speaker Breslin: "Representative Terzich. Representative Terzich. Is the Gentleman in the chamber? How is the Gentleman recorded?"

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

Speaker Breslin: "Remove him. Representative Stern asks leave to be verified. May she have leave?"

McCracken: "Leave."

Speaker Breslin: "She may have leave. Proceed."

McCracken: "Representative Capparelli."

Speaker Breslin: "Representative Capparelli. Representative Capparelli. Is the Gentleman in the chamber? Remove him."

McCracken: "Representative Greiman. Representative Greiman. Is the Gentleman in the chamber? How is the Gentleman recorded?"

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

Speaker Breslin: "Remove him. Representative Shaw, for what reason do you rise?"

Shaw: "Would you record me as 'aye', please?"

Speaker Breslin: "Record Representative Shaw as voting 'aye'. Proceed, Representative McCracken."

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

61st Legislative Day

June 25, 1985

McCracken: "Representative Matijevich."

Speaker Breslin: "Representative Matijevich is in the chamber.
Representative Levin asks leave to be verified."

McCracken: "Leave."

Speaker Breslin: "He has leave."

McCracken: "Representative Keane."

Speaker Breslin: "Representative Keane. Representative Keane.
Is the Gentleman in the chamber? How is the Gentleman
recorded?"

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

Speaker Breslin: "Remove him."

McCracken: "Representative Hicks."

Speaker Breslin: "Representative Hicks. Representative Hicks.
Is the Gentleman in the chamber? How is the Gentleman
recorded?"

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

Speaker Breslin: "Remove him."

McCracken: "Nothing further."

Speaker Breslin: "Representative Mautino, for what reason do you
rise? Representative Mautino asks to be voted 'aye'."

McCracken: "Mautino was previously verified."

Speaker Breslin: "No, he was not. He was not voting.
Representative Preston asks leave to be verified. Does the
Gentleman have leave?"

McCracken: "Very... a very timely request."

Speaker Breslin: "The Gentleman has leave. On this question
there are... Representative McGann, for what reason do you
rise?"

McGann: "Yes, may I ask the count, Madam Speaker?"

Speaker Breslin: "Yes, there are 58 voting 'aye'."

McGann: "Would you kindly change my vote from 'no' to 'aye'?"

Speaker Breslin: "The Gentleman changes his vote from 'no' to
'aye'. There are therefore... There are, therefore, 59

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

61st Legislative Day

June 25, 1985

voting 'aye' and this requires 60 votes for adoption.

Representative Matijevich, for what reason do you rise?"

Matijevich: "So much paper over here and I just walked... How am I recorded?"

Speaker Breslin: "How is Representative Matijevich recorded?"

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

Matijevich: "Well, I wanted the record straight because I have been here 19 years and I have voted that way on every issue and I wouldn't want my record to be in any way any different than it has been for 19 years. I have been right for 19 years. I was right today and I think somebody else wants recognition."

Speaker Breslin: "The record will so reflect that, Representative Matijevich. Representative Cullerton, for what reason do you rise?"

Cullerton: "Yes, if Representative McCracken would consider the fact the... I believe he verified off Representative Greiman. Representative Greiman is..."

Speaker Breslin: "Excuse me. Representative Hicks. Representative Hicks. Representative Hicks has returned to the chamber. Add him to the Roll Call and Representative Greiman... Representative Greiman has returned to the chamber. Add him to the Roll Call. Representative Leverenz, for what reason do you rise?"

Leverenz: "Speaker, how am I recorded? I was off the floor for a few minutes."

Speaker Breslin: "You are recorded as voting 'aye'. Mr. Clerk, what's the count? On this question there are 61 voting 'aye' and 50 voting 'no' and the Motion carries. We have, therefore, suspended the rules so that we can keep this Bill on the Order of Second Reading, Second Legislative Day. The next... Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Braun, amends Senate Bill 200

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

61st Legislative Day

June 25, 1985

as amended."

Speaker Breslin: "Representative Braun."

Braun: "Thank you, Madam Speaker, Members of the House. Amendment #2 is the revision on the Apprenticeship and Training Council. It allows for a structure to be developed for the inclusion of minorities and women in the trade unions. It also provides for a set... a preference to be given for contractors who employ minorities and women on the different construction projects in the state. It has the support, at this point, of the construction industry as well as labor and I encourage your support."

Speaker Breslin: "Representative Braun moves for the adoption of Amendment #2 to Senate Bill 200. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #2 to Senate Bill 200 be adopted?' Representative McCracken, on the question."

McCracken: "Will the Sponsor yield?"

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

McCracken: "Would you explain again, Representative, what the Amendment does? It's about five pages long... nine pages long. What is the... What is the practical effect of adoption of the Amendment?"

Braun: "Oh, okay, thank you. The practical effect of the adoption of the Amendment, Representative, is as I described. It is a fairly simple Amendment to the Bill in that it provides for a change in the original structure of the Bill... I'm sorry. It provides for a change in the original structure of the Bill by allowing for the Apprenticeship and Training Council to come under the auspices of the Minority and Female Business Council as opposed to being a separate structure. It also provides for a preference for construction industry... construction companies that engage in apprenticeship or on the job

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

61st Legislative Day

June 25, 1985

training."

McCracken: "Alright. It gives a five percent preference on the issue of the lowest..."

Braun: "Representative, I... I'm sorry. I've worked with the Department... the relevant departments on this Amendment, as well as the construction industry, as well as with labor on this Amendment."

McCracken: "I know."

Braun: "Oh, okay, sorry."

McCracken: "Does it give a five percent bidding preference to a party that participates in this apprenticeship program?"

Braun: "Yes."

McCracken: "Alright, and that bidding process would affect the cost to State Government only or would it affect the cost to local governments as well?"

Braun: "I don't believe that it would affect the cost at all. I think what it does is suggest that a bidder that has an apprenticeship program would be given a competitive advantage vis-a-vis other bidders, but that it would not have... it would not necessarily have the effect and probably would not have the effect of increasing the cost to government, local or statewide."

McCracken: "Alright, let me... Let me rephrase it then. To whom does this five percent preference apply? Local government or state government or both?"

Braun: "To any... the private sector."

McCracken: "The private sector?"

Braun: "Yes, yes."

McCracken: "You mean the private sector has to give a bid preference to parties that participate in this?"

Braun: "No... no. To whom does it apply? It applies to bidders in the private sector."

McCracken: "No, no. Who... Who is the party contracting with the

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

61st Legislative Day

June 25, 1985

contractor? Is it... Is it..."

Braun: "It doesn't... If you read the language, it's not a five percent add on. It's not an add on. What it says..."

McCracken: "Representative Braun, let me... let me try again, and I'm just trying to get to the point."

Braun: "Okay, yes."

McCracken: "This is a... this is a five percent preference given to those who participate in the apprenticeship program. I understand. The point I'm trying to make is who is on the other side of the contract? Who is offering the contract for letting? Is it a public entity or a private entity?"

Braun: "Public entity."

McCracken: "Okay, and is it state or is it local or is it both?"

Braun: "Both."

McCracken: "Both, alright. Now, does this constitute a reimbursable mandate or have you made provision for any reimbursable mandates for the difference in cost that would accrue as a result of passage of this Bill?"

Braun: "I think maybe our confusion is the... is the misconception or your misapprehension that there would be an increase in cost. I submit to you that there is no increase in cost occasioned by the giving of a preference, any more than there is an increase in cost by virtue of veterans' preference, for example. That's all this is, the equivalent of a veterans' preference."

McCracken: "Okay, okay. I understand the argument that there is no cost because there is nothing to compare it against. The fact of the matter is that you are going to spend more money in the future, but relative to the present, there is... there is no difference because we don't have the preference currently in effect. I understand that's the argument. But just so the Membership knows what it's voting on, contractors who make bids with the state or

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

61st Legislative Day

June 25, 1985

local governments get a five percent preference where low contract bid is one of the determinants of awarding those contracts. So, there is the potential for increased cost. There is the potential for increased costs not only to the state, but also to local units of government. And the question then is, 'Well, who is it who participates in this apprenticeship and whom does this benefit?' As I read the Bill on page seven... or six and beyond, apparently, the apprenticeship relates to efforts to support a healthy economy by encouraging and assisting in the development and maintenance of a skilled labor force in order to meet the needs of this state's industry and other business. Well, we already have unemployment, so we already have a labor force that is large and healthy and desirous of jobs. I question whether this is a necessary Bill. Apparently, it's not going to cost anybody anything so apparently, it doesn't do anything. And I would ask you to consider that in voting on this measure. Point of order. It also changes the title. I'll be making the same Motion."

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

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

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

Panayotovich: "Representative Braun, Senate Bill 200 now, Senator Newhouse's state apprentice program, is this Bill now okayed by labor and they're in full agreement now that this is right?"

Speaker Breslin: "Representative Braun."

Braun: "This Bill has the support of organized labor. It has the support of the Illinois Construction Industry Committee. It has been the subject of discussions with representatives of the Governor... not the Governor's Office directly, but

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

61st Legislative Day

June 25, 1985

the relevant departments and I, frankly, know of no opposition to it at this point."

Panayotovich: "I think this Bill should have the support of everybody in the House and urge 'aye' votes."

Speaker Breslin: "The question is, 'Shall Amendment #2 to Senate Bill 200 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? The Clerk will take the record. On this question there are 70 voting 'aye'... Representative Shaw votes 'aye'. There are 71 voting 'aye', 43 voting 'no' and none voting 'present' and the Amendment is adopted. Representative McCracken has renewed his Motion that since this Amendment changes the title of the Act that this Bill go back to the Order of Second Reading, Second... First Legislative Day. However, the Chair should note that the... with regard to the first Motion, although the Chair was not requested to make a ruling, this is a perfect reason why that first Motion was not timely put. We should wait until all of the Amendments are heard before we entertain a Motion on that question to decide whether or not there has, in fact, been a change. Representative McCracken, on his Motion."

McCracken: "Well, I think... I think, in retrospect, you are correct. I didn't know whether or not I would get an opportunity, so I took it at my first... at its first availability. I will not make a Motion to table Representative's impending... or Representative Cullerton's impending Motion to suspend the rule, however, so we'll go directly to that Motion."

Speaker Breslin: "Well, first of all, let's see if there are any further Amendments. Mr. Clerk, are there any further Amendments?"

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

61st Legislative Day

June 25, 1985

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Very good. Representative Cullerton is recognized for a substitute Motion."

Cullerton: "Yes, I would move that we suspend the appropriate rule that requires the Bill, after the title is amended, to go back to Second Reading, First Legislative Day."

Speaker Breslin: "The Gentleman moves to suspend Rule 36(d) so that this Bill can be advanced. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This Motion requires 60 votes for adoption. Have all voted who wish? The Clerk will take the record. On this question there are 65 voting 'aye', 47 voting 'no', and none voting 'present'. Representative Mulcahey asks to be recorded as voting 'aye'. There are, therefore, 66 voting 'aye', 47 voting 'no' and none voting 'present' and the Motion carries. Representative McCracken, for what reason do you rise?"

McCracken: "To verify."

Speaker Breslin: "The Gentleman has asked for a verification. Representative Cullerton, for what reason do you rise? Representative Cullerton."

Cullerton: "Yes, I would ask Representative McCracken to perhaps reconsider that Motion to... or that request to verify. We've got a lot of good Republican Bills that we want to get to before this deadline tomorrow night and I don't think we are going to get to them if we have to keep on going through all these verifications. So, why don't you have your Leader request it himself, Representative McCracken, and you just withdraw the request?"

Speaker Breslin: "Representative McCracken persists in his request for a verification. Representative Satterthwaite asks leave to be verified. Representative O'Connell... does the Gentleman have... grant leave to Representative

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

61st Legislative Day

June 25, 1985

Satterthwaite to be verified. Representative Brookins is granted the same leave. Representative Dunn is granted the same leave. Representative Turner is granted the same leave. Representative O'Connell is granted the same leave. Proceed with the Poll of the Affirmative, Mr. Clerk."

Clerk Leone: "Poll of the Affirmative. Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Bullock. Capparelli. Christensen. Cullerton."

Speaker Breslin: "Excuse me. Representative McCracken has asked leave to be verified, Representative... Excuse me. Representative McNamara asks leave to be verified, from Representative McCracken, and that is granted. And Representative Greiman asks leave to be verified and that is granted."

Clerk Leone: "Continuing..."

Speaker Breslin: "Representative Brookins also asks leave to be verified. Representative Bullock asks leave to be verified and that is granted."

Clerk Leone: "Continuing with the Poll of the Affirmative. Cullerton. Curran. Currie. DeJaegher. DeLeo. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi."

Speaker Breslin: "Representative... Representative Nash and Representative McPike ask leave to be verified, Representative McCracken. Nash and McPike. Representative McCracken, for what reason do you rise?"

McCracken: "I've... I've spoken to Representative McPike. He doesn't need to ask leave for verification."

Speaker Breslin: "Very good. Representative Stern asks leave to be verified and that is granted. Proceed, Mr. Clerk."

Clerk Leone: "Continuing. Hannig. Hartke. Hicks. Homer. Huff. Johnson. Keane. Krska. Kulas. Laurino."

Speaker Breslin: "Excuse me. Representative McCracken, Representative Flinn asks leave to be verified and that is

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

61st Legislative Day

June 25, 1985

granted. Proceed, Mr. Clerk."

Clerk Leone: "LeFlore. Levin. Matijevich. Mautino. McGann.
McNamara. McPike. Mulcahey. Nash. O'Connell.
Panayotovich. Pangle. Phelps. Preston."

Speaker Breslin: "Excuse me. Representative McPike...
Representative Preston asks leave to be verified and that
is granted. Proceed, Mr. Clerk."

Clerk Leone: "Rea. Rice. Richmond. Ronan. Saltsman.
Satterthwaite. Shaw. Slater. Soliz. Steczo. Stern.
Terzich. Turner. Vitek. Washington. White. Wolf.
Anthony Young. Wyvetter Younge. And Mr. Speaker."

Speaker Breslin: "Do you have any questions of the Affirmative
Roll, Mr. McCracken?"

McCracken: "Yes, Representative Laurino."

Speaker Breslin: "Representative Laurino. Representative
Laurino. Is the Gentleman in the chamber? How is the
Gentleman recorded?"

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

Speaker Breslin: "Remove him."

McCracken: "Representative..."

Speaker Breslin: "Excuse me. Representative Steczo asks leave to
be verified, Representative McCracken. That is granted.
Proceed, Mr. Clerk. Representative Hartke asks leave to be
verified and that is granted. There has been a request,
Mr. Doorkeeper, to remove all unauthorized persons from the
floor of this House. Please do so immediately. All
unauthorized persons should remove themselves from the
House. Proceed, Mr. McCracken."

McCracken: "Representative Ronan."

Speaker Breslin: "Representative Ronan. Representative Ronan.
How is the Gentleman recorded?"

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

Speaker Breslin: "Remove him."

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

61st Legislative Day

June 25, 1985

McCracken: "Representative Homer."

Speaker Breslin: "Representative Homer. Representative Homer.
How is the Gentleman recorded?"

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

Speaker Breslin: "Remove him."

McCracken: "Representative Hicks."

Speaker Breslin: "Representative Hicks. Representative Hicks.
Representative Pangle, would you move so that I can see if
Representative Hicks is in the chamber? How is the
Gentleman recorded?"

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

Speaker Breslin: "Remove him."

McCracken: "Representative..."

Speaker Breslin: "Representative McCracken, Representative Giglio
asks leave to be verified."

McCracken: "Leave."

Speaker Breslin: "And that is granted."

McCracken: "Representative Flinn."

Speaker Breslin: "Representative Flinn asked leave to be verified
and that was granted."

McCracken: "I'm sorry, you are right. Representative McGann."

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

McCracken: "Representative Saltsman."

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

McCracken: "Representative Slater."

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

McCracken: "I have nothing further."

Speaker Breslin: "What's the count, Mr. Clerk? Representative
Slater, for what reason do you rise? Representative Slater
changes his vote from 'aye' to 'no'. Representative
Johnson, for what reason do you rise? Representative
Johnson changes his vote from 'aye' to 'no'. What's the
count, Mr. Clerk? On this question there are 60 voting

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

61st Legislative Day

June 25, 1985

'aye' and 49 voting 'no' and the Motion carries. Third Reading. Excuse me. There is a fiscal note filed, Representative Braun, so this Bill has to be held on the Order of Second Reading. As a matter of fact, I believe there is a State Mandates Act note filed also. Representative Braun, for what reason do you rise?"

Braun: "Thank you, Madam Speaker. I move that neither the States Mandates Act nor the Fiscal Act provisions apply to this legislation."

Speaker Breslin: "The Lady moves that the state fiscal note..."

Braun: "It was admitted during debate and I frankly... if those notes have... those notes have, no doubt, just been filed and the opposition to this legislation admitted during debate that... that there was no cost associated with it and I think the Motions are clearly dilatory at this point."

Speaker Breslin: "Representative Braun moves that the States Fiscal Act note and the State Mandates Act is not necessary and thus does not apply. And on that question, the Gentleman from DuPage, Representative McCracken."

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

Speaker Breslin: "It takes a majority of those voting on the issue."

McCracken: "Alright. To the Motion."

Speaker Breslin: "Speak to the Motion."

McCracken: "Or strike that. I think the Motion has to be in writing on the demand of any Member. I demand it to be put in writing."

Speaker Breslin: "You are correct, Sir. The Lady is putting her Motion in writing. Representative Braun has now put her Motion in writing and her Motion is that the Fiscal Note Act and the State Mandates Act is not necessary. All those in favor vote 'aye', all those oppose vote 'no'. Voting is

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

61st Legislative Day

June 25, 1985

open. Have all voted who wish? This requires a majority of those voting on the issue. The Clerk will take the record. On this question there are 62 voting 'aye' and 42 voting 'no' and 1 voting 'present'. And Representative Braun's Motion is adopted. Representative McCracken, for what reason do you rise?"

McCracken: "We were going to debate that Motion."

Speaker Breslin: "You were allowed an opportunity..."

McCracken: "The Motion wasn't in order because I made the demand for the Motion to be in writing. It wasn't in order until it was in writing."

Speaker Breslin: "Okay, you certainly could be recognized to explain your vote, Representative McCracken. Proceed."

McCracken: "That's all."

Speaker Breslin: "Okay, the Bill now moves to Third Reading. Representative Braun now moves that this... that the appropriate rules be suspended so that Senate Bill 200, as amended, be heard immediately. And on that question, the Gentleman from DuPage, Representative McCracken. He objects. Excuse me, Representative Braun, for what reason do you rise?"

Braun: "Madam Speaker, I would just as soon have this heard on Third Reading tomorrow."

Speaker Breslin: "Very good. This Bill will be held on the Order of Third Reading. Senate Bill 447, Representative Giorgi. Clerk, read the Bill."

Clerk Leone: "Senate Bill 447, a Bill for an Act concerning the compensation of individuals for employment related injuries, disabilities and illness. It's been read a second time previously. No Committee Amendments."

Speaker Breslin: "Representative Giorgi."

Giorgi: "I think there's an Amendment to the Bill. It's on Second Reading?"

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

61st Legislative Day

June 25, 1985

Speaker Breslin: "Excuse me. The Bill is on Second Reading. Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Panayotovich - Giorgi, amends Senate Bill 447."

Speaker Breslin: "Representative Panayotovich."

Panayotovich: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We are back to that Bill that is going to create jobs. We are back to that Bill that's going to put money back in everybody's pockets. As I mentioned to Representative Ropp the other day, when we were talking about his milk Bill, we worry about our people in our community. We worry about people in the state. We worry about people in the country. This Bill, known as the 'buy American' Bill is very similar to the Bill that the Governor, last... two years ago, signed as a Steel Procurements Act so we had buy American steel. I think that this Bill has been debated and talked about enough. I urge an 'aye' vote on the Amendment and adoption of Amendment #1 and I'll answer any questions."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 447. And on that question, is there any discussion? The Gentleman from Cook, Representative Piel."

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

Speaker Breslin: "He will yield."

Piel: "I noticed in our analysis that it says exempt from the State Mandates Act. Could you explain to us why?"

Speaker Breslin: "Representative Panayotovich."

Panayotovich: "We just don't... we feel that local governments and county governments take care of it on their own. We

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

61st Legislative Day

June 25, 1985

don't want to mandate the state to pay for it."

Piel: "You... alright, you don't want the state to pay for it, but obviously, the local and the county governments are going to be paying for it in the long run. You can either pay me now or pay me later in certain instances where the price would be higher. Have you come up with any ballpark figure on what the... the total potential cost would be to local and county governments?"

Panayotovich: "Well, the Bills calls for that they could buy anything up to fifteen percent. There's a cap of fifteen percent that they would have to pay for if there is a differential of fifteen percent. What that would be on any individual item, I wouldn't know. For example, on an automobile, if we are talking about \$10,000 automobile, we are talking about a car could be as much as 11,500."

Piel: "But you have no idea according to past purchases? I mean, I know you have been working on this for about three, four years. Past purchases on what the potential..."

Panayotovich: "It's hard... Well, it's hard to judge, Representative."

Piel: "...potential revenue loss is to the units of local government?"

Panayotovich: "It's... It's hard to judge because I couldn't tell you exactly what this new State of Illinois Building that was built 485 percent foreign steel that we didn't get any of it here in the State of Illinois. Take the figures there and figure it out. I mean, it's just... we are losing... we are losing this business within the state and I think that this is the way to go about it right now. Dollarwise, I couldn't give you a figure. We don't know how... how many cars were bought by certain agencies in the past year. We don't know how much steel was bought for a school building. I couldn't tell you a dollar figure."

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

61st Legislative Day

June 25, 1985

Piel: "Just out of curiosity, where are the units of local government coming from on this Bill? Have you heard from like the City of Chicago which obviously would be a loss of a million dollars a year... millions of dollars a year?"

Panayotovich: "I have not heard the million dollars a year figure other than from you and I have not had one mayor call me, tell me he's opposed to it."

Piel: "Is this similar to the 1665 that we defeated earlier this year?"

Panayotovich: "This is the identical Bill that was defeated by two votes when we didn't have everybody here on the House floor and that's why I brought it back because I know it will get out this time."

Piel: "No further questions, Madam Speaker. No further questions."

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

Ropp: "Thank you, Madam Speaker. To the Bill. This is a Bill that the distinguished Representative has had for a number of years. Should it become law, it very clearly will place a perimeter, a border, a fence, a iron curtain, if you will, around the United States and people will not export products into this country. It'd have a... it has a devastating effect on the fact that international trade is a two way street. Under this provision, it would really make it a one way street and we would not be a part of that. I urge a 'no' vote on this. The very day that this Bill is being considered, today, we have people in this state that are attempting to move into this state and build a major automobile plant which would, in fact, generate some 2000 jobs. If this Amendment goes on, you can kiss those 2000 jobs good-bye because they won't come into Illinois and I urge a 'no' vote."

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

61st Legislative Day

June 25, 1985

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

McCracken: "This also changes the title and I would... and there are subsequent Amendments. I'm willing to wait if the Chair would answer this parliamentary inquiry, whether on not a Motion pursuant to 36(d) would be in order at the end of all the Amendments?"

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

Shaw: "Yes, thank you, Madam Chairman... Speaker. I rise in support of this Amendment. I think it's a good Amendment and the people on the other side of the aisle talk about jobs and that. Well, they should come up in Representative Panayotovich's district and my district and see what happened to the steel industry if they want to talk about jobs because of the steel companies is... the manufacturers here is buying steel from other countries and I think they should buy America. I think that we have too many goods coming into this country from other countries with cheap labor and that type of thing. So I... I think this is a good Amendment. I think that it would create jobs if we put this Amendment on and I urge the full Membership to support this Amendment."

Speaker Breslin: "The Gentleman from Peoria, Representative Saltsman."

Saltsman: "Move the previous question."

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the main question is put. With regard to Representative McCracken's Motion, you are correct, Sir. This Amendment, if adopted, does change or amend the title of the Bill and your Motion, should you wish to make it, would be in order."

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

61st Legislative Day

June 25, 1985

Representative Panayotovitch, to close on the Amendment."

Panayotovitch: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, we talk about fair trade. We talk about what we have got going on, our imports, our export. Is it fair when the country of France has a three percent buy content cars where they can only let three percent of foreign cars be bought in France. Is that fair trade? Look at our deficit with Japan today. Our trade deficit with Japan. We talk about being fair. We take a car, we send it over there to sell for \$10,000. They put it through their inspection and bring the same car out for \$13,000 for that inspection. Do we have fair trade? We don't have fair trade. We're talking about being protectionists. Well, let's start worrying about our neighbors. Let's start worrying about people in this state. Let's start worrying about people in this country. All we keep hearing is that we are going to hurt ourselves. We're going to hurt ourselves. There are 29 states that have some sort of 'buy American' legislation in the country today. The... The Federal 'Buy American' Legislation Act has been in since the thirties and President Reagan in his 1980 road building program said we should buy American to build the roads in America. I urge an 'aye' vote on this Amendment."

Speaker Breslin: "The Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Madam Speaker. I would simply raise a point of parliamentary inquiry. The Bill itself amends the Workers' Comp Act and I think this Amendment goes to the Procurement Act and I would be wondering if, indeed, this is germane or violative of the single subject matter..."

Speaker Breslin: "Representative Mays, the Chair rules that the Amendment is not germane. Are there any further Amendments?"

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

61st Legislative Day

June 25, 1985

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

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

Vinson: "Madam Speaker, an I... did I really hear my ears right, that I was ruled out of order?"

Speaker Breslin: "That's correct."

Vinson: "Well then we certainly don't need 2. I withdraw it."

Speaker Breslin: "The Gentleman withdraws Amendment #2. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Giorgi, amends Senate Bill 447."

Speaker Breslin: "Representative Giorgi, on Amendment #3."

Giorgi: "There is no Amendment #3."

Speaker Breslin: "The Clerk has an Amendment #3. Isn't that correct, Mr. Clerk?"

Clerk Leone: "Amendment #3, Giorgi."

Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker, this is a minor Amendment and in that it allows, in its decision on review... this is the Industrial Commission we are talking about now, the Commission shall determine in each particular case the amount of the probable cost of the record to be filed as they return to the summons in that case and no request for a summons may be filed and no summons shall issue unless the parties seeking review of the decision of the Commission shall exhibit to the Clerk of the Circuit Court proof of payment by filing a receipt showing payment or an affidavit of the attorney setting forth payment has been made. It's just a cleanup Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 447. And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "I'm going to ask you some rhetorical questions just so the record is clear. This is a Supreme Court

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

61st Legislative Day

June 25, 1985

recommendation which prompts this, correct?"

Giorgi: "Yes, this is Slater's House Bill 186 that..."

McCracken: "And it's identical..."

Giorgi: "It's identical to House Bill 186."

McCracken: "Yeah, but it's identical and does no more than the Supreme Court recommendation?"

Giorgi: "That's correct."

McCracken: "Okay, thank you."

Speaker Breslin: "The question is, 'Shall Amendment #3 to Senate Bill 447 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Giorgi now asks leave for immediate consideration of Senate Bill 447 as amended. Are there any objections? Hearing none, read the Bill on Third."

Clerk Leone: "Senate Bill 447, a Bill for an Act to amend the law concerning compensation of individuals for employment related injuries, disabilities and illness. Third Reading of the Bill."

Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker, the Bill now, all it says... this Bill applies to the self-insured employer and his workmen's comp premiums. It provides that an assessment to any individual employer shall not exceed 25 percent of the average annual contribution to the premiums of the past three years. Nothing else in the Bill except what the Supreme Court dictated and I urge its adoption."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 447. Is there any discussion? Hearing none, the question is, 'Shall Senate Bill 447 pass?' All those

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

61st Legislative Day

June 25, 1985

in favor vote 'aye', all those opposed vote 'no'. Voting is open."

Giorgi: "'Aye' votes."

Speaker Breslin: "This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 562, Representative Panayotovich. Clerk, read the Bill."

Clerk Leone: "Senate Bill 562, a Bill for an Act to amend an Act to create the Illinois Union Label Act. It has been read a second time previously. No Committee Amendments."

Speaker Breslin: "Representative Panayotovich. Excuse me. Are there any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Panayotovich."

Speaker Breslin: "Representative Panayotovich."

Panayotovich: "Thank you, Madam Speaker. Represent... I mean Amendment #1 was a clear up Amendment that we had put in. We talked to LRB. They have also Amendment #2 which we will withdraw. It adds the word 'knowingly' and it made a few technical changes and I'd move for the adoption of Amendment #1."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #1 to Senate Bill 562. Is there any discussion? Hearing none, the question is, 'Shall Amendment #1 to Senate Bill 562 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Panayotovich, amends Senate Bill..."

Speaker Breslin: "Representative Panayotovich."

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

61st Legislative Day

June 25, 1985

Panayotovitch: "Withdraw Amendment #2, please."

Speaker Breslin: "Withdraw Amendment #2. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Panayotovitch now asks leave for immediate consideration of Senate Bill 562 as amended. Are there any objections? Hearing none, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 562, a Bill for an Act to create the Illinois Union Label Act. Third Reading of the Bill."

Speaker Breslin: "Representative Panayotovitch."

Panayotovitch: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, this was brought to me by all different unions throughout the State of Illinois. We have had problems throughout this state with people using union labels whether it be for musicians' contracts, whether it be for carpenters, whether it be for printing, no matter what, they are going up to individuals and people and organizations and saying they are a union organization... they are union printers, they are union musicians, they are union such. And they are using the union labels which is basically pirating. What this Bill is doing, it is going to correct that and it is going to prohibit the use of it. It's going to prohibit the use of counterfeit or imitation union labels. If I can give you a perfect example of what this Bill would do, for example, if you were having a fund raiser at a hotel that required you to have union musicians and the un... and they hired the band and they said they were a union band and they gave you a union contract and the local union official come in to find... came in to find out if they are union and asked for their union cards. They were... they say they are not union. They would pull that band off of the stage at your fund raiser. Of course,

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

61st Legislative Day

June 25, 1985

you would not have to pay them, but you would not have a band for the rest of the evening. What it is, it's just a protection for the consumer and I move for immediate adoption."

Speaker Breslin: "The Gentleman moves for the passage of Senate Bill 562. On that question is there any discussion? Hearing none, the question is, 'Shall Senate Bill 56...' Excuse me. The Gentleman from Cook, Representative Turner, on the question."

Turner: "Will the Gentleman yield?"

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

Turner: "Regarding the use of union... you say regarding... in particular with union printers, you mentioned the fact that, in Committee, that there was some clause that if you subcontract out the business that the non-union person would not be in violation of this Act if he subcontracts with a union person to do work. Am I correct?"

Panayotovich: "What we are talking, Representative Turner, as I told you in Committee, we want to make sure and I know that it affects what you were saying in Committee and I have talked with Representative Braun on this as far as the union black printers, what we are trying to do is make sure that the authorization through a subcontract from another printer can be used so that you can use the printer that you would want then."

Turner: "And in the case of belonging to the union, we're... by that, you mean that the person has to have a valid union card so that if, in fact, I was in a union and I haven't paid my current dues, theoretically, I'm not a member of..."

Panayotovich: "Well, you have to be... yeah, you have to be a valid union member, sure. Paid dues."

Turner: "Okay, okay."

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

61st Legislative Day

June 25, 1985

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

Barger: "Thank you, Mr. Speaker... Madam Speaker. I happen to have been a union photoengraver years ago and at that time it was considered fraud to misuse a union bug. Each bug has a number on it that identifies the shop that it... the work originates in and for anyone to use that label, a label that does not belong to them that has not been issued to them by the union is fraud. And I don't know the real reason for having to reemphasize that, but it's criminal to use somebody else's union bug and I just don't know why and I would like Mr. Panayotovich to explain to me why this Bill is needed at this time to reinforce a law that to my knowledge has been in existence since the beginning of unions."

Panayotovich: "We... We have set up some... some penalties making it a Class A misdemeanor with a one year plus a thousand dollars. We have set up some rules and guidelines that we can go by for and it is... it's been, just like letting somebody else use your driver's license. They can't do that. It's fraud and what we are doing here is setting up some rules and guidelines that we can watch out and punish the people that do wrong."

Barger: "I support Mr. Panayotovich's position. Thank you."

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

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

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

Panayotovich: "I just ask for affirmative votes for this consumer

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

61st Legislative Day

June 25, 1985

protection Bill."

Speaker Breslin: "The question is, 'Shall Senate Bill 562 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', 3 voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 588, Representative Panayotovich. Clerk, read the Bill."

Clerk Leone: "Senate Bill 588, a Bill for an Act to amend the Illinois Educational Labor Relations Act. Has... amended... Has been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Panayotovich, amends Senate Bill..."

Speaker Breslin: "Representative Panayotovich."

Panayotovich: "Thank you, Madam Chairman, Ladies and Gentlemen of the House. This was a Bill that Representative Mays and I successfully moved out of the Labor and Commerce Committee as a bipartisan effort to show that good work could come out of it. Amendment #2 removes as a defense some actions brought by the Educational Labor Relations Board for enforcement of a final order. Those matters alleged violators could have raised by initiating a judicial review of the final order as provided in the Educational Labor Relation Act. I move for adoption of Amendment #2."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 588. On that question, is there any discussion? Hearing none, the question is,

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

61st Legislative Day

June 25, 1985

'Shall Amendment #2 to Senate Bill 588 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Panayotovich now asks leave for immediate consideration of Senate Bill 588 as amended. Are there any objections? Hearing none, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 588, a Bill for an Act to amend the Illinois Educational Labor Relations Act. Third Reading of the Bill."

Speaker Breslin: "Representative Panayotovich."

Panayotovich: "Thank you, Madam Speaker. And I would like to let my Cosponsor close, Representative Mays. What this Bill does, it amends the Labor Relations Act to provide that employees subject to the Act may file charges of unfair labor practices with the Illinois Education Labor Board, and I move for its adoption and passage."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 588. And on that question, is there any discussion? Hearing none, Representative Mays to close. The Gentleman waives his close. The question is, 'Shall Senate Bill 588 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Panayotovich, for what reason do you seek recognition?"

Panayotovich: "I'd like to explain my vote if I may."

Speaker Breslin: "Please explain your vote."

Panayotovich: "Thank you. I would like to let everybody know that Representative Mays has learned how to tie his tie due to me, and I'd like to see all those green votes up there."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 112 voting 'aye',

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

61st Legislative Day

June 25, 1985

1 voting 'no' and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 722 (sic - 721), Representative Dunn. Clerk, read the Bill. 721."

Clerk Leone: "Senate Bill 721, a Bill for an Act to create the Illinois Emergency Employment Development Act. It's been read a second time previously. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, John Dunn, amends Senate Bill 721."

Speaker Breslin: "Representative Dunn."

Dunn: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would ask for adoption of Amendment #1 which would change the base period for... determination as to who is eligible from calculation over a six month period to a twelve month period and the Amendment would also provide that not more than fifteen percent of the funds available for the purposes of this Act shall be used for overhead. I ask for adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 721. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #1 to Senate Bill 721 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, John Dunn, amends Senate..."

Speaker Breslin: "Representative Dunn."

Dunn: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #2 is a technical but significant change. The Bill provides for subsidies to employers who pay wages up to a maximum of four dollars per hour and the Bill actually should have read a little differently. The

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

61st Legislative Day

June 25, 1985

Amendment would provide that the employment subsidy may be 50 percent of the wages paid up to a maximum of four dollars per hour subsidy. So, if a... if an employee is paid eight dollars per hour, the subsidy would be four dollars. If the employee is paid six dollars an hour the subsidy would be three dollars. If he is paid four dollars an hour, the subsidy would be two dollars."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 721. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #2 to Senate Bill 721 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, John Dunn."

Speaker Breslin: "Representative Dunn."

Dunn: "I ask leave to withdraw Amendment #3."

Speaker Breslin: "Withdraw Amendment #3. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, John Dunn."

Speaker Breslin: "Representative Dunn."

Dunn: "Ask leave to withdraw Amendment #4."

Speaker Breslin: "Withdraw Amendment #4. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #5, Dunn."

Speaker Breslin: "Representative Dunn."

Dunn: "Amendment #5, I would ask for a favorable adoption of Amendment #5. What Amendment #5 does is to provide that the areas for determination as to eligibility for the subsidies provided in this legislation shall be the Job Partnership Training Act areas and I would ask for adoption of the Amendment."

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

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

61st Legislative Day

June 25, 1985

Amendment #5 to Senate Bill 721. And on that question is there any discussion? The Gentleman from Knox, Representative Hawkinson."

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

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

Hawkinson: "John, I didn't hear the discussion on this Amendment."

Dunn: "Okay, Amendment #5 makes a change in the Bill to provide... the Bill is to provide subsidies to employers who hire people in areas of high unemployment. The state is to be divided into areas for this purpose and Amendment #5 provides that the areas into which the state shall be divided are the existing Job Training Partnership Act areas. The... Those serve as delivery areas rather than areas in... the DCCA service areas which were in the original Bill. This... This Amendment is... is drafted at the request of the Department of Commerce and Community Affairs and it does further provide, if I recall correctly, that those eligible shall be for-profit businesses and non-profit agencies, but government shall no longer be eligible for this subsidy."

Hawkinson: "Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #5 to Senate Bill 721 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendment?"

Clerk Leone: "Floor Amendment #6, Wyvetter Youngue."

Speaker Breslin: "Representative Youngue."

Youngue: "Please table the Amendment."

Speaker Breslin: "Withdraw Amendment #6. Are there any further Amendments?"

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

61st Legislative Day

June 25, 1985

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Dunn now asks leave for immediate consideration of Senate Bill 721 as amended on Third Reading. Are there any objections? Hearing none, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 721, a Bill for an Act to create the Illinois Emergency Employment Development Act. Third Reading of the Bill."

Speaker Breslin: "Representative Dunn."

Dunn: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Bill would provide help all across the State of Illinois to those areas which have high unemployment. What it would provide is a subsidy to employers who are willing to hire people in those areas who are out of work and who meet certain qualifications, which basically means that they are from households with no income. To the extent, an employer is not mandated to hire these people, but to the extent an employer does, this Bill will provide for a subsidy of up to 50% of the hourly wage of that employee for a period of 26 weeks, unless they're involved in the Job Partnership Training Act school when the subsidy might go as long as a year. In the event an employer does hire such... an employer does hire such an employee and lays the employee off, there could be a payback. So employers should know that. But it is an incentive where you have a large number of your work force out of work to encourage employers to participate in this program, provide employment and to give them a break on the hourly rate to get their program started. So, it's a business and labor industry. It's a people's Bill and I would ask for passage of Senate Bill 721."

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

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

61st Legislative Day

June 25, 1985

Senate Bill 721. And on that question, the Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Madam Speaker. Would the Gentlemen yield for a few questions?"

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

Mays: "What's the cost of this program, Representative?"

Dunn: "The cost shall not exceed \$10,000,000. There is a proviso in the Bill that it shall be capped at \$10,000,000. So, the cost will be something less than that. It will, of course, depend upon the number of employees who choose to participate in this program in eligible areas. And not every employer will, of course, choose to participate. So, I don't think anyone knows the exact cost and for that reason, a cap was put in the Bill so it could not run away with the State Treasury."

Mays: "Thank you. Is this in Department of Commerce and Community Affairs' budget at this time or do you have an Amendment proposed to the budget for this purpose?"

Dunn: "There is an Amendment attached to the Department of Commerce and Community Affairs' appropriation Bill, the ordinary and contingent expense appropriation at this time in the sum of \$10,000,000 to cover the cost of this Bill."

Mays: "Are those General Revenue Fund dollars?"

Dunn: "That will be... I think pretty sure it's General Revenue, yes."

Mays: "Okay. So, of the \$10,000,000 then, three-fourths of those have to go for wages for people hired under this Act. Is that not correct?"

Dunn: "I believe it's 85%. Three-fourths is in the original Bill, but I think one of the Amendments increases that to 85%."

Mays: "Okay. And so an employer... You also have a mechanism within the marketing area or the JTPA area, only the

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

61st Legislative Day

June 25, 1985

employers in the county within that area that have the highest unemployment rate are eligible for these funds. Is that not correct?"

Dunn: "What will... This... The best way to visualize this is a pilot program. Where the unemployment is high, those areas will be eligible first and it's like any pilot program. You have to see who applies. Nobody applies, this Bill won't cost a dime. I feel certain there will be a number applicants."

Mays: "Okay. So, my service area then goes from Quincy up to Galesburg and everything in between. The one county that has the highest employment rate as of what date is going to be eligible for these funds?"

Dunn: "I think you're correct about the highest employment county. I... You catch me off guard. I don't know the effective date of the Act, but first of all, we have to pass the Bill. So, after it becomes law, I don't know how soon this will kick in."

Mays: "To the Bill. Representative, I'm not... I don't know whether this has merit. There's a lot of questions that I presently have on this Bill that we didn't have answered in Committee, and I think that's why we saw a 13 to 9 vote out of the Committee. I would simply... You know, with all those questions that we have and with the doubt in my mind as to what kind of impact it would have in my area, I don't know that it's a reasonable expense of \$10,000,000 to the state. How would you even determine this in the Cook County area where you... how many market areas do you have up there? I think you'll have trouble in determining where the allocations go should this go in the first place and I would like to know how it would impact my area before I could justify an expense of \$10,000,000. It wasn't in the Governor's proposed budget. For that reason, I stand in

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

61st Legislative Day

June 25, 1985

opposition to the Bill."

Speaker Breslin: "The Gentleman from Peoria, Representative Tuerk."

Tuerk: "Madam Speaker, Members of the House, notwithstanding the impact or the thrust of the Bill as laudible as it may be I think, as the previous speaker just enumerated, there are a number of questions unresolved. Beyond that, the Federal Government tried this, oh, ten or fifteen years ago in trying to put underemployed types of people back to work or in the work force. It actually was a big failure. I'm fearful that this program could follow the same suit, and I would ask for your negative vote on the Bill."

Dunn: "Madam Speaker, if I could just respond to the..."

Speaker Breslin: "Excuse me, the Gentleman did not ask a question. The Gentlemen from Madison, Representative Wolf."

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

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have, and the main question is put. Representative Dunn, to close."

Dunn: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. In closing, I would like to respond to the previous speaker. It is true that there have been previous programs in place and they have had only limited success, but this program is different and it's different in this respect. The earlier programs provided for job training with no assurance that at the end of the training program a job would be out there. The thrust of this Bill, this legislation, is entirely different. This legislation makes an opportunity available to an employer. This Bill says to an employer, if you have need for employees, we will help

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

61st Legislative Day

June 25, 1985

subsidize the initial start up of those employees if you hire them in high unemployment areas and we will provide up to half of your per hour cost of wages. This doesn't have anything to do with training people for jobs that aren't there. This is a Bill. It's an employer Bill. It's a business Bill. It's a good Bill. The only reason there are any objections to this legislation at this time is that, as provided in the Bill, it could cost up to \$10,000,000. And this Bill and the cost of it, if any, is not in the Governor's budget. Well, I only know one set of tablets which came down from the sky cast into stone. The Governor's budget is not cast into stone. The Governor is seeking approval for 'Build Illinois'. This is a 'Build Illinois' program. This is a job's program. This is an employer Bill. This is a Bill that would help employees as well. It'll provide a 50% subsidy per hour for wages. It's different from all the others. It's a good Bill and I ask for your 'aye' vote."

Speaker Breslin: "The question is, 'Shall Senate Bill 721 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Please correct the board, Mr. Clerk. This is final passage. It's not an Amendment. The Gentleman from Will, Representative Regan, one minute to explain your vote."

Regan: "Thank you, Madam Speaker and Members of the House. We've got enterprise zones, JOPPAs and CETAs, and this sounds worse than the CETA program that was before. The main problem with the CETA program that was stopped by the Reagan administration was that employers, with all due respect, would hire, when they got their share of the money and 50% of the salaries weren't paid anymore, the people were laid back off again. So, I think the same kind of thing can happen here, and I think it's a waste of

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

61st Legislative Day

June 25, 1985

\$10,000,000. So, I vote 'no'."

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

Young: "Thank you, Madam Speaker. I think this is a very good Bill. It's just what the state needs. Contrary to what the other speakers have said, this Bill, in effect, will bring back to the state the original \$10,000,000. The people who will receive these jobs are currently on general assistance or AFDC. They will go from being recipients of state money to paying state taxes. And most importantly, it allows businesses to expand. Once these businesses expand and increase their number of employees, I think it's ridiculous to assume that they will cut back on that expansion just to pick up the 50% of the salary."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 77 voting 'aye', 40 voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1064, Representative Saltsman. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1064, a Bill for an Act to amend the Code of Civil Procedure. It has been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. Read the Bill on Third."

Clerk Leone: "Senate Bill 1064, a Bill for an Act to amend Sections of the Code of Civil Procedure. Third Reading of the Bill."

Speaker Breslin: "Representative Saltsman."

Saltsman: "Thank you, Madam Speaker. This Bill changes the

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

61st Legislative Day

June 25, 1985

jurisdiction to review the final order of the Education Labor Relations Board from the Circuit Court to the Appellate Court, the Judicial District in which the Board maintains its principal office. I ask for its passage."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1064. And on that question, is there any discussion? The Gentleman from Peoria, Representative Tuerk."

Tuerk: "Madam Speaker, Members of the House, the Bill itself was not a bad Bill when it came over here, but the Gentleman that's proposing passage of the Bill put on in Committee an Amendment which provides for a collective bargaining agreement that contains a successor clause must be honored by anyone who purchases the company. Now, that Bill, if you recall, was the subject of a House Bill some weeks ago and it failed pretty miserably in the House. And I think as a result of this Amendment, which was the concept of that Bill originally, should be defeated the same way that we defeated that House Bill, and I believe that was 1448 if I recall. I would ask for your negative votes on the Bill."

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

Bullock: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise as a hyphenated Sponsor on Senate Bill 1064. In addition to the fact, the Gentleman from Peoria on the other side of the aisle alluded to the Amendment, Committee Amendment #1, which went on this Bill. And that Amendment, in effect, attempts to codify into law what is called a successor clause. He is correct up until that point and after that point, he gives us an editorial comment which somewhat at variance with the truth. The fact of the matter is, this Assembly has passed it on

STATE OF ILLINOIS
64th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

61st Legislative Day

June 25, 1985

several occasions, the concept of successor employer clause. And basically what we're saying with this Amendment is that the individuals in our state, particularly those who come in contact with the Service Employees' International Union - those who come in contact with Mr. Gene 'Moats' in that union knows full well that what is attempted here is to make certain that corporate piracy does not continue to abound in the State of Illinois where individuals choose to use the ruse of law to avoid obligations to our working people in this state. Violation is a business offense. In this particular Amendment, the successor employer could not be bound by a collective bargain agreement for more than three years after the original effective date of the agreement. This Amendment makes the Bill stronger. The Bill itself only missed passing the House by a hand... less than a handful of votes. Many of the Members had left early that day. I urge an 'aye' vote on Senate Bill 1064 as amended. As I said before, the Service Employees' International Union supports this Bill, and you know that's a fine union. It's bipartisan in support from Members of the House. I'd urge an 'aye' vote."

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

Saltsman: "Thank you, Madam Speaker. As everyone agrees, the Bill is in correct form. And the Amendment, which I think is an excellent Amendment, with the three year clause of the original date of the agreement. That is not too long for a new employer to honor a contract. If he can't honor a contract for three years, then he shouldn't be in the business anyhow. I ask for your favor... passage of this Bill."

Speaker Breslin: "The question is, 'Shall Senate Bill 1064 pass?'

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

61st Legislative Day

June 25, 1985

All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 73 voting 'aye', 42 voting 'no', and none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The next Order of Business, Ladies and Gentlemen, that we are going to go to is on the Special Order of Public Utilities. The first Bill on that Call is Senate Bill 3, Representative Mautino. Clerk, read the Bill."

Clerk Leone: "Senate Bill 3, a Bill for an Act to amend an Act in relationship to the concentration and storage of radioactive waste and the Civil Administrative Code. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you, Madam Speaker. Senate Bill 3, sponsored by Senator Joyce in the Senate, addresses the provisions for on site and off site low level radioactive site storage or disposal. Last year, Senator Joyce was involved, after this General Assembly established the radioactive waste compact, with the State of Kentucky as it pertains to a joint venture. What this legislation did after that provision and after that meeting between Kentucky and Illinois for the compact, was to provide the establishment of local approval as one of the requirements for a low level radioactive site. This proposal is virtually identical to the existing requirements for landfill waste sites under Senate Bill 172. Local approval for off site low level radioactive waste would be required as follows: It prohibited the Department of nuclear safety from acquiring any property for the purpose of building a low level radioactive waste storage treatment or disposal facility unless it has been approved by the municipality

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

61st Legislative Day

June 25, 1985

which is located or the county if it's in unincorporated area; it establishes the criteria in making the siting decisions so that it provides for the health, safety and welfare of the citizens; it requires notice for the proposed site to residents who live within 250 feet of the property and the Members of the General Assembly and public notice in local news media; it requires the provisions for a public hearing to be held on a proposed facility and that any member of the public would be allowed to present his or her case on the question; it sets up the provisions for the decision on deciding approval within a 180 days; allows for appeal by the local decision by the... it allows for the appeal of the local decision by the Department of Nuclear Safety or rather third parties to the Pollution Control Board; it requires the General Assembly approval before any low level nuclear waste repository or spent fuel reprocessing facility be licensed by the Department of Nuclear Safety. In entering the central midwest low level radioactive waste compact with Kentucky, Illinois sets forth the provisions upfront, stating to the individuals of this state that there should be public input to a low level off site or on site repository provision. Kentucky and Illinois are going to be the two states in the compact for the low level facility, and I believe, as does Senator Joyce, that the public must be aware this is not a provision to impede any siting. But I believe that now if you do it up front, inform the people of the geographic provisions, the geologic provisions, the hydrological provisions of a site and do it up front..."

Speaker Breslin: "Excuse me, Representative Mautino, we have found that we are not prepared to go to this Order of Business. Would you mind if we take it out of the record for just a short time? I'm very sorry. I know it was

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

61st Legislative Day

June 25, 1985

complicated and you gave an extensive explanation of the Bill, but would you mind taking the Bill out of the record? Hopefully, just for a short time."

Mautino: "Happy to accommodate you, Speaker. I understand full well your concerns. Thank you."

Speaker Breslin: "Thank you, Sir. The Order of Call that we will go to, Ladies and Gentlemen, is the Special Order - Subject Matter of State and Local Government Administration. Representative Greiman in the Chair."

Speaker Greiman: "On the Order of Special Call - State and Local Government Administration appears Senate Bill 122. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 122, a Bill for an Act in relationship to lost and abandoned boats. Third Reading of the Bill."

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

Nash: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. Senate Bill 122 establishes new requirements relating to lost and abandoned water craft. Requires reporting of abandoned boats to local law enforcement agencies - provides for disposition of such boats if the owner cannot be identified. I ask for a favorable Roll Call."

Speaker Greiman: "Gentleman from Cook, Mr. Nash, moves for the passage of Senate Bill 122. And on that, is there any discussion? There being none, the question is, 'Shall this Bill?' All those in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority. Mr. Shaw votes 'aye'. 113 'ayes', none 'no', none 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the

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

61st Legislative Day

June 25, 1985

Order of Special Call - State and Local Government Administration, appears Senate Bill 141. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 141, a Bill for an Act to amend an Act concerning the terms of office of various state commissioners and board members. Third Reading of the Bill."

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

Giorgi: "Mr. Speaker, Senate Bill 141 is the Bill that brings the various boards and commissions appointed by the Governor in conformance with the state's pay plan. And the Boards are of the Pollution Control Board, Human Rights Commission, Industrial Commission, Civil Service Commission, Commerce Commission, Board of Elections, Liquor Control Board, Prisoner Review Board and Racing Board, and I urge support of the House for this Bill."

Speaker Greiman: "The Gentleman from Winnebago moves for the passage of Senate Bill 141. And on that, is there any discussion? The Lady from Marshall, Ms. Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think it's important to point out that apparently some Members of the General Assembly are trying to provide planks in the election platform of their statewide candidate. Last week we put together... the General Assembly voted out a Bill that would create legal aid for farmers for Attorney General Hartigan who wants to run for Governor. Today, they are giving an opportunity to Pat Quinn to have another issue with which to slam the General Assembly. This Bill, Ladies and Gentlemen, is another Bill that would allow, contrary to our Constitution, Members who are executive appointees to resign their position one day and to be reappointed the next day so that they might come in at a higher salary. Now, Ladies and Gentlemen, these

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

61st Legislative Day

June 25, 1985

people, when they took their position as appointees, all knew what their salary would be, for what period of time they were to serve. I object to this method. It's just another cute trick to sidestep the obligations given to us in the Constitution and I hope that you will reject this Bill."

Speaker Greiman: "Further discussion? The Gentlemen from Winnebago, Mr. Giorgi, to close."

Giorgi: "Mr. Speaker, I repeat. This a Bill that brings the various boards and commissions appointed by the Governor in conformance with the state's new pay plan. I urge support of the Assembly."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. And this will be final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 37 voting 'aye', 70 voting 'no', 3 voting 'present'. And the Bill fails. On the Order of Special Call - State and Local Government, appears Senate Bill 296. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 296, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

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

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 296 permits a person who has served as an auxiliary policeman for at least five years and is under forty years of age to be a candidate for full fledged policeman status. The Illinois Police Federation supports this Bill because they believe it will provide more candidates who are experienced in law enforcement field to the police departments. The Illinois Municipal League also

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

61st Legislative Day

June 25, 1985

supports it, as does the Fraternal Order of Police."

Speaker Greiman: "The Gentleman from Cook, Mr. Parke, moves for the passage of Senate Bill 296. 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? Mr. Clerk, take the record. On this question there are 109 voting 'aye', 1 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Special Call - State and Local Government, appears Senate Bill 343. Mr. Clerk. Mr. Dunn. Mr. Dunn in the Chamber? Well, alright, we'll just take that out of the record for a little while till Mr. Dunn returns, and we'll move to the next Bill. On the Order of Special Call - State and Local Government Administration, appears Senate Bill 5... I'm sorry, 425. 425. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 425, a Bill for an Act to enlarge the corporate limits of the Metropolitan Sanitary District of Greater Chicago. This Bill has been read a second time previously. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

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

Speaker Greiman: "Gentleman from Kane, Mr. Kirkland, on Floor Amendment #1."

Kirkland: "Please withdraw the Amendment."

Speaker Greiman: "Amendment's withdrawn. Further Amendments?"

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

Kirkland: "Same thing, please."

Speaker Greiman: "Mr... Withdraw Amendment #2. Further

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

61st Legislative Day

June 25, 1985

Amendments?"

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

Speaker Greiman: "Gentlemen from Cook, Mr. Terzich, on Floor Amendment #3."

Terzich: "Withdraw Floor Amendment #3."

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

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

Speaker Greiman: "Mr. Terzich, on Floor Amendment 4."

Terzich: "Floor Amendment #4 strikes everything after the enacting clause and makes an adjustment for the North Shore Sanitary District for a minor salary adjustment which is from 7500 to \$10,000 for the president and from 5,000 to \$7,000 for the other board members. And I would move for its adoption."

Speaker Greiman: "Gentleman from Cook, Mr. Terzich, moves for passage... moves for adoption of Amendment 4 to Senate 425. And on that, the Gentleman from Cook, Mr. Piel."

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

Terzich: "Yes."

Speaker Greiman: "Indicates that ne will yield for a question."

Piel: "Bob, you mentioned the situation as far as the minor salary adjustments. Was there something else in there dealing with bonds, the issuance of bonds?"

Terzich: "Yes, the Amendment adds language to the district to provide that all bonds, notes or evidence of indebtedness shall be..."

Piel: "I'm sorry. Excuse me, Bob, for one minute. Mr. Speaker, could we have some order here? I cannot hear at all what he's saying. Mr. Speaker, can we have some order here,

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

61st Legislative Day

June 25, 1985

please?"

Speaker Greiman: "Would you give Mr. Piel some attention and order, please?"

Piel: "It's not necessarily Mr. Piel. The Sponsor..."

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

Piel: "The Sponsor is trying to describe the Amendment to the Members of the House."

Speaker Greiman: "Proceed, Mr. Piel."

Piel: "Go ahead, Bob. I'm sorry."

Terzich: "It provides notes or other evidence of indebtedness shall be sold at a price and upon such terms as determined by the Board of Commissioners and which will not cause the net effect interest rate to be paid by the district to exceed the rate established by Illinois law as now or hereafter amended."

Piel: "Okay. So, that just basically brings it up to where they can bring these bonds in at the permissible interest rate of what the bonds are going at at the present time."

Terzich: "Yes, the variable rate."

Piel: "Fine. Thank you very much."

Terzich: "You're welcome."

Speaker Greiman: "Gentlemen from Cook, Mr. Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This concept has been before the Assembly before. And I've spoken in support of Representative Terzich's initiative. The fact of the matter is, this Amendment would, in fact, enable the district to perform a function that it is performing quite well. The district, in fact, is an efficiently run operation in the metropolitan area of Chicago. It, for nothing else, performed quite admirably during the salmonella outbreak epidemic by protecting the public health as it relates to the illegal disposal of tainted milk in certain sewers. So, if nothing else the

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

61st Legislative Day

June 25, 1985

sanitary district has performed admirably and well in that regard. The fact of the matter is, Representative Terzich is absolutely correct. The inflation rate has impacted on that particular entity. And I think that we all know that now is the time for us to support Representative Terzich and ensure that these individuals are, in fact, compensated. And I urge an 'aye' vote."

Speaker Greiman: "Mr. Shaw."

Terzich: "That was nice of you, Larry. Thank you."

Shaw: "Yes, Mr. Speaker, a point of information. How many votes does this Bill need, and does this Amendment change the title of the Bill?"

Speaker Greiman: "Mr. Shaw, the Bill is present... is presently constituted in... if Amendment #4 were adopted, it would take 60 votes, as to your first question. As to your second question, it appears to change the title."

Shaw: "I withdraw the objection to it."

Speaker Greiman: "Okay. Further discussion? Mr. Terzich, to close."

Terzich: "Yes, I would move for the adoption of Amendment #4, Mr. Speaker."

Speaker Greiman: "Gentleman from Cook, Mr. Terzich, moves for the adoption Amendment 4 to Senate Bill 425. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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

Speaker Greiman: "Gentleman from Kane, Mr. Kirkland, on Amendment 5."

Kirkland: "On that Amendment too, please."

Speaker Greiman: "Withdraw it. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

61st Legislative Day

June 25, 1985

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

Clerk O'Brien: "Senate Bill 425, a Bill for an Act to enlarge the corporate limits of the Metropolitan Sanitary District of Greater Chicago. Third Reading of the Bill."

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

Terzich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, Amendment #4 basically is the Bill. And it's not the MSD. This happens to be the MSD which is the North Shore Sanitary District. What it does, it provides for a minor salary adjustment. In the last twenty years, this has not been adjusted. It's a very minor one. It goes from the current salary of \$7,500 to \$10,000 for the president and for the board members from 5,000 to 7,000. And like I say, there hasn't been any adjustment in about twenty years. And I would urge your support of Senate Bill 425."

Speaker Greiman: "The Gentleman from Cook, Mr. Terzich, moves for the passage of Senate Bill 425. 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? Mr. Clerk, take the record. On this question there are 73 'ayes', 44 'nos', none 'present'. And this Bill, having received the Constitution Majority, is hereby declared passed. Returning to the previous Bill on the Order of State and Local Government - Special Call, appears Senate Bill 343. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 343, a Bill for an Act to amend

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

61st Legislative Day

June 25, 1985

Sections of the Court Reporters Act. Third Reading of the Bill."

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

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 343 is a Bill which is identical to a Bill we passed out of this House earlier. It amends the Court Reporters Act to eliminate the requirement of the Chief Judge of the Circuit must have the advice and consent of the Circuit Judges and provides that the Chief Judge of the Circuit may appoint an administrative assistant, salary to be determined by the Supreme Court. This is a Bill that the Supreme Court and the court administrator would like to have passed. And I would ask a favorable vote."

Speaker Greiman: "The Gentleman from Macon moves for the passage of Senate Bill 343. And on that, is there any discussion? There being none, the question is... I'm sorry, the Gentleman from DeWitt, Mr. Vinson."

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

Speaker Greiman: "Indicates that he will."

Vinson: "Representative Dunn, is this the Bill... I'm having a hard time finding my analysis. Is this the Bill that transfers the appointment authority for court reporters from the Chief Judge... from all the Circuit Judges to the Chief Judge?"

Dunn: "The Bill provides the Chief Judge may appoint an administrative assistant, but I don't think it does that with the court reporters. I'll check here, but I don't think so. Now, wait a minute. The Bill... the Bill itself may very well deal with the... The Bill itself does provide that the... it eliminates the requirement that the Chief Judge must have the advice and consent of the Circuit Judge in appointing and removing the court reporters."

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

61st Legislative Day

June 25, 1985

Vinson: "So, the Chief Judge will be able to unilaterally to make the appointment of court reporters."

Dunn: "That's... that's... that's... that's correct."

Vinson: "Mr. Speaker, to the Bill. I have no particular problem with Floor Amendment #1 and the administrative assistant issue. I do believe that it would be a mistake for us to vest this much power over court reporters in the hands of the Chief Judge. There is no reason that there ought not be some process where the other Judges who have to use these court reporters can have some say in the court reporters selected. What this does is to vest a great deal of patronage authority and an authority over the actual operation of each Judge, each Judge's courtroom, in the hands of the Chief Judge. I think that's a mistake. I think the individual Judges ought to have some role in selecting the court reporter who is actually going to report the proceedings of that particular courtroom. And all that we have right now is an advice and consent process as I understand things. I think it would be a mistake to take advice and consent process away. If a Judge can't control his own courtroom, then I don't know what good Judges are and I would urge a 'no' vote on the Bill for that reason. Now, if the Gentleman wanted to take the Bill back to Second and take that particular provision off, I'd have no problem with that. I'd have no problem in granting him leave to go back and hear it on Third Reading, but I think that particular provision would be a bad mistake to lodge in the Chief Judge's hands. And I would urge a 'no' vote on the Bill."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Just so... Sometimes I just can't understand this place. This Bill is identical to House Bill 1267. If

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

61st Legislative Day

June 25, 1985

you look on your Digest, it's on page 1259 of the Digest that's dated June 21st. It was House Bill 1267. I was the Sponsor, Short Debate Calendar. Passed on May 20... June 5th. I'm sorry. It passed on May 17, 106 to 2 with 2 voting 'no'. I don't which... I don't know whether Representative Vinson was one of the two people that voted 'no'. I tend to doubt it, because he... when he votes a certain way, a lot of people come with him. This Bill is an absolute meaning... not meaningless, it's a request from the Supreme Court because they had to go around and get - in these downstate Circuits - they had to go around and get all of the the Judges to give the advice and consent to the Chief Judge in appointing and removing court reporters and they just felt that it took too much time, and that's why they recommended the Bill. And that's how we passed it. And you undoubtedly, when I say you, I mean most everybody in this chamber undoubtedly voted for it. Now, Amendment #1 is also an Amendment which was the subject matter of a House Bill which also passed. And what that Bill or Amendment did was to say that the administrative assistant, which is now called the secretary, the name would be changed to assistant, that their salary would be determined by the general appropriation of the Supreme Court. Right now, we have statutory limits as to what their salary should be and the thought was that their salary should be set by the appropriation of the Supreme Court. Some people... some of these administrative assistants would get more and some would get less than they get right now, dependent upon how much work they do for that particular Circuit. So, that's all these Bills do. There is, in effect, two Bills that both flew out here. They're now combined into one Bill and there should be no reason in the world, no reason in the world why we shouldn't vote for

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

61st Legislative Day

June 25, 1985

then. And I would suggest to you that you'll be faced with a situation if you vote 'no' of having voted on the opposite side of an issue within a matter of weeks which is not a good record to bring back to your district."

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

Friedrich: "Would the Sponsor yield?"

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

Friedrich: "Since this is an idea of the Supreme Court, I'd like to know if the Supreme Court is an agency of State Government."

Dunn: "You know as much about the Supreme Court as I do, perhaps, more."

Friedrich: "Well, they keep contending they're not an agency of State Government and don't have to be audited. I just wondered if they've suddenly become one."

Dunn: "I know of your long standing concern about auditing the Supreme Court, and this Bill has nothing to do with that. And I understand your viewpoint."

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

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

Speaker Greiman: "I'm sorry. Mr. Van Duyne, you are covered by my Calendar. Mr. Dunn, Mr. Van Duyne had his light on. I'm sorry, Sir."

Van Duyne: "A very quick question. Thank you, Mr. Speaker. Does this affect the Circuit Court clerks at all?"

Dunn: "No. It..."

Van Duyne: "Thank you."

Dunn: "It involves the court reporters and administrative assistants."

Van Duyne: "Thank you."

Dunn: "It does not affect the circuit clerk, if I heard you

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

61st Legislative Day

June 25, 1985

correctly."

Speaker Greiman: "Mr. Van Dwyne, have you completed your interrogation? Mr. Dunn, to close."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. As one of the previous speakers indicated, this is a Bill which passed out of the House with 106 votes when it was a House Bill. It's coming back now. I would ask for your favorable approval. This Bill was passed, I think, unanimously in Committee. I don't have the report here, but I know it was placed on the Consent Calendar originally. This really is a Consent Calendar Bill and I would ask for the passage of Senate Bill 343."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 95 voting 'aye', 32 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Special Call - State and Local Government Administration, appears Senate Bill 557. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 557, a Bill for an Act to amend Sections of an Act to revise the law in relation to counties. This Bill has been read a second time previously. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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

Clerk O'Brien: "Senate Bill 557, a Bill for an Act to revise the law in relation to counties. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Winnebago, Mr. Giorgi, on Senate Bill 557."

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

61st Legislative Day

June 25, 1985

Giorgi: "Mr. Speaker, Senate Bill 557 provides with a front door referendum to increase or decrease the county corporate levy. Now an increase on a referendum is limited to a 25% reduction or increase. This allows after a referendum that the amount be greater or lower than the 25% limit. I know of no opposition to the Bill and I urge the adoption by the House."

Speaker Greiman: "The Gentleman from Winnebago moves for the passage of Senate Bill 557. 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 90 voting 'aye', 24 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Rock Island, Mr. DeJaegher, for what purpose do you seek recognition?"

DeJaegher: "Yes, Mr. Chairman (sic - Mr. Speaker), I would like to have you give me consideration. When House Bill 1064 was called, I was out in the lobby conversing with one of my constituents. And I would like to be recorded as 'yes' on that particular vote."

Speaker Greiman: "Well, the Journal will so indicate your desire. We cannot change the Roll Call, however. On the Order of Special Call - State and Local Government Administration, appears Senate Bill 5... Ms. Wojcik, for what purpose do you seek recognition?"

Wojcik: "It's my Bill."

Speaker Greiman: "...appears Senate Bill 560. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 560, a Bill for an Act relating to

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

61st Legislative Day

June 25, 1985

taxes for libraries. Third Reading of the Bill."

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

Wojcik: "Mr. Speaker and Members of the House, what this Bill does it amends the Local Library Act and the Public Library District Act and increases the maximum tax rate permitted by a front door referendum from .40 to .60%. And it corrects an error contained in Public Act '82 - 1014. I move for its passage."

Speaker Greiman: "The Lady from Cook moves for the passage of Senate Bill 560. And on that, is there any discussion? Being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this will be final action. Gentleman from Cook, Mr. Cullerton, one minute to explain your vote."

Cullerton: "Yes, I want to explain my 'yes' vote. I'm in favor of increasing the tax rate for libraries with this Bill which is a front door referendum. Because it has a front door referendum, I'm in favor of this Bill which increases the tax rate for local libraries."

Speaker Greiman: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 92 voting 'aye', 17 voting 'no', 6 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of State and Local Government - Special Call, appears Senate Bill 629. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 629, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

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

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 629, as amended, provides that

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

61st Legislative Day

June 25, 1985

specifically described uninhabited property in the City of Burbank may be annexed by that city upon passage of an ordinance. The property right now is located within the County of Cook with boundaries in Chicago and in the City of Burbank. I move for its passage."

Speaker Greiman: "The Gentleman from Cook, Mr. Young, has moved for the passage of Senate Bill 629. 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. Yes, Ms. Pullen, one minute to explain your vote."

Pullen: "I had wished to ask a question, Mr. Speaker, in debate, but apparently my blinker came on late up there even though it was on here all the time. Perhaps, I could ask the Gentleman and he would nod."

Speaker Greiman: "Yes, please, of course, please. Proceed."

Pullen: "I would like to verify, Sir, that the Amendment is still on this Bill which restricts its provisions solely to the situation between the City of Burbank and Chicago. Thank you."

Speaker Greiman: "For the record, Mr. Young shakes his head in the affirmative. Mr. Clerk, take the record. On this question there are 109 voting 'aye', none voting 'no', 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Special Call, Senate Bills, State and Local Government Administration, appears Senate Bill 729. Mr. Clerk, read the Bill. I'm sorry, 729. 729."

Clerk O'Brien: "Senate Bill 729, a Bill for an Act concerning the establishment of standards through administrative rules. This Bill has been read a second time previously. No Committee Amendments."

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

61st Legislative Day

June 25, 1985

Speaker Greiman: "Yes, the Gentleman... Are there any Floor Amendments?"

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

Speaker Greiman: "Gentleman from DeWitt, Mr. Vinson, on Floor Amendment #1."

Vinson: "Mr. Speaker, I would withdraw Floor Amendment #1."

Speaker Greiman: "Amendment #1 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Vinson and Flinn."

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

Vinson: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Floor Amendment #2 deletes the requirement in Section 3 that rules be adopted for fees charged for certificate examination and the standards for passage of a certificate examination. It deletes Section 4 which deals with the Medical Practice Act. I would move for the adoption of the Amendment."

Speaker Greiman: "The Gentleman from DeWitt, Mr. Vinson, moves for the adoption of Amendment 2 to Senate Bill 728. On that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, I wonder if the Sponsor would yield for a question."

Speaker Greiman: "Indicates that he will."

Cullerton: "Representative Vinson, what does this Amendment really do?"

Vinson: "Mr. Cullerton, I believe that's what the Amendment really does."

Cullerton: "Okay. Let me ask you... I may be for this. Now, don't get me wrong. I may be for this. It deletes the Amendment of the Medical Practice Act included in the original Bill."

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

61st Legislative Day

June 25, 1985

Vinson: "It deletes Section 4, which deals with Medical Practice Act, yes."

Cullerton: "Okay, what does the... what does the Bill do that we're eliminating in the Medical Practice Act from its application?"

Vinson: "Well, what the Bill does is... it's a JCAR Bill. We routinely have agencies come before JCAR which have adopted certain rules and regulations which JCAR's staff and members determine that they're not really authorized to adopt by law. So, what we do is then come in with legislation to give them the authority to adopt those rules and regulations if they seem reasonable and if they seem appropriate to effectuate what legislative intent probably was. Now, Section 4 of the Bill amended the Medical Practice Act to require the Department of Registration and Education to specify by rule the standards used in determining whether to grant a permit renewal of a visiting professor to practice medicine and the standard used in determining whether an interview by the Medical Practice Examining Committee was necessary before granting a permit. And this Amendment would delete that Section 4."

Cullerton: "Thank you for answering that question. Now, then the other part of the Amendment deals with the occupational therapy."

Vinson: "The other part of the Amendment?"

Cullerton: "Yes. The fees."

Vinson: "The fees and standards for certificate examination in that."

Cullerton: "Does that have any..."

Vinson: "It amends the... What the Bill had done was to amend the Occupational Therapy Practice Act to require the Department to promulgate rules setting forth standards and criteria used in determining when oral interviews would be

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

61st Legislative Day

June 25, 1985

conducted, standards and criterias used when determining fitness and practice therapy and the procedures used in following oral interviews, the fees charged for certificate examination and the standards for passage of certificate examination. This deletes the requirement that rules be adopted for fees charged and standards for passage. Leave..."

Cullerton: "Well... Rep..."

Vinson: "Leave the other part there."

Cullerton: "Thank you for... Representative Vinson, thank you for answering my question. It appears that on this one, you have nothing up your sleeve and I think either I'm misreading it or... it's a legitimate Amendment, and I'll support it."

Vinson: "Bill Hart wasn't in the meeting."

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

Speaker Greiman: "Question is, 'Shall Amendment #2 be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from DeWitt, Mr. Vinson, moves to waive Rule 37 (c) with the Attendance Roll Call so the Bill may be heard at this time. Does the Gentleman have leave? The Gentleman has leave. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "Senate Bill 728, a Bill for an Act concerning the establishment of standards through administrative rules. Third Reading of the Bill."

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

Vinson: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. Senate Bill 728 is a Bill proposed by the Joint Committee on Administrative Rules. It deals with three

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

61st Legislative Day

June 25, 1985

areas, the Department of Labor, the Secretary of State and the Department of Registration and Education. The purpose of the Bill is to create a statutory authorization for rules that have routinely been applied by those agencies. The rules can reasonably be inferred but are not expressly authorized and it is our intention to expressly authorize the application of those rules. I would move for a favorable Roll Call on Senate Bill 728."

Speaker Greiman: "The Gentlemen from DeWitt, Mr. Vinson, has moved for the passage of Senate Bill 728. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 116 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Alright. Alright. We're going to... What... Mr. Vinson, for what purpose you're seeking recognition?"

Vinson: "Just to get you to call my Bill. I'm ready. Prepared to go."

Speaker Greiman: "Don't be pushy."

Vinson: "I mean, we gave you that time, Mr. Speaker."

Speaker Greiman: "Alright. On the Order of Special Call - State and Local Government, appears Senate Bill 734. Mr. Clerk."

Clerk O'Brien: "Senate Bill 734, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

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

Vinson: "Thank you, Mr. Speaker. I'd ask leave to take the Bill back to Second Reading for purposes of an Amendment."

Speaker Greiman: "The Gentleman asks leave of the House to return

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

61st Legislative Day

June 25, 1985

the Bill to the Order of Second Reading for purposes of Amendment. Gentleman have leave? He has leave. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Amendment #4, offered by Representative Johnson - et al."

Speaker Greiman: "The Gentleman from Champaign, Mr. Johnson, on Amendment #4."

Johnson: "Amendment #4... I move its adoption. I move its adoption."

Speaker Greiman: "Excuse me, Mr. Johnson, the Chair didn't hear what you said."

Johnson: "I said... Sponsor... the Bill is... Amendment. No, I'm not going to do that. If I didn't think you would catch me, I might try it. But I won't do that. Amendment #4 to Senate Bill 734 is House Bill 410. And what House Bill 410 does or did and what Senate Bill 734 will do after we adopt this Amendment is to provide that the uniform policy for the State of Illinois is to establish the right to keep and bear arms. This is the classic Horton Grove Amendment and I think I can address it in closing, but everybody knows what it is. It's the vote of the year on the issue of gun control. Everybody's going to debate about all the various nuances of this issue and local control and everything else. But the fact of the matter is, if you're for gun control and you think you ought to divest people of their right to bear arms, you ought to vote 'no' on this Amendment. If you believe that it's a sacred right and if the people ought to have the right to keep in bear arms for a variety of purposes, you ought to vote 'yes'. And that's the issue and I would ask its adoption."

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

Currie: "I rise to question the germaneness of Amendment 4 to Senate Bill 734."

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

61st Legislative Day

June 25, 1985

Speaker Greiman: "Parliamentarian is examining it. Mr. Johnson, with respect to Ms. Currie's inquiry, we find that the Amendment is not germane. Further Amendments?"

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

Speaker Greiman: "Excuse me. No one ever takes a ruling lying down. Mr. Johnson, for what purpose do you seek recognition?"

Johnson: "Well, usually when a judge makes a ruling, he gives the party some idea of the basis of the ruling. I'd like to know why the Amendment has been ruled nongermane."

Speaker Greiman: "Oh. Alright, fine. I'm glad you asked that. Mr. Johnson, the Bill is an Amendment to the Municipal Code and the enacting clause provides for an Amendment... indicates it is an enactment to the Municipal Code... Illinois Municipal Code. The new title, however, of the Amendment is an Act in relation to units of local government. Units of local government are considerably broader than are Municipal Code... units of... which would be cities. Accordingly, you are broadening the scope of this very significantly and accordingly the Bill, therefore, is not germane. Further Amendments?"

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

Speaker Greiman: "Gentleman from Cook, Mr. McPike. Gentleman from Madison, Mr. McPike. Mr. McPike, Amendment 5."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's my understanding that current state law allows cities to recoup attorneys fees for... in suits where there is delinquent sewer Bills. We're simply asking for the same authority for townships. I move the adoption of the Amendment."

Speaker Greiman: "Gentleman from Madison moves for the adoption

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

61st Legislative Day

June 25, 1985

of Amendment #5 to Senate Bill 734. On that, is there any discussion? The Gentleman from Macon, Mr. Tate."

Tate: "First of all, Mr. Speaker, I would... parliamentary inquiry to see whether this Bill is germane. I believe this is the same Act in relationship to the units of local government, and your ruling from the previous Amendment would be applicable to this. Mr. Speaker, I just withdraw my request."

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

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

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

Tate: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #6 adds a new paragraph to the Municipal Code regarding firearm ordinances, provides that a municipality may not deprive a person of the right to possess firearms so long as the person..."

Speaker Greiman: "Excuse me. Mr. Cullerton..."

Cullerton: "Thank you, Mr. Speak..."

Speaker Greiman: "On a point of order."

Cullerton: "Yes, on a point of order, Mr. Speaker. With the adoption of Amendment #5, I believe Amendment #6 is out of order."

Speaker Greiman: "Yes, Mr. Tate."

Tate: "Mr. Speaker, in the spirit of cooperation, I withdraw my Motion on Amendment 5. I would hope the Gentleman would withdraw his on 6."

Speaker Greiman: "Mr. Cullerton, the Amendment's in order. Proceed, Mr. Tate."

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

61st Legislative Day

June 25, 1985

Tate: "It's in order?"

Speaker Greiman: "That's what I ruled."

Tate: "Thank you, Mr. Speaker. Amendment #6 adds a new paragraph to the Municipal Code regarding..."

Speaker Greiman: "Excuse me, Mr. Tate. Mr. Cullerton, on a point of order."

Cullerton: "Yes, when a judge rules, normally he tells you the grounds for his ruling."

Speaker Greiman: "Yes, alright, the ruling is, Mr. Cullerton, that the Amendment 5 of Mr. McPike's was inserted on line 23 of page one and the Tate Amendment is inserted earlier on line seven, I believe, of the Bill. I think... I believe. I'm not looking at the Bill. That's my recollection at this moment."

Cullerton: "And the title of Amendment #5 was changed."

Speaker Greiman: "Well, we're not sure if the title was deleted or changed."

Cullerton: "I believe it was changed. Just ask for a replay."

Speaker Greiman: "Well, just hold on. We're going to take a look again. Mr. Cullerton, in looking at the Amendment again, the Chair will have to confess error. We find that the... in the original... in the Amendment that Mr. McPike offered, it does change the title. It does delete lines one and two and; therefore, the Amendment because of that reason is out of order. And you are correct and the Chair stands corrected. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Yes, Mr. Tate."

Tate: "Well, Mr. Speaker, I would just like the record to show that I withdrew my request on Amendment 5 and in the spirit of cooperation, I had done so. And that again, that the other side of the aisle felt to take the liberty of asking for this ruling. And again, we're the nice guys and

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

61st Legislative Day

June 25, 1985

they're the tough guys. Thank you."

Speaker Greiman: "Mr. Tate, no good deed deserves to go unpunished. The Gentleman from DeWitt."

Vinson: "Mr. Speaker, I move to suspend the portion of the rules, the requisite rule, whatever rule is required in order to hear this Bill immediately."

Speaker Greiman: "The Gentleman from DeWitt, Mr. Vinson, asks leave of the House using the Attendance Roll Call to waive Rule 37 (c) so the Bill may be heard at this time. Does the Gentleman have leave? The Gentleman has leave. Leave is granted. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "Senate Bill 734, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. When this Bill came over from the Senate, it dealt with the removal of garbage and how municipalities would do that. Then for a while this Bill dealt with lights in Wrigley Field. Then some people wanted to have this Bill deal with the individual liberty and the individual's right to bear arms. Now, this Bill, as I read it, does one thing. It serves the purposes of the Minority Leader (sic - Majority Leader), Mr. McPike. Now, Mr. Speaker, I want to help Mr. McPike serve his purposes. I want to help him pass his Bill. I think that come July 1st around here, concerns like Mr. Tate's can be addressed when you got to have 71 votes to pass things. And at that particular point, there may be some leverage. Someone once said, 'Give me a lever and I can move the world.' Well, June 30 at midnight's the fulcrum to that lever. And I move for a favorable Roll Call on Senate Bill 734."

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

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

61st Legislative Day

June 25, 1985

McPike: "Well, thank you, Mr. Speaker. It's the first time that I can recall Representative Vinson being for me on anything. I'm not sure I'm for the Bill. Does the Bill do anything now that the Amendment's adopted?"

Vinson: "What? I'm sorry, I couldn't hear."

McPike: "Does the Bill do anything now that the Amendment's adopted?"

Vinson: "Well, it was your Amendment. It does whatever your Amendment did."

McPike: "There is nothing left on the Bill except the Amendment?"

Vinson: "Just your Amendment from the way I read your Amendment."

McPike: "That's not how we read the Bill."

Vinson: "Well, tell me what it does then."

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

Cullerton: "Yes, if I could indicate to Representative Vinson what the Bill does. It deals with garbage. And it..."

Vinson: "No, it is garbage."

Cullerton: "What we're doing is we're looking at the Rockford experience and we're applying the Rockford experience with regard to garbage and we're going to apply it statewide. It permits municipalities to provide by ordinance for an exclusive method for the disposition of their garbage, notwithstanding the effect on competition. Now, the only municipality in the State of Illinois that has this right now is Rockford. And apparently, the garbage in Rockford has been - which is the second largest city in the State of Illinois, second largest park district, second largest water commission and sanitary district. So, the purpose of this Bill is provide a state action exemption from the federal anti-trust laws for the designation of an exclusive disposal method. And so, it deals with garbage. It does more than just what Representative McPike's Amendment does,

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

61st Legislative Day

June 25, 1985

dealing with the right of the township to recover attorneys' fees in the collection of delinquent water payments. So, I don't know if it's a good Bill or not. We probably should hear from Representative Hallock and Giorgi to tell us whether or not this is a good idea to eliminate the effect on competition... the effect of competition."

Vinson: "That's fine with me, but will you answer their questions?"

Cullerton: "Fine. Thank you very much, Representative Vinson."

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

Hallock: "I think this Bill shows that everything in Rockford is ahead of its time, even the garbage. Thank you."

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

Van Duyne: "Yes, thank you, Mr. Speaker. I heard the last couple of comments where the... says that it gives all state municipalities or all the municipalities in the state exemptions for a lot of things, and it's kind of garbled up in my mind. We, in Will County, have had an awful, awful lot of trouble with garbage. ESL landfill and we've been in court and I've sponsored many Bills and so has Representative Mautino and he ought to be paying especially... paying attention especially to this Bill. And I want to know whether or not there are any exemptions from any of the federal standards or the state standards. Does it give the city the right to operate garbage disposal sites and does it exempt them from the restrictions that are on the rest of the private people?"

Speaker Greiman: "Further discussion?"

Van Duyne: "Wait a minute, Mr. Speaker."

Speaker Greiman: "Yes, Mr. Will..."

Van Duyne: "I'm looking for the Sponsor here. I want to know..."

Speaker Greiman: "Mr. Van Duyne, the Sponsor is Mr. Vinson."

Van Duyne: "Mr. Vinson. You know, we've had so many problems

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

61st Legislative Day

June 25, 1985

with landfills in Will County, toxic, hazardous and just plain, ordinary landfills that I am fearful with the vagueness of the explanation of this Bill as it stands right now that you may be... you may be substituting nothing for whatever we've worked for all these years."

Vinson: "No, I'm not."

Van Duyne: "Would you take it out of the record until I can come over there and talk to you for a while?"

Vinson: "Let me see if I can handle your problem, Sir, so that you'll thoroughly understand the situation. The Bill, as it stands right now, is the Bill as it came over from the Senate with Amendments #1 and 5. The Bill as it came over from the Senate amended the Municipal Code to allow municipalities to provide by ordinance for an exclusive..."

Van Duyne: "Would you please speak up, Sir? I can't hear you."

Vinson: "Yes. It amended the Municipal Code to allow municipalities to provide by ordinance for an exclusive method for disposing of garbage, refuse and ashes. It was amended by Amendment #1 and that Amendment specified... that saved recycling so that material intended or collected for the purpose of recycling would be exempted from that municipal power to provide for an exclusive method of disposal. It does not affect in any fashion state regulation of hazardous waste landfills and so forth in that part of the Bill. Mr. McPike added an Amendment on, Amendment #5, added onto those provisions I just described that provides that a township utility may recover reasonable attorneys fees to be fixed by the court, which it incurs in seeking payment of delinquent accounts. I don't believe there's anything controversial on the Bill at this time, Representative, certainly nothing that would undo everything, all the good things you've done in your legislative career. Mostly what the Bill does is Mr.

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

61st Legislative Day

June 25, 1985

McPike's. The other part of it is the exclusive disposal at the option of a municipality."

Van Duyne: "Very quickly, this allows them to develop their own method. Is that right?"

Vinson: "I... I couldn't hear your question."

Van Duyne: "That this Bill allows them to develop their own method."

Vinson: "Yes, it enables them to provide for an exclusive method."

Van Duyne: "Yeah, but what does that word 'exclusive' mean?"

Vinson: "Sole, only."

Van Duyne: "What?"

Vinson: "Sole, S O L E, or only, O N L Y. Single."

Van Duyne: "Okay, well, I don't know. As long as it doesn't give them expressed permission to avoid the EPA rules and the air pollution rules."

Vinson: "It doesn't do anything like that at all. They've got to perform in accordance with state law."

Van Duyne: "Thank you."

Speaker Greiman: "Further discussion? 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 will be final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'aye', 1 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, it is the intention of the Chair to now move to a Special Call - Public Utility and Environmental Protection. We will do only the public utility Bills on this Special Call. We will return to Government Administration in due time. But at this time, Public Utilities - Special Call, appears Senate Bill 110. Excuse

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

61st Legislative Day

June 25, 1985

me. Mr. Hallock, for what purpose do you seek recognition?

Thank you, Mr. Speaker."

Hallock: "This morning as you'll recall when you were in the Chair, I asked you about an important matter I had on this Order of Call, Senate Bill 849, which had been on this Order for about a week. This morning somehow it vanished from this Order and I made an inquiry of the Chair as to just what happened to that Bill and why it was removed from that Order. You said this morning that you would look into it and get back to me later on today. I think it is now later on. Now, I would ask for your decision on that matter."

Speaker Greiman: "I haven't got an answer yet. Mr. McCracken."

Hallock: "Well, Mr. Speaker."

Speaker Greiman: "Yes, Mr. Hallock."

Hallock: "I respect your position on this matter, but it seems to me that after eight hours of discussion and debate, your staff, you and your staff should have had ample time to find out just what happened to that important Bill."

Speaker Greiman: "Mr. McCracken."

McCracken: "Well, what happened is we reached agreement with the manufacturers and now we've got a good Bill. So, let's leave it on the Special Calendar and move on."

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

Vinson: "Mr. Speaker, how did we get to Senate Bill 110?"

Speaker Greiman: "We got there because we are on Special Order - Public Utility and Environmental Protection - Public Utilities only, and we are, therefore, on 110. It is the first Bill on that Order of Business."

Vinson: "Well, where does it say that there is a Special Order of Public Utilities only?"

Speaker Greiman: "It says a Subject Matter Call, Mr... It's a

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

61st Legislative Day

June 25, 1985

Subject Matter Call within the Call. On that point, I'm going to 110. Mr. Clerk. Mr... Mr. Vinson... Yes, Mr. Vinson, what do you wish?"

Vinson: "Mr. Speaker, I just want every Member in this chamber to understand what's happening. First of all, you establish a Special Order of Business, a series of them. Now, one of those Special Orders is Public Utility and Environmental Protection. You carry a Bill on there for several days, Senate Bill 849. An Amendment appears on Senate Bill 849, which you don't like, so you knock it off that Special Order. Then, what you do next is that when you call a Special Order, you decide you're only going to call some of the Bills on the Special Order. Now, what you're doing is just as bad as what Paul Powell ever did in that Chair. You're absolutely refusing to go by the rules that are specified on how you call Bills. You're just abrogating to yourself your own absolute discretion. We go along. We try to move Bills. We try to cooperate with you and then what you do is just go to the Bills you want to call. It is an absolute denial of democracy, due process and order. What you're doing is returning to that Chair all of the legislative power of the people of Illinois. It's wrong. You ought to be embarrassed. You ought to be ashamed of yourself. You ought to stand and apologize to the chamber and to the people."

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

McPike: "Thank you, Mr. Speaker. It's my understanding that we're on, under Rule 39-1, the Calendar that we're on Subject Matter - Public Utilities, and so that we are calling four Bills in that subject area. Is that correct?"

Speaker Greiman: "No, Mr. McPike, to make it quite clear, the Chair, relying on the rule that you just enunciated, will

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

61st Legislative Day

June 25, 1985

not resort, as we previously had, to the Special Call that is already on the Calendar of Public Utility and Environmental Protection. We will, instead, rely on the language in 39(a-1) which provides for the calling of Bills by subject matter. On the Order of Third Reading, there are three Bills dealing with Public Utility. It is the intention of the Chair to call the three Bills. So that you will all know what they are, they are Senate Bill 110. This is on Senate Bills Third Reading - Public Utility. Senate Bill 110, Senate Bill 217 and Senate Bill 1021. Those are the Bills that are on... These are the Bills that are on Third Reading. Now, we will... Mr. Piel seeks recognition. Mr. Piel, what is your pleasure?"

Piel: "Question of the Chair. Where is 217 on the Calendar, Mr. Speaker?"

Speaker Greiman: "217 is on the Order of Third Reading. Senate Bills Third Reading."

Piel: "Is that on the Special Call, though?"

Speaker Greiman: "That's on the Special Subject Matter of Call the Chair has just announced that it will go to. We will go to Bills on Third Reading, Senate Bills Third Reading by subject matter."

Piel: "Okay. But, that wasn't on the previous Public Utilities Special Call, correct?"

Speaker Greiman: "That's... Well, it happens it is, but that's neither here or there. We're going on a new Call now."

Piel: "I'm sorry, but it isn't."

Speaker Greiman: "Mr. McCracken. Oh, it wasn't. It... Apparently, it was not. No, we're just going on Bills that are on Third Reading. Senate Bills Third Reading. Mr. McCracken, I called on. Mr. Hallock."

Hallock: "Yes, thank you, Mr. Speaker. I'd like to renew my question. Now, my Bill stood on Second. My community

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

61st Legislative Day

June 25, 1985

right-to-know Bill was on this Order of Business for over a week and it disappeared this morning, and you said you were going to get back to me. I believe I have a right to know. You can't capriciously drop Members' Bills from Special Orders because it suits your fancy. I believe we are entitled to an answer to the question."

Speaker Greiman: "And I will get back to you. On the Order of Senate Bills Third Reading, Special Call - Public Utilities, appears Senate Bill 110. Mr. Clerk, read the Bill. Out of the record."

Clerk O'Brien: "Senate Bill 110..."

Speaker Greiman: "On the Order of Senate Bills Third Reading, Public Utilities, appears Senate Bill 217. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 217, a Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill."

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

Young: "Alright, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 217 amends the Public Utility Act to permit certain businesses located within an enterprise zone to file a claim for a refund to recover the amount of the pass on of a municipal and state utility tax. The refund is available at the county or municipality which assigned the zone has adopted an ordinance authorizing such claims for a credit or refund of the pass on of the utility taxes. I move for its passage."

Speaker Greiman: "Gentleman from Cook, Mr. Young, has moved for the passage of Senate Bill 217. And on that, is there any discussion? The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Yes, will the Sponsor yield?"

Speaker Greiman: "Indicates he will yield for questions."

Vinson: "Representative, would you explain to me again what your Bill does?"

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

61st Legislative Day

June 25, 1985

Young: "What this Bill does, it allows for a claim for a refund to recover the pass on of a municipal and state utility tax once that option is granted by the county or municipality which has assigned the zone."

Vinson: "Only in an enterprise zone?"

Young: "Only in an enterprise... only in an enterprise zone."

Vinson: "And why would you do that only in an enterprise zone?"

Young: "The... To promote growth of business within the designated enterprise zones."

Vinson: "And those taxes hinder that growth. Is that correct?"

Young: "What we're trying to do is provide an incentive for growth."

Vinson: "And... and... Yeah, an incentive by giving them a credit against the taxes. Those taxes hinder... those taxes hinder the... those taxes would hinder the growth and development of business. Is that right?"

Young: "I think this Bill would promote the growth and development of business."

Vinson: "Because it grants a credit against the taxes."

Young: "It grants a refund provided... One thing, Mr. Vinson, this is not an automatic grant. This grant has to be approved by the county or the municipality which has authorized the enterprise zone. So, if someone applies for this refund, that application has to go through the designated unit of local government. If they feel that this refund provision will not, in fact, be a greater benefit to the area than the loss of the tax dollars... then, of course, they won't grant it."

Vinson: "Now, who in that municipality or that local government makes that approval?"

Young: "Either the county board or the council of the enterprise zone."

Vinson: "Are there any enterprise zones in the City of Chicago?"

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

61st Legislative Day

June 25, 1985

Young: "Yes."

Vinson: "So, in the case of the City of Chicago, it would be the city council that would do that."

Young: "The enterprise zone council, not the city council."

Vinson: "The enterprise zone council?"

Young: "Yes."

Vinson: "And who is on the enterprise zone council?"

Young: "The enterprise zone council members vary according to the zone."

Vinson: "I'm sorry."

Young: "Members of the enterprise zone council vary according to the zone."

Vinson: "Well, how are the enterprise zone council members selected?"

Young: "In the City of Chicago, they are appointed."

Vinson: "By whom?"

Young: "By the Mayor."

Vinson: "By the Mayor. Well, to the Bill, Mr. Speaker. I would suggest that Members look at this Bill very carefully. What the Gentleman has just stated is that members of a thing called the enterprise zone council can choose arbitrarily whether or not to give a tax credit to an enterprise zone enterprise. Those board members are appointed by the Mayor. So, what you really have is a situation where the Mayor can choose whether or not he's going to give a tax credit to a company. He doesn't have to give the tax credit to them, only has to do it if he wants to. Is that a return to the kind of clout that traditionally characterized the City of Chicago in the operation of the Mayor's Office? It looks to me like it is a legislative system of clout, and I would suggest that Members retain some skepticism about how such a system would operate. I think we all know enough about government

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

61st Legislative Day

June 25, 1985

to have some skepticism about whether that would be legitimately operated, and I would suggest that a great deal of skepticism is certainly in order in regards to this particular giveaway."

Speaker Greiman: "Mr. Piel."

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

Speaker Greiman: "Indicates he will."

Piel: "Representative Young, you know, Representative Vinson brought out the situation as far as this being allowed as a credit or a refund to the businesses as far as, you know, the utility taxes went. What is the potential, you know, and obviously it's somewhat of a 'guesstimate'. But what is the potential tax loss to the State of Illinois in this type of a case?"

Young: "The fiscal note that is on file says that it cannot be estimated because it depends on how many refunds are granted by the enterprise zone board."

Piel: "How many re... I'm sorry, I missed the last line of what you said. The refunds are granted by who?"

Young: "By the enterprise zone councils throughout the state."

Piel: "Okay. Now, the enterprise zone council... Now, correct me if I'm wrong, then. In other words, who is going to be offering these credits now, the enterprise zone council, the city government, the county government, the State Government or DCCA or who?"

Young: "I'm sorry, I didn't understand that question."

Piel: "You said the enterprise... depending on who authorized... you know, how many were authorized by the enterprise zone council. I didn't see anything in here as far as the enterprise zone council per se, and that's the reason I'm trying to figure out who is authorizing these tax credits or refunds. You know, I mean is it going to be the

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

61st Legislative Day

June 25, 1985

municipality, the county, state or DCCA? Who is this?"

Young: "Alright, they will be authorized by the council from the particular enterprise zone. In some zones, that would be a council from within a city and other smaller zones throughout the state which comprise more than one town, then each town within an enterprise zone appoints one member to that council. It would be the joint action of that council who would either approve or disapprove an application for a refund under this provision."

Piel: "Let's take Cook County where you and I both live. Cook County and the City of Chicago, where... who comprises the council, the enterprise zone council in those two areas?"

Young: "The enterprise zones within the City of Chicago that council is appointed by the Mayor. Other zones in Cook County but not located within the City of Chicago, the council is comprised of one member appointed from each town within the particular zone."

Piel: "So, if I've got... in suburban Cook County, if I've got a council down there and it's all completely in one town, there is one member on that council that's going to make the decision whether they get a tax refund or a tax credit?"

Young: "Would you repeat the question, please?"

Piel: "Your remark was that in suburban Cook County that each town, the Mayor of each town appointed one member. So, if I have an enterprise zone that is completely in one town, then that town would have one member on that advisory council. Excuse me, Representative McNamara. That town would be comprised strictly... that council would be comprised strictly of one member. That one member would make the differentiation. The reason I'm asking the question, and I don't mean to sound as obstruction, but the reason I'm asking the question is because the way I read

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

61st Legislative Day

June 25, 1985

this is that DCCA, you know, is the guiding force here and not the specific councils on as far as... You're shaking your head no. You mean, the council is making the decision, DCCA is getting the credit?"

Young: "The council is making the decision and the credit is the credit of both municipal and state utility tax dollars. So, it is the council. It's my understanding that should there be enterprise zones located entirely within one city other than the City of Chicago, then that council would be appointed by the Mayor of that city just as it is in the City of Chicago. However, if it is more than one... more than one town involved, then it would be an intergovernmental agreement between the towns located within the zones. And I think these agreements were drawn up before the zone was established."

Piel: "What type of figure are we... The reason why I'm asking... I want to get back to this figure that what we're talking about as far as a credit. Is this... You know, I realize and correct me if I'm wrong that you're doing this as an incentive to bring new businesses into the enterprise zones. Correct? If I'm wrong, I will..."

Young: "That is correct."

Piel: "Now, do these businesses... Alright, let's say that I have a business in the south suburban area, they apply to go into an enterprise zone in the south Chicago area. Now, are they still entitled to this?"

Young: "You have to be more specific. Are they going into a business in the enterprise zone? And for one of your earlier questions, this Bill would not just apply to new businesses within the zone. It would also apply to old businesses who wish to expand within the zone."

Piel: "Okay. Now, let's say that we're talking about a town... Let's just take Chicago Heights. We have a business in

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

61st Legislative Day

June 25, 1985

Chicago Heights that is not in an enterprise zone presently that is willing to move into an enterprise zone in Chicago, let's say. And now, are they entitled to this credit if the council sees fit?"

Young: "Yes."

Piel: "Because the way... Unless I'm reading this wrong, the way... the detail of it, it must be a new business in the state or a new operation of business within the state. It is not a relocation of existing business to an enterprise zone. And, you know, twice you've told me that they could relocate from one area of the state to another and that was... you know, that's the thing that basically... the subject matter of enterprise zones is to get businesses to go to blighted areas and that is not addressed. I'm sorry, Tony, it's not addressed in the Bill the way I read it."

Young: "You're correct, Mr. Piel. What I was referring to is when a business outside the zone wants to expand within the zone. But if you're talking about moving, closing up one shop completely, no, it would not apply. If you're talking about expanding, say, a second operation, then that second operation would be eligible for the benefits of this Bill."

Piel: "Now, what you're saying is if ABC corporation has their main office in Skokie and they want to move a subsidiary office down to an enterprise zone, they're eligible for this?"

Young: "The office that is located within the zone would be eligible. Would be eligible to apply. One thing I want to reemphasize, Representative, is that the local authority has the option to approve or disapprove. This is not automatic."

Piel: "I agree, Tony. I agree wholeheartedly, but the way I'm reading the legislation is that it has to be basically a new business in the state or a new operation of a

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

61st Legislative Day

June 25, 1985

business."

Young: "It can also be an expansion of an existing business as long as the new part, the expansion, takes place within the enterprise zone."

Piel: "But they would have to have ceased operation for twelve months. Correct?"

Speaker Greiman: "Mr. Piel, have you finished your questions?"

Piel: "No, I'm still trying to get an answer to my question."

Speaker Greiman: "Well, Mr. Piel, bring your remarks to a close. The ten minute period has been gone. Proceed."

Piel: "I'm waiting for an answer, Mr. Speaker. I'm waiting for an answer."

Young: "It's my understanding, Mr. Piel, that the ceased operation for twelve months would apply to a business that is not expanding that I believe terminated and started again. Are you reading from the Bill? If you direct me to the Section of the Bill you're reading from, maybe it'll help."

Piel: "No, that was just... that area of it was just called to my attention. Line 24, says... 22 through 27. Okay. I tell you what, I'll... I'll... You can take a look at it. I just had some questions in reference to it. I'm a little bit concerned about what we are opening. I think we are opening up Pandora's box, and I would ask everybody, you know, I think, you know on enterprise zone... legislation was put into effect a couple of years ago. I think it's... you know, bringing new businesses into the state and expanding new businesses in areas that need them and I just at the present time don't see need for this legislation because I think, you know, we are, you know, bringing the businesses in that we need to have in there and I think we're walking before we run. I think that's the name of the game. Thank you."

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

61st Legislative Day

June 25, 1985

Speaker Greiman: "Alright. The Gentleman from Cook, Mr. Vitek."

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

Speaker Greiman: "Gentleman from Cook, Mr. Vitek, moves the previous question be put. Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Mr. Young, to close."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen. I like to make it clear to the Members of the House that this Bill will only benefit businesses within an enterprise zone if the local government agrees to grant this tax credit. Local government won't agree to give up its share of tax dollars unless they reasonably believe that the sales from the new taxes generated by business expansion will outweigh the tax money they have to give up. With that, I'd ask for your favorable vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Mr. Barger, one minute to explain your vote."

Barger: "I thank you for the courtesy of the minute. I know I was not allowed to discuss this in debate, but we are dealing with two taxes, each levied by a legislative body, one by a municipality and one by the state. And we are authorizing by this action an administratively appointed board to rebate those taxes. This action to me is totally unconstitutional. It's illegal and there is absolutely no justification for us taking these powers away from the Legislature and giving them to an administrative board. I would think that anyone who thought about the integrity of our Constitution would feel obligated to vote against this particular kind of legislation."

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

McNamara: "Thank you, Mr. Speaker. I think there is a

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

61st Legislative Day

June 25, 1985

misconception on this. First of all, in an enterprise zone, it is a requirement that an intergovernmental relationship be set up between the different towns. Second is that an ordinance must be issued by that town in order to allow the tax decrease. If they do not wish it, it is a legal ordinance. We are not saying to any governmental body, 'We are taking away your taxes.' We are allowing local control and allowing them to create their destiny so that they can expand and get the needed business into their area. There is no way that anyone is taking away the taxes or saying that you must do this. And it's clearly in the situation that it must be governed by ordinance."

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

Mays: "Thank you very much, Mr. Speaker. The Sponsor of this measure has recognized the value of increased jobs for the state's economy through proposing this Bill. He has also recognized the impediment that state taxes impose upon that worthy goal. I had some questions that I wanted raise during the course of debate that I felt would make this shed some more light on this Bill. It appears to me that when this Bill becomes effective that it would not apply to those zones that have already been established in this state. For that reason, I am voting 'no'."

Speaker Greiman: "Ms. Oblinger, one minute to explain your vote."

Oblinger: "Mr. Speaker, I just wanted to ask if this took 71 votes because it preempts a home rule city on their taxes on utilities."

Speaker Greiman: "While we're looking, Mr. Homer, one minute to explain your vote."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. I rise to support the Gentleman's Bill. I think one of the main criticisms that was leveled against the Enterprise Zone Act

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

61st Legislative Day

June 25, 1985

that was passed a few years ago, when businesses came in to find out what real incentives exist in the enterprise zones, they've been highly disappointed because those incentives, although there, are not substantial enough to really make an impact on attracting business. The Gentleman's Bill would provide an additional incentive, that being utility tax relief to those new businesses or those businesses which substantially expand in enterprise zones. And my understanding is that it would apply to businesses in existing enterprise zones as well, Representative Mays, to those newly created. So, I feel that the legislation is good and will, perhaps, give enterprise zones the incentive status that the original legislation intended them to have."

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

Young: "Just two things further, Mr. Speaker. One thing, the language of the Bill clearly indicates that it applies to existing enterprise zones as well as new enterprise zones. And secondly, this is a permissive Bill. We are not mandating anything. This is a totally permissive Bill."

Speaker Greiman: "Ms. Oblinger, the Bill does not preempt home rules and does not require 71 votes. Further... Mr. Woodyard, one minute to explain your vote."

Woodyard: "Thank you, Mr. Speaker. In explaining my vote, I... I like the concept of an enterprise zone. I think it's great. As a practical matter, though, it is not doing what it's designed to do. It's doing just exactly the opposite. I think the South Chicago Works is a good example of a closure and the enterprise zone is still there. What is happening, as we continually expand the abatements allowed in enterprise zones, we find that the taxing bodies who have abated are now having to come back for tax referendum because they've abated their sales tax and in this case,

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

61st Legislative Day

June 25, 1985

utility tax and real estate tax. I think it's time to stop passing the expansion of definitions of enterprise zones until we've had a chance to study the actual attack and effect on what's happening now. So, I encourage a 'no' vote."

Speaker Greiman: "Mr. Clerk, take the record. Mr. McCracken, your light began flashing after I said it, but we'll give you that courtesy. Proceed."

McCracken: "Thank you, we're seeking a verification."

Speaker Greiman: "Okay. On this question there are 63 voting 'aye', 53 voting 'no', none voting 'present'. And Mr. McCracken... And Mr. Young requests a Poll of the Absentees. Mr. Kulas, for what purpose do you seek recognition?"

Kulas: "Leave to be verified."

Speaker Greiman: "Mr. Kulas asks leave to be verified. You may be verified. Mr. Berrios and Mr. Panayotovich also ask leave to be verified. Mr. Laurino asks leave to be verified. Mr. Nash, apparently they need a foursome, also asks leave to be verified. Mr. Phelps asks leave to be verified. May he be verified? Mr. Phelps, you may be verified. Mr. Clerk, poll the absentees."

Clerk O'Brien: "Poll of the Absentees. Keane and Sutker. No further."

Speaker Greiman: "Mr. Clerk, proceed with the Verification of the Affirmative Roll."

Clerk O'Brien: "Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Bullock. Capparelli. Christensen. Cullerton. Curran. Currie. DeJaegher. DeLeo. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Greiman. Hannig. Hartke. Homer. Huff. Krska. Kulas. Laurino. LeFlore. Leverenz. Levin. Natijeovich. Mautino. McNamara. McPike. Mulcahey. Nash. O'Connell."

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

61st Legislative Day

June 25, 1985

Panayotovich. Pangle. Phelps. Preston. Rea. Rice.
Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Soliz.
Steczo. Stern. Terzich. Turner. Van Duyne. Vitek.
Washington. White. Wolf. Anthony Young. Wvvetter
Younge. Mr. Speaker."

Speaker Greiman: "Mr. McCracken, questions of the Affirmative
Roll."

McCracken: "Representative Farley."

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

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

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

McCracken: "Representative Giglio."

Speaker Greiman: "I'm sorry, who?"

McCracken: "Giglio."

Speaker Greiman: "Mr. Giglio. Mr. Giglio. Is Mr. Giglio in the
chamber? Mr. Giglio... May Mr. Steczko be... have leave to
be verified? Mr. Steczko, you have leave. And we were on
Mr. Giglio. Gentleman in the chamber? How is the
Gentleman recorded?"

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

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

McCracken: "Representative DeJaegher."

Speaker Greiman: "Excuse me."

McCracken: "He's in the back."

Speaker Greiman: "Mr. DeJaegher is here. Mr. McCracken, I don't
know whether this is meaningful. I'm told that Mr. Farley
is in the nurse's station. I just..."

McCracken: "I'll withdraw that. You can have that back."

Speaker Greiman: "Mr. Farley is withdrawn and Mr. Giglio has
returned."

McCracken: "Representative... I just saw him too. Representative
Brunsvold."

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

61st Legislative Day

June 25, 1985

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

McCracken: "He's so tall when he sits down, I lose sight of him.
I don't know how that happens."

Speaker Greiman: "Sit up straight, Mr. Brunsvold."

McCracken: "Representative Bullock."

Bullock: "Mr. Bullock. Mr. Bullock. Is Mr. Bullock in the
chamber? How is Mr. Bullock recorded?"

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

Speaker Greiman: "Remove Mr. Bullock."

McCracken: "Representative Dunn."

Speaker Greiman: "Mr. Dunn. Mr. Dunn."

McCracken: "I see him."

Speaker Greiman: "Mr. Dunn is back there in the rear of the
chamber."

McCracken: "Representative Bowman."

Speaker Greiman: "Mr. Bowman. Mr. Bowman is right there in the
center aisle. Now, Mr. Farley, Mr. McCracken was good
enough to withdraw his challenge when he heard you were in
the nurse's station."

McCracken: "Representative Mautino."

Speaker Greiman: "Mr. Mautino. Mr. Mautino. Mr. Mautino is
right here at the well."

McCracken: "Nothing further."

Speaker Greiman: "On this question there are 62 'ayes', and 53
'nos'. Mr. Bullock has returned. There are 63 'ayes', 53
'nos', no 'present'. And this Bill, having received the
Constitutional Majority, is hereby declared passed.
Special Call, Senate Reading Third... Senate Bills Third
Reading, appears Senate Bill 1021. Mr. Clerk, read the
Bill."

Clerk O'Brien: "Senate Bill 1021, a Bill for an Act to amend an
Act in relation to public utilities. Third Reading of the
Bill."

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

61st Legislative Day

June 25, 1985

Speaker Greiman: "The Gentleman from Kendall, Mr. Hastert, on Senate Bill 1021. Ladies and Gentlemen, please let us have some order. Mr. Hastert."

Hastert: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, 1021 is the rewrite of the Public Utility Act. Work on the rewrite began over two years ago in the Sunset Committee and has in the last six months been undertaken by the Joint Committee on Public Utility Regulation. The finished Bill, or the Bill as in the state that we had it before it was... came out of the Senate and was amended here on the House floor. Basically, the general changes in the Public Utility Act, as provided in this Bill, is a reorganization of the Illinois Commerce Commission to ensure participation by all Commissioners and addresses the qualification of the hearing examiner. It increases the Commerce Commission's jurisdiction over reorganization by public utilities and utility holding companies. It establishes a process to provide for independent and comprehensive energy planning for future supplies of energy. It increases the Commerce Commission's supervision and control over the construction projects, namely to provide energy, production or generating plants. It improves the rate making standards adopted by the Illinois Commerce Commission, and overall it contains many, many provisions to set the standards higher for the Illinois Commerce Commission so that they have the tools to do a better job of regulating the utility industry in this state for decades to come. Be happy to answer any questions."

Speaker Greiman: "The Gentleman from Kendall, Mr. Hastert, has moved for this passage of Senate Bill 1021. And on that, the Gentleman from Cook, Mr. Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, last Friday we had a very, very close

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

61st Legislative Day

June 25, 1985

vote on excess capacity. And it was a 58 to 57 vote, and we lost on that. You know, this is nevertheless a good Bill. This is a very good Bill, and we'll come back some day and fight again in terms of the issue of excess capacity. But I have been asked by a number of Members, particularly on this side of the aisle, should they vote for this Bill or should they not vote for the Bill given the outcome of the vote last week. And my answer to them is, it is obviously not quite as good a Bill as it would have been if Amendment #12 had been defeated. But that's last week's fight. And it is nevertheless a truly outstanding Bill. Clearly... have the potential to be one of the landmark pieces of legislation, certainly of this Legislative Session. We are talking here about an opportunity which was literally a once-in-a-lifetime opportunity to amend a Public Utility Act initially established in 1916 and not substantially amended since 1924, an Act that was really drafted by Samuel 'Insul' who founded Commonwealth Edison and some of the other utilities. So this is really the first comprehensive rewrite of the legislation, and it was done by consensus. It was done by a consensus of Democrats and Republicans, and House Members and Senators and public members who listened to literally hundreds of hours of testimony and deliberation and concluded that there was a need to make some significant changes in the law to better protect not only the consumers but also the businesses of the state. And these are changes even without the excess capacity which will go a long way towards protecting the consumers of the state. Among the most significant changes that are in the Bill in its current form are some things that sound very technical but have a very, very important effect and really merit everybody's support as a result for this Bill.

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

61st Legislative Day

June 25, 1985

Let me just mention a few in passing. We changed in this Bill the procedures with regard to appeals from the Commission. Now this sounds very technical but it's very important because right now it is virtually impossible to reverse the decision of the Illinois Commerce Commission because a court has to reverse the entire decision, and the standard of proof is very, very high. This means the Commission can do a number of things that are correct, do some things that are wrong, expecting that they're going to be left alone, that they're not going to be accountable for what they do. That is changed and changed significantly by this legislation. That is something the consumer strongly supports. Secondly, we do a reorganization of the Commission. One of the things that exists right now is that total control for staff hiring and firing and direction is in the Chairman of the Commission. The other six Commissioners have no staff of their own, have no say in the hiring and firing of the other staff as well. That is changed by this Bill. For the first time, the individual Commissioners will have some of their own staff to be able to do their own investigations and collect their own information with which to make enlightened decisions. And the hiring and firing of an executive director will not simply be in the hands of the Chairman of the Commission. It will be a decision to be made jointly by all seven Commissioners. For the first time, we heard from some of those Commissioners during the construction of this legislation that they did not agree with the Chairman in his opposition to various provisions in the Bill. They thought that a lot of the provisions in the Bill were absolutely essential and would make significant changes, and that is one of them. A third change that's very, very important is the ex parte communication. This is something

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

61st Legislative Day

June 25, 1985

that was worked on very hard by the Joint Committee and has also been the subject of litigation by the City of Chicago in the Circuit Court of Cook County which is currently pending. There are a number of other changes which I don't need to go into. Representative Hastert can answer if there are any questions. But the message I have today is, no, this is not as a good Bill as it was before the vote on Friday, but it is certainly, nevertheless, a landmark piece of legislation which is going to do a lot for the consumers of this state and a lot for the business community and deserves the support of everybody whether they voted for or against Amendment #12 last week. Thank you very much."

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

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. As a Member of the Joint Committee on Public Utility Reform, I want to take this opportunity to commend the Chairman, Representative Hastert, to commend the last speaker, Representative Levin, because it was, as Representative Levin indicated, an open process with participation by everyone who had an interest, and we distilled this legislation through the Committee, through the Senate and through the floor on the House last week. And you have before you the first comprehensive rewrite of the Public Utility Act to come before this Legislature during my long tenure in this House and much longer before. And so I join with the two previous speakers and rise to ask this Assembly to pass with... with dispatch Senate Bill 1021 as amended by this Body."

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

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

Speaker Greiman: "Indicates that he will."

Bowman: "Representative Hastert, I voted against Amendment 12. It was, nevertheless, adopted. I have some remaining

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

61st Legislative Day

June 25, 1985

anxieties that I would like to... to clear up. I am concerned that the language in Amendment 12 might somehow permit or condone or recommend to the Commerce Commission grandfathering into the rate base the construction that is now in process and that will not come on line until 1989. So let me... let me begin by asking if under current law does the Illinois Commerce Commission have the authority to exclude some or all of the costs of excess generating capacity from utilities' rates?"

Hastert: "The current law is silent. But the Commerce Commission... On that issue, the Commerce Commission on... in the past has acted and has denied excess capacity or at least they have denied... they reduced the amount of revenue retrievable in a 1982 case."

Bowman: "With respect to existing power plants and those plants now under construction, does this Bill in any way preclude the Commission from excluding some or all of the cost of excess generating capacity from a utility's rates?"

Hastert: "Well, let me say and let me simplify an answer to kind of a complex question. What the Bill does and what Amendment 12 did was to say that plants that are being built now and capacity that has already been built, otherwise plants that are in service now, are under the purview of the old law. So those things that have been done in the old law and even though the law remains silent, the Commerce Commission has acted in various cases on holding up some flows of revenue. That remains intact. And so the Amendment is basically a two-tiered approach. The law now is two-tiered with the excess capacity in the future and the present plants now under the purview of the old law which the Commission has acted on for years past."

Bowman: "So, let me make sure I understand this. In the future, the Commission would thus be empowered to exclude some or

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

61st Legislative Day

June 25, 1985

all of the costs of any such excess generating capacity from a utilities' rates. Is that correct?"

Hastert: "The way you stated it, yes."

Bowman: "Thank you. Mr. Speaker, briefly to the Bill. I believe that some of my anxiety about the potential effect of Amendment 12 has been clarified, because I do not... I believe that... I believe that the... the Sponsor's response clarified that we are not grandfathering in anything that the entire generating capacity of the... of all utilities would be open to examination and review by the Commerce Commission at any future date for the possible determination of excess capacities. Therefore, I am prepared to support the legislation, and I guess we make progress by inches. Thank you."

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

Huff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The old edict that all the more things change, how little they change at all, I think is extremely applicable with this issue. For years, because the ICC was in bed with the utilities, Illinois consumers, and particularly those consumers in my district have paid millions, Ladies and Gentlemen, for service they didn't receive. I think it's... I think it's utter nonsense to argue that the availability of abundant power is the key to economic growth, when the costs of that excess capacity are causing the loss of jobs and driving so many large customers off the system that it poses a threat both to the costs borne by the remaining customers and the economic viability of this system. Just recently, Republic LTV is considering moving its Chicago operation to the Canton, Ohio plant because Ohio Edison, which buys wholesale power from Commonwealth Edison here in Illinois, can sell it in Ohio cheaper than Illinois can sell it here in this home state.

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

61st Legislative Day

June 25, 1985

I'm opposing this because I don't believe that, as Representative Hastert unconvincingly mumbled to the question of Representative Bowman about excess generating power. I have the perception that the utilities now, as then, have their hands deep in the pockets of our consumers and my constituents, and for that reason, I am going to vote against this measure. Because I do not intend to imply erroneously, by my vote, that I am endorsing, in the minds of my constituents, that somehow their utility cost is going to go down. And I think, come November, my position will be more than vindicated. This is a life and death issue in my district, Ladies and Gentlemen, and I do not take it lightly. I do not think that we have achieved one thing with two years of fumbling around with this issue. I think it's a bad Bill, and I think we are perpetuating another fraud on the constituency of this state."

Speaker Greiman: "Mr. Shaw."

Shaw: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I, like Representative Huff, rise to speak on the behalf of the people of my district and the people of Illinois. I think that what happened with this Bill last week, if we pass this Bill out now, it would be a fraud on the people of this state. I voted against the Amendment. I voted against putting the Amendment on last week that would have protected the consumers, and I'm going to oppose this Bill because it's a bad Bill. And come winter, when the utility companies go in and ask for those additional rates and the Illinois Commerce Commission give them those additional rate increases, the... my constituents and your constituents are going to look at you and say, 'I thought you brought me some reform. You've been working on this Bill for two years.' But today, you still have a bad Bill."

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

61st Legislative Day

June 25, 1985

And the reform that you're going to tell the people of your district and the people of Illinois that you have brought them, you have not actually brought those people any reform. The only thing that you have done is give the Utility Commission a machine gun when they already had a pistol. And I think that's bad for the people of this state. I think this is a bad Bill. Certainly there's pros and cons about this Bill. There's some things in here for the consumer. There's some thing in here... in here that's going to benefit everybody. But no one in the wintertime when those utility companies are getting those high bills and the senior citizens of this state will not be able to pay those high utility costs, where is the Members of this General Assembly going to be? The people... The senior citizens of this state are going to be sitting in a cold house, and the utility committee... Utility Commission is going to be pondering over some papers... talking about what we can come up with. We have to reorganize the entire system. That Amendment should be put back on the Bill to put a cap on it. The cap should have been maintained. But it wasn't. I urge the Members of this General Assembly to put... to defeat this legislation. Let them rewrite the right kind of legislation for the people of this state. Let them put a cap on there where they won't be digging in their hands of... in the pockets of the people of this state. And I think that this Bill should be defeated, and I'm going to oppose this Bill. And I can explain that to the people of my district, because I'm not going to go out and try to fool by people of my district - tell them they have something when they have nothing."

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

Homer: "Thank you, Mr. Speaker. After that, I'm not sure that I

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

61st Legislative Day

June 25, 1985

want to fit in at this point in time with what my question is, but my question is more mundane, however, perhaps very important because it attempts to establish legislative intent. And while we have that lull, let me ask if the Sponsor would yield for a question for the purpose of establishment of legislative intent. Ask the Sponsor to yield."

Speaker Greiman: "Proceed. Yes, proceed, Mr. Homer."

Homer: "Thank you. Representative Hastert, specifically in Section 7-204 of the proposed Act, which is found in Amendment 13, which deals with the reorganization, the provision provides there... It says, 'For purposes of this Section, reorganization means any transaction which regardless of the means by which it is accomplished results in a change in the ownership of a majority of the voting capital stock of an Illinois Public Utility.' Then it goes on to say, 'or the ownership or control of any entity which owns or controls a majority of the voting capital stock of a public utility.' And my question is, does the terminology 'ownership or control of any entity which owns or controls a majority of the voting capital stock of a public utility' refer to a change in the majority ownership or does it refer to a change in the ownership of a single share of stock of the entity?"

Hastert: "Majority ownership, Representative."

Homer: "It does not then refer to simply a change in a single share or minor shares of stock in the entity. Is that correct? It does not do... It does not refer to that situation."

Hastert: "Yes, it does not do that."

Homer: "Alright. It's a change in the ownership of the majority itself."

Hastert: "You're not asking me a lawyer question, are you? Yes,

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

61st Legislative Day

June 25, 1985

it does not do that."

Homer: "Okay. Thank you."

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

Matijevich: "Mr. Chairman... Mr. Speaker, Ladies and Gentlemen of the House, I joined many others on this side of the aisle the other day in opposing the very key Amendment which I call the... some call the jobs Amendment. And we here on this side of the aisle called it the anti consumer Amendment. It sort of grieves me that anybody on this side of the aisle with this Bill in this form should speak in behalf of the Bill, especially when we on this side of the aisle celebrate ourselves as the friends of the consumer. That was a very key Amendment. I think Mr. Levin, Representative Levin, accurately said that the Public Utility Act was drafted by Sam 'Insul'. I'm sure Sam 'Insul' in his grave would enjoy seeing Democrats vote for this Bill, because with that Amendment we really have done what Sam 'Insul' today would do. It is still because of that key Amendment a pro utility Bill. I don't like to see Members on this side of the aisle voting for what I call a pro public utility Bill. You know, we ought to have legislation that can control the public utilities. We should not reward them for mismanagement. We should not reward them for excess capacity. We had a very, very good pro... not a pro consumer, fair Bill when Senate Bill 1021 came out of the House. We did no service to the consumer when that Amendment was put on the Bill. That Amendment alone, that Amendment alone is reason enough to vote against this Bill. I would urge my colleagues on this side of the aisle to vote against Senate Bill 1021 to show the consumers we are still their friend; we are going to remain their friend. We want a fair public utility rewrite. And until we get one, we want to stick with the consumers, and

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

61st Legislative Day

June 25, 1985

you can do that by voting against the Bill."

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

Friedrich: "Mr. Speaker, Members of the House, you can hear all the oratory around here, and the truth is whether this Bill passes or not utility bills are not going to go down. Now you can kid yourself all you want to. It just isn't in the cards because it costs more to produce electricity, number one. And number two, people are just using more. You know, I didn't even know I was underprivileged. We didn't have electricity in my house when I grew up. But I tell you what when the power goes off now I know I'm a utility user now because everything in the house stops. The furnace stops. The refrigerator stops, and everything else. The TV stops. And when all those stop we think we're underprivileged again. But I can tell you now that the electric coop rates, which are not under the Commission, have higher rates than do... does the Illinois Power Company. The people who are on TVA down in Kentucky where my daughter lives, their rates are higher than they are here, and they're not under the Commerce Commission. But in the meantime gasoline has gone from 20¢ a gallon to \$1.25. Nobody complained about that too much. Coal has gone from \$1.00 a ton to \$38.00 a ton, and you think you could still get electricity at the same price you got it in 1920. It just isn't in the cards."

Speaker Greiman: "Ms. Flowers."

Flowers: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to this Bill. Show me where it's written that the utilities' need for profit takes precedent over the need of the people that they are supposed to serve, and we are supposed to represent. Exceptionally high costs of utilities are forcing people to lose their homes because some of their utility bills run higher than

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

61st Legislative Day

June 25, 1985

their house payment. Which do you pay first? Industry is leaving the state because of the high cost of utilities. There are people losing their jobs, losing their homes, unable to buy food, and last but not least, dying because of the almighty utility companies are freezing them to death. And I do urge a 'no' vote."

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

Oblinger: "Mr. Speaker and Members of the House, I've listened to all the debating because I really want to understand this Bill. I don't know what kind of a district you represent. I know what kind of a district I represent. Almost all the letters I got asked me to vote for this Bill because they want their jobs kept. I represent the district where Com Ed is, where they have all that big mine and electric plant in Pawnee - Kincaid. I got more bills (sic - letters) saying, 'Please, save our jobs.' The last speaker said this would cause us to lose jobs. The people in my district are saying, 'Please do this so we can keep our jobs.' It depends on where you sit on what kind of jobs and what kind of a constituency you represent. I would like to hear more on this, but I think I would have to listen to my constituents too."

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

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Before I make my final closing I want to say that this Bill is a product of a work effort of a lot of people. I want to extend my appreciation to those people who've worked a lot of hours, namely the Cosponsors of this Bill in the House, Representative Currie, and Representative Levin and Representative Hoffman. I also want to extend my appreciation to Representative McPike who kept his office open for negotiation over many, many hours of time. This Bill is indeed a product of compromise. And we've heard a

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

61st Legislative Day

June 25, 1985

lot of rhetoric this afternoon about how this Bill isn't pro consumer. But let me tell you something. If we would have left the Amendment on... or the Bill the way it was, we would be faced with higher electric costs in the out years. We would be faced with closing down of Illinois coal mines and Illinois power plants that burn Illinois coal. We would have been faced with astronomical electric bills in 1990 and the year 2000 because our electric supply would have come from gas fired turbine plants that are cheap to build and expensive to run. This is a consumer Bill. This is a Bill that can serve the needs of Illinois people whether you're a residency or whether you're a small business or whether you're an industry looking... to come into the State of Illinois. This Bill provides for the future. It talks about the opening and the studies for the future needs and the energy needs of the State of Illinois. It's a good Bill. It's a Bill that deserves your 'aye' vote and a Bill that will live long beyond most of the people whose terms are in this General Assembly. I ask for your positive support."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. ...Mautino, one minute to explain your vote."

Mautino: "Thank you, Mr. Speaker. I'm not sure what the rush to judgment here is. If I remember correctly, the rewrite and the sunset doesn't occur until January of '86 which still gives us plenty of time to do whatever has to be done to give it a little more consideration at least in the override Session. I think many of us are in the same dilemma. We're not quite sure what we should be doing for the benefit of the consumers as well as making sure that our constituents and those same consumers have energy

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

61st Legislative Day

June 25, 1985

sources. Those of us that have discussed this over the last hour or two would like to have the Sponsor or the supporter of the legislation as amended present to us the need for immediate action at this time, because there are many people who are going to stay away from making this vote until someone can tell us why we have to take the rush to judgment and maybe not do the right thing that we would have to live with for quite a few years. If you can truly say to yourself you understand it totally and we are providing a benefit as well as protecting the energy source, then fine. I'm not sure we can do that at this time. I'd like to hear the Sponsor or the Sponsor of the Amendment tell us why we have to do it now when there is that concern."

Speaker Greiman: "Ms. Satterthwaite, one minute to explain your vote."

Satterthwaite: "Mr. Speaker and Members of the House, I rise in support of this legislation, even though I think it would have been a better Bill with the... as it came from the Senate. There are a number of things in this Bill that strengthen the ability of the Commerce Commission to act on behalf of the consumers. The fact that they will have more power over their internal operations of the office, the fact that they will have more staff at their disposal will all help the Commerce Commission members to do a good job. I think the reason we need to support this legislation now is we've already put a substantial amount of energy into this rewrite, and certainly the Sponsor of the Bill here in the House deserves a great deal of credit for the effort that he has put into this legislation. For it to go down now would be a disservice to all of the people of the State of Illinois. There is still enough flexibility that the Commerce Commission can make decisions in favor of our

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

61st Legislative Day

June 25, 1985

constituents, and I would urge them to do so. But certainly the legislation needs to be passed so that we can take the advantage of the hard work that has gone into this measure."

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

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To explain my vote, I'd like to start by saying something the Sponsor said in closing. He said, 'This is a product of compromise.' I would suggest, Ladies and Gentlemen of the House, that this Bill is not a product of compromise. The compromise was taken out of this Bill when the Amendment #12 was passed the other day. This is no longer a Bill for the consumer, and I'd like to make it clear as I cast my vote that I do recognize there are some consumer benefits in this Bill. And in this House we often try to accept a half a loaf, but Amendment #12 leaves less than a half a loaf for consumers. We still have time to at least get them half a loaf. I urge your 'no' vote."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 66 voting 'aye', 42 voting 'no', 6 voting 'present'. This Bill, having received... Mr. Leverenz... This Bill, having received a Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, it is now the intention of the Chair to have a similar Subject Matter Call on Public Utilities Second Reading, Senate Bills. And on that Order appears House Bill... I mean... Senate Bill 486. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 486, a Bill for an Act in relation to energy assistance for low-income persons. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

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

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

61st Legislative Day

June 25, 1985

Piel and Klemm."

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

Piel: "Move to withdraw Amendment #1, Mr. Speaker."

Speaker Greiman: "Amendment #1 withdrawn. Further Amendments?"

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

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

Piel: "Move to withdraw Amendment #2."

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

Clerk O'Brien: "Floor Amendment #3, offered by Representative Piel and Klemm."

Speaker Greiman: "Mr. Piel, on Amendment #3."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 basically changes the Bill instead of offering a cash incentive. What it is, it's offering a credit incentive to the low income energy assistance program. These grants will be administered by Department of Commerce and Community Affairs... Affairs with a maximum fiscal impact of credits not to exceed \$20,000,000. DCCA will administer the program. The utility companies will offer the credits to the low-income people. These credits then will be turned over to DCCA, and DCCA will credit the utility. And I would ask... answer any questions that might be asked by the chamber."

Speaker Greiman: "Alright, the Gentleman from Cook, Mr. Piel, moves for the adoption of Amendment #3 to Senate Bill 486. And on that, the Gentleman from Cook, Mr. Soliz."

Soliz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to Amendment #3. Amendment #3, essentially, as was stated by our colleague, Representative Piel, changed the Bill. It does it so dramatically that it essentially guts the Bill. This is

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

61st Legislative Day

June 25, 1985

one of the only, I believe, pieces of energy assistant legislation in the House this year. It's a very critical piece of legislation. At the present time in the State of Illinois, we have between May of 1983 and May in 1984, 56,000 People's Gas customers and 193,000 Commonwealth Edison customers which had their utilities disconnected. We have a utility crisis in our state. We have fashioned this piece of legislation which I think is a very acceptable piece of legislation. I have to rise in opposition and resist this Amendment very vigorously because it essentially guts our Bill which tries to provide some medium of alleviation for energy assistance in this state. What essentially the Bill does is it provides for 12% cap or limit on the amount of utility expenses that a household... a low income household can bare in any one year during the winter months. The limit of their income that they can expend on utility bills for heating is 12%. I would ask that we be given a chance to present our main legislation and oppose this Amendment which essentially guts our piece of legislation."

Speaker Greiman: "Further discussion? The Gentleman from Madison, Mr. McPike."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would ask the Sponsor of the Bill or the Amendment if he had a companion appropriation for \$20,000,000, but it would be a silly question because it's quite obvious that Representative Piel, not only does not have a companion appropriation for \$20,000,000, but if there was one on the floor, he would probably vote against it. This is the usual Republican attitude when you try to help the poor. The purpose of this Bill is to assure a poor person that he or she is not going to freeze to death in the winter time. The purpose of the Amendment is to gut

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

61st Legislative Day

June 25, 1985

the Bill. The purpose of the Amendment is to say that we'll give this person a tax credit, or we will give the utilities the credit against taxes they owe to the state, but there is no companion appropriation. Here is an answer to help the poor, a typical answer to help the poor. By helping them, we simply put a program into effect with no money. I don't understand why they would want to change the Bill to begin with. The Bill itself takes a realistic approach to the subject. It says that if you are poor, you have to spend 12% of your income month after month for your utility Bills and if you don't, they can cut off your services. That method of payment will insure, number one, that the utilities do not have \$55,000,000 in outstanding bad debts and, number two, that a poor person is going to have heat in the winter time. This Amendment guarantees nothing. It simply guarantees that the Bill is gutted or the Bill is lost and the poor person is never helped. I would ask you to defeat the Amendment."

Speaker Greiman: "Gentleman from Cook, Mr. Piel, to close."

Piel: "Thank you, Ladies and Gentlemen of the House... Mr. Speaker, Ladies and Gentlemen of the House. I hope that everybody was listening to the previous speaker because he couldn't have been any farther from the truth than he was during his diatribe, so to speak. Ladies and Gentlemen when you're talking about a credit - when you're talking about a credit, you don't have to have a companion appropriation. That will be less money be received by the Department of Revenue, but there is no money changing. It's a credit. It's a credit. It's nice to sit here and play on the heart strings and say that... that Bob Piel's against the poor people. This is the furthest thing from the truth. All this is doing... is the original Bill the way it is right now, there is no appropriation with that,

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

61st Legislative Day

June 25, 1985

but they need an appropriation with it. Maybe he was reading the wrong thing. But this Bill will be a credit. It's not cutting off anybody's utilities. It's not cutting off anybody's heat or gas or electricity. All it is doing is giving them a credit towards their bill. I would say that I would rest my case, Ladies and Gentlemen. All this is it is establishing a credit procedure and it would... if the maximum were to go into effect, it would be \$20,000,000 less than the Department of Revenue would be... to receive. You don't need an appropriation. All it will be... and as for as gutting the Bill, it's not gutting the Bill. It's just rearranging the way that the money or in this case the credits would be allocated. And I would ask for a favorable vote and, Mr. Speaker, I would ask for a Roll Call vote on Amendment #3."

Speaker Greiman: "Question is, 'Shall Amendment #3 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 46 voting 'aye', 63 voting 'no', 1 voting 'present'. And the Amendment fails. Further Amendment?"

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

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

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would say that Amendment #4 is a lot less controversial than Amendment #3. Basically what Amendment #4 does it deletes the oil overcharged refund monies from the Bill. These monies are disbursed by the United States Department of Energy to be used for the benefit of all classes of customers. Illinois would not get their share of money if it was required by law in this Bill and the way... with

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

61st Legislative Day

June 25, 1985

this in the Bill right now, Illinois would not get its fair share of monies through the U.S. Department of Energy, and so, I would ask for passage of Amendment #4."

Speaker Greiman: "Gentleman from Cook, Mr. Piel, moves for the passage of... the adoption of Amendment 4 to Senate Bill 486. And on that, the Gentleman from Cook, Mr.... I'm sorry. Gentleman from Madison, Mr. McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Bill... Ladies and Gentlemen of the House. Obviously there are two ways to kill a Bill. One is to put on a substantive Amendment as what is attempted by Amendment #3, which changes the language in the Bill and guts the Bill and changes the program. That's the first attempt. The second attempt is to put on a technical Amendment - a technical Amendment that requires the Bill to go back to the Senate for concurrence. You look in your Digest you'll see that on a verified vote in the Senate the Bill received 30 votes. So, obviously, anyone that's opposed to the Bill, anyone that fears this Bill is going to the Governor's desk would dearly love to put a technical Amendment on the Bill - send it back to the Senate so they see if they can get one of our good Senators to take a walk. For this reason we oppose any technical Amendments to the Bill. We intend to send it to the Governor's desk and we hope that he signs it so we can take care of some of the poor people in the state."

Speaker Greiman: "Mr. Leverenz."

Leverenz: "The Sponsor yield?"

Speaker Greiman: "Indicates he'll yield."

Leverenz: "Is that why you're offering this Amendment?"

Piel: "Is question... Is Rep... question to me?"

Leverenz: "Is that why you're offering this Amendment as the Majority Speak... Majority Leader points out, just to send

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

61st Legislative Day

June 25, 1985

this Bill back to the Senate?"

Piel: "I could care less if it goes back to the Senate, Representative. All I'm saying is if we don't... You want me to answer your question?"

Leverenz: "Yes."

Piel: "If we don't put this on, and, basically, it is deleting that one small Section from the Bill, we will be losing federal money. You ask your staff people."

Leverenz: "I don't have to. May I ask another question?"

Piel: "Go right ahead."

Leverenz: "Is there any other way to cure that problem which you point out if this Amendment doesn't get adopted?"

Piel: "I'm sorry, I didn't hear the first part."

Leverenz: "Is there any other way to cure that which you point out if, in fact, it's true, is there any other way to cure that problem like with the pen of the Governor? Couldn't he eliminate that?"

Piel: "Well, if the Governor doesn't amendatorily veto this out of the Bill, it would cost the State of Illinois about \$285,000."

Leverenz: "Now, that we have established that it is not your intent then to be devious and send the Bill back to the Senate, and it is within the power of Governor to veto this out as you just explained, would you withdraw this Amendment?"

Piel: "No, because I don't think it's our position. To be truthful, I don't think it's our position to send faulty legislation to the Governor or to the Senate. I think that's what the Amendment process is for. The Amendment process is to clarify problems with Bills, whether they be technical on an effective date or what have you. I don't think this is a technical Amendment. I think this is an Amendment that saves the state \$285,000. Now, if you want

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

61st Legislative Day

June 25, 1985

to vote for the thing... I don't... You know, if you want to vote against it, fine, Ted. I'm just, you know, that's the reason I included the thing there."

Leverenz: "Mr. Speaker, to the Amendment."

Speaker Greiman: "Proceed, Sir."

Leverenz: "Clearly, there is another way to handle this. And apparently, the Gentleman wants to be a little devious. So, I would recommend a 'no' vote."

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

Piel: "I don't have a devious bone in my body. Basically, Ladies and Gentlemen, what this Amendment does, it saves the State of Illinois \$285,000 a year in federal funds that we would be receiving. If you vote 'yes' you want to get that off the Bill, so it's the \$285,000. If 'no', we lose the money. I'd ask for a 'yes' vote and I'd ask for a Roll Call, Mr. Speaker."

Speaker Greiman: "Question is, 'Shall this Amendment be adopted?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 47 voting 'aye', 65 voting 'no', none voting 'present'. And the Amendment fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 486, a Bill for an Act in relation to energy assistance for low-income persons. Third Reading of the Bill."

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

Soliz: "Mr. Speaker, I'd like leave to have this Bill considered on Third Reading."

Speaker Greiman: "Yes... no, it's on Third Reading. You're..."

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

61st Legislative Day

June 25, 1985

I'm calling... recognizing you to do... present the Bill on the Order of Third Reading."

Soliz: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 486 directs the Illinois Commerce Commission to establish a payment plan for utilities and for low income people during the winter months whereby they would be allowed to pay at a maximum 12% of their income for their utilities. As I indicated before, there is a utility crisis in the State of Illinois inasmuch as many of our residents in this state that are low income, are not able to pay the utilities and, consequently, have the utility shut off. Many of us have had very bad experiences with this type of problem where utilities have been shut off in the winter months. Consequently, sometimes many of our constituents or residents are forced to light their homes or heat their homes with candles - sometimes resulting in fires that are disasterous, other times resulting in deaths."

Speaker Greiman: "The Gentleman from Cook, Mr. Soliz, moves for the passage of Senate Bill 486. And on that, the Gentleman from Kendall, Mr. Hastert."

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Let me make some... clear something up here. I support this Bill. I support it philosophically because there was agreement to take the public aid portion of... out of 1021. There was a consensus by the Joint Committee to do this because we didn't feel that we should be writing public aid or energy assistance legislation into a Public Utility Act. It was our feeling in the Joint Committee and a bipartisan feeling of the Joint Committee that this Bill be or this concept be removed out of the Public Utility Act and put in a separate Act, a separate Act that the General Assembly would address individually, an Act that the

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

61st Legislative Day

June 25, 1985

General Assembly would make a policy decision on; and, if they decide to make that policy decision, then they also decide to make a funding for it. I think this is the honest way to address this issue. And I'm not giving a party position or a partisan position, but a personal commitment. I think this is the right way to go. We don't need this type of language in the Public Utility Act. That's not where it's suppose to be. It should be written as a separate Act altogether, and I think that's what Mr. Soliz is trying to do. Thank you."

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

Friedrich: "Would the Sponsor yield? Would the Sponsor yield?"

Speaker Greiman: "Indicates he will."

Friedrich: "Do you have any idea how many dollars we're talking about statewide that utilities will have to... would lose in revenue under this Bill?"

Soliz: "Essentially, utility companies would gain money under this Bill. At the present time, they have from 55 to \$65,000,000 in bad debts. Under this Bill, that would be reduced to approximately 30,000,000."

Friedrich: "The other question would be whose responsibility is it to determine the income of the person who gets the lower rates..."

Soliz: "It's determined by federal guidelines which are essentially are the federal poverty guidelines."

Friedrich: "Is it done month by month, or year by year, or what?"

Soliz: "I think those are done quarterly or yearly. Those are done on a routine basis and are codified in the Code of Federal Regulation."

Friedrich: "Does the person who gets the... uses the utility sign a statement or anything to say his income was thus and so for the third quarter, for example?"

Soliz: "My understanding is that he would be required to comply

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

61st Legislative Day

June 25, 1985

with those kinds of restrictions."

Friedrich: "And would he be subject to perjury if he made a false statement in connection with this?"

Soliz: "I don't believe that that's part of the Act. However, there..."

Friedrich: "Is there any penalty at all for a false statement?"

Soliz: "I'm sorry could you..."

Friedrich: "Or can a... or can a person just say 'Well, I didn't make much last quarter. I just made \$500. So, I'm entitled to it.'"

Soliz: "That person would essentially be guilty of a fraud, and would have his... would be suspended from the program. And if the offenses are aggregious enough the state's attorney could prosecute."

Friedrich: "But it's the utility's obligation to determine whether he committed a fraud or not."

Soliz: "It would be the utility's obligation given that they are the ones that have the information with regard to the income of the individual. The individual would be required to provide verifying information. If they lied, that would be a fraud and a misrepresentation, and they could present it to a state's attorney. And it could possibly be prosecuted."

Friedrich: "Does it require that he have verifying information? The reason I'm concerned... frankly, most people are honest, and you and I know it, but there's always some people around who are skirting around the edges and trying to take advantage of a situation that was designed to help people. I envision there'll be a number of these in the State of Illinois as big as it is. And if they're not required to... to put in supporting information, then it becomes the obligation of the utility to determine what their income was. Now, do they have an obligation if their

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

61st Legislative Day

June 25, 1985

utility comes...company goes to them to produce information to show that they... substantiating information."

Soliz: "Those kind of details I believe would be codified by regulations promulgated by the Illinois Commerce Commission. The ICC under this Bill would be authorized to... establish this program and also codify regulations which I am sure would safeguard against those kinds of intrusions."

Friedrich: "That's provided for in the Bill?"

Soliz: "That's provided for in the Bill."

Friedrich: "Thank you."

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

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

Speaker Greiman: "Indicates that he will."

Ropp: "In the proposal where 12 percent of the income would go for the payment, is there anything in this Bill that states if a person would be negligent and not pay that 12 percent, what happens to him?"

Soliz: "They would be bumped off the program, and I am certain, and we would, I believe, monitor the situation such that we would ensure that the Illinois Commerce Commission, when they promulgate the regulations to implement the program, would adopt regulations which would ensure that those kinds of situations do not routinely reoccur."

Ropp: "Well, in other words, they would probably go through the current public service to pick up some money in order to pay those Bills as they do now, without this Bill."

Soliz: "What essentially we are doing with this Bill is directing the Illinois Commerce Commission to establish this program with general guidelines. Now, we would anticipate that the Illinois Commerce Commission would provide for specifics, the details as to what would be required, what kind of documentation would be required of the individual, and also

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

61st Legislative Day

June 25, 1985

what... what would happen if the person in fact did not comply, and did not pay the 12 percent. In fact, we would encourage the ICC to provide for some suspension of the benefits of the program in those cases."

Ropp: "Yes, but if they wouldn't pay, they probably would go down and get some general assistance money as they do now sometimes to pick up for a month or two delinquent."

Soliz: "Is that a question, Representative?"

Ropp: "Well, I'm saying if... without this Bill and someone is negligent in their monthly payment of 12 percent of their income, they probably would end up going down to general assistance and picking that up. The next point is, in fact, the rules and regulations that are going to be established by the Commerce Commission, will they actually allow for a lower cost of heat and light service than let's say someone who can afford it?"

Soliz: "This doesn't have anything to do with the... the amount that is being charged of the low income person. It actually sets a limit as to what the individual that's a low income customer would be required to pay. The maximum would be 12 percent of their income. If they're on public aid, they would be required to pay 12 percent of their income towards their utility bills during the... during the winter months."

Ropp: "I know it, but let's say the cost per month might be \$35 and all his 12 percent might only cover 25. So, he would be in arrears \$10."

Soliz: "Then he would be required to make up... that amount during the off season months."

Ropp: "Well, I'm not sure that he could probably make it up, because there just may not be enough months in a year for him at \$12 to pick it up, or at least we would hope so. But may be that... would he in fact have to not only apply

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

61st Legislative Day

June 25, 1985

for the weatherization program, but would have to actually install it, and this will be an increased cost to that individual, too."

Soliz: "The law requires that he would have to exhaust the applications to... for the weatherization program as well as other energy assistance programs that may be available. He would have to actually exhaust those applications and benefits... and derive those benefits before he could be eligible to apply for this affordable budget program."

Ropp: "Well, I guess I'm having a little bit of trouble trying to understand how this is going to benefit people from those who currently may not pay their public utility bills. This does establish a program for paying 12 percent, and I certainly would support that idea. But I'm not sure that the... the rest of us who may not be in that kind of a position will not end up picking up a bigger share of the utility costs just to make up what people in this category will be deficient in. Thank you."

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

LeFlore: "Thank you, Mr. Speaker. As I sit here and listen to the questions that was raised by Representative Ropp and Representative Friedrich, it really irritate me from the questions they was asking Representative Soliz. Number one, a person is evaluated on a last 90 day income, and they have to present documentation of their income. If they're working, they have to take in check stubs for the last 90 days. If they're on aid, they have to take in their green card. And if they're on SSI or Social Security, they have to take in their income statement. They will not be eligible for the benefits unless they can show these documents. These documents must be almost certified before they become eligible. The other thing, the 12 percent will allow a person a chance to pay their

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

Legislative Day

June 25, 1985

utility bills during the summer months if their utility bills go over that amount. Many of our people who are on fixed incomes such as public aid, SSI, and Social Security, is not able to pay utility costs... the full utility costs during the winter months. So, this 12 percent will allow them to be able to pay the 12 percent, and if they have any left over at the end of the year of the summer months, they be able... they will be allowed to catch up with their bills. So, I think this... the way the Bill is written, giving the 12 percent, is a good Bill for the poor people of the State of Illinois. I support the Bill."

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

Oblinger: "Mr. Speaker and Members of the General Assembly, I don't think anybody in this Body has a sole claim to caring about the poor. I kind of resent that. I'll tell you one thing. I could vote for 1021 for the jobs for the people in my district, and I can also vote for 486 for the poor people. I don't have to just go one way all of the time. I want to look out for all the people, and this way I can protect jobs and help the poor people. And I want you all to start realizing over there, there are a lot of us over here who care about people. And I don't want to be characterized in a group."

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

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

Speaker Greiman: "The Gentleman from Cook, Mr. Huff, moves the main question be put. Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the main question will be put. Mr. Soliz, to close."

Soliz: "I simply request a favorable vote. Thank you."

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

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

Legislative Day

June 25, 1985

Voting is now open, and this is final action. Mr. Bullock, to explain his vote. One minute."

Bullock: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise to say to Representative Oblinger that there are people on this side of the aisle that clearly understand that a person such as yourself, who not only care about the senior citizens, but have a social conscience, have enabled us to pass many fine Bills. And I say, by way of historionics for Representative Oblinger, that if it weren't for people like Edward 'Dirksen', we probably never would have passed the 1964 Civil Rights Act. So, some of us do appreciate the social conscious Republicans, and we urge all of them to vote green."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 70 voting 'aye', 43 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. We are now going to the Special Order previously filed in the Subject Matter of Insurance. And on that Order appears Senate Bill 371. Mr. Clerk. Excuse me, Mr. Nash. Mr. Nash in the chamber? Okay. Mr. Clerk, Second Reading."

Clerk Leone: "Senate Bill 371, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Nash - Laurino, amends Senate..."

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

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 adds to this Act any person who has five years experience as a private adjuster to be grandfathered in. I

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

61st Legislative Day

June 25, 1985

move for its adoption."

Speaker Greiman: "The Gentleman from Cook, Mr. Nash, moves for the adoption of Amendment #1 to Senate Bill 371. And on that, is there any discussion? The Gentleman from Macon, Mr. Tate."

Tate: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in support of Amendment 1. The, Speaker, this affects very few people, and essentially it's been agreed to. Thank you."

Speaker Greiman: "Mr. Tate. Oh, you concluded. Alright. Further discussion? Being none, the question is, 'Shall Amendment #1 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 Amendment?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Mr. Nash, the Gentleman from Cook, moves that Rule 37(c) be suspended with the Attendance Roll Call so the Bill may be heard at this time. Does the Gentleman have leave? The Gentleman has leave."

Clerk Leone: "Senate Bill 371, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

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

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill provides that an applicant for a license of public insurance adjuster need not complete an examination if the applicant has during the three years of the five years immediately prior to the date of application been an employee of an insurance company authorized to transact business in this state adjusting damages under the policy written by such company and also what that Amendment just did. I move for its adoption... I move for its passage."

Speaker Greiman: "The Gentleman... The Gentleman from Cook, Mr. Nash, has moved for the passage of Senate Bill 371. And on

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

61st Legislative Day

June 25, 1985

that, is there any discussion? And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Ms. Currie, would you vote me 'no'? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 voting 'aye', 3 voting 'no', 3 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate... Special Call - Insurance appears Senate Bill 1291. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1291, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Lee, Mr. Olson."

Olson: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is one of a series of Bills which amends the Insurance Code. It was on Short Debate. It basically requires that the Director of the Department of Insurance approve of any contract where a managing general agent is given the authority to produce the major portion of insurance companies business. That percentage is set at 5% or more. Currently this authority is vested in the departmental rule. We seek to do it by... authority. It has the support of both the Department of Insurance and the Illinois Life Council. And basically, it gives the agency greater regulatory control relative to the issue that I've just described. I would urge passage of Senate Bill 1291."

Speaker Greiman: "The Gentleman from Lee, Mr. Olson, moves for the passage of Senate Bill 1291. 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?"

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

61st Legislative Day

June 25, 1985

Mr. Clerk, take the record. On this question, there are 116 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Special Call... Special Call - Insurance appears Senate Bill 1292. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1292, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Lee, Mr. Olson."

Olson: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I request leave to return this Bill to Second Reading for purposes of tabling an Amendment and adding an Amendment."

Speaker Greiman: "The Gentleman from Cook asks leave of the House... The Gentleman from Lee asks leave of the House to return the Bill to the Order of Second Reading for the purpose of an Amendment. Mr. Clerk. The Gentleman have leave? You have leave. Mr..."

Clerk Leone: "Motion to table."

Speaker Greiman: "The Gentleman from Lee moves to table Amendment #1. All... And on that, is there any discussion? There being none, the question is, 'Shall Amendment #1 be tabled?' Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment... Amendment #1 is tabled. Any Amendments... further Amendments?"

Clerk Leone: "Floor Amendment #2, Olson, amends Senate Bill..."

Speaker Greiman: "The Gentleman from Lee, Mr. Olson, Amendment #2."

Olson: "Thank... Thank you, Mr... Thank you, Mr. Speaker. This amends the... The Bill amends the Insurance Code to increase the minimum capital and surplus requirements for domestic stock companies, mutual companies, reciprocals

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

61st Legislative Day

June 25, 1985

organized after December 31, 1985. It provides a time table for existing companies to come into compliance. The Bill has been amended to exempt certain companies from the requirements of the Act if they meet specific criteria. The reason for the change is basically that the Illinois capital and surplus requirements have not changed since 1971 and fall short of meeting the impact of inflation over the past 14 years. What it basically does, it exempts certain companies from the requirements and we would ask your adoption of this Amendment. If you have any questions, we'd be happy to answer those. This Amendment was offered at the request of the Chairman of the insurance company... Insurance Committee, Representative Laurino. I move for adoption of the Amendment."

Speaker Greiman: "The Gentleman from Lee moves for the adoption of Amendment 2 to Senate Bill 1292. And on that, the Gentleman from Cook, Mr. Shaw."

Shaw: "Yes, will the Gentleman yield? Yes, Representative Olson, would you explain this Amendment again? I didn't quite... Is this the same Amendment... Is this the same Amendment that you have on 1294?"

Olson: "No. This is... This is a different Bill to a different issue. It's not the same Amendment, Representative Shaw. This is in capital surplus. We'll get to that one in a few minutes."

Shaw: "Okay. Very good."

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

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Lee, Mr.

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

61st Legislative Day

June 25, 1985

Olson, asks leave of the House... No?"

Olson: "Yes."

Speaker Greiman: "Asks leave of the House to waive Rule 37(c) by use of the Attendance Roll Call so the Bill could be heard at this time. The Gentleman have leave? He has leave. Mr. Clerk, read the Bill on Third Reading."

Clerk Leone: "Senate Bill 1292, a Bill for an Act to amend Sections of the Illinois Insurance Code. Third Reading of the Bill."

Olson: "I have an extraneous Motion to make, Mr. Speaker."

Speaker Greiman: "Yes."

Olson: "I've been advised that we should not have tabled Amendment #1. I would move to reconsider that vote by which that was tabled."

Speaker Greiman: "Well, we'd have to go back to Second Reading, and I'm not sure that your... Second Amendment then would be in order."

Olson: "Please... Please withdraw my request."

Speaker Greiman: "The Gentleman asks leave of the House to return the Bill to the Order of Second Reading. Does the Gentleman have leave? We have leave. The Bill is on Second Reading."

Olson: "Thank you again, Mr. Speaker. Ladies and Gentlemen of the House, I'm sorry we put you through this needless exercise. I was not properly advised relative to Amendment #1. I would move to reconsider the Motion by which I asked to table Amendment #1 and ask it be reconsidered."

Speaker Greiman: "Alright. Representative Braun in the Chair."

Speaker Braun: "For what reason does Representative Leverenz rise?"

Leverenz: "Now?"

Speaker Braun: "Not now."

Leverenz: "Thank you."

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

61st Legislative Day

June 25, 1985

Speaker Braun: "The Chair recognizes Representative Olson for a Motion."

Olson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I apologize to the Members for this delay with this Amendment. Have a problem with the drafting. I would move to take from the table Amendment #1 to Senate Bill 1292. I recently tabled that. I would move to take that from the table. That will put it in a proper order, and then if that is successful I will move to put Amendment #1 back into the Bill. I appreciate your indulgence on this."

Speaker Braun: "Representative Olson moves to take from the table Amendment #1 to Senate Bill 1295..."

Olson: "No, excuse... 32 (sic - 1292)."

Speaker Braun: "Sorry. 1292. And on that Motion, is there any discussion? There being none, all in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Motion... The Amendment is taken from the table."

Olson: "Now... Now, Madam..."

Speaker Braun: "Representative Olson."

Olson: "...Chairman (sic - Speaker), I will move to adopt Amendment #1 to Senate Bill 1292."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 1292. On that Motion, is there any discussion? There being none, all in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Amendment #2 was adopted previously. No further Amendments."

Speaker Braun: "Amendment #... The Motion to table was adopted by the Attendance Roll Call."

Olson: "We took it off the table."

Speaker Braun: "Mr. Clerk, further Amendments?"

Clerk Leone: "Amendment #2 was adopted previously. No further

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

61st Legislative Day

June 25, 1985

Amendments."

Speaker Braun: "Third Reading."

Olson: "Madam Chairman (sic - Speaker) may we have leave to move the Bill?"

Speaker Braun: "The Gentleman asks leave for immediate consideration of Senate Bill 1292. Is there leave? Leave being granted, Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1292, a Bill for an Act to amend Sections of the Illinois Insurance Code. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Lee, on Senate Bill 1292."

Olson: "Thank you very much. Appreciate your consideration. Again the Bill as amended is designed to increase the minimum capital and surplus requirements for domestic stock companies, mutual companies and reciprocals organized after December 31st of this year. It was amended to exempt certain companies from the requirements of this Act if they met specific criteria. And basically the reason for this change is the fact that capital and surplus requirements have fallen short of meeting the impact of inflation over the past 14 years. I would appreciate your support of Senate Bill 1292 as amended with Amendments 1 and 2."

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 1292. And on that, is there any discussion? The Chair recognizes the Gentleman from Madison, Representative Wolf."

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

Olson: "Yes."

Speaker Breslin: "Indicates he will."

Wolf: "Representative Olson, the Bill as it stands now and originally attempts to address the minimum capital and surplus requirements for domestic stock companies organized

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

61st Legislative Day

June 25, 1985

after December the 1st, 1985."

Olson: "Yes."

Wolf: "And by the same token..."

Olson: "That's... That's as amended, Representative Wolf."

Wolf: "As amended."

Olson: "Yes."

Wolf: "And then by the same token it addresses the minimum capital and surplus of companies organized prior to January the 1st, 1986 but establishes a deadline by which those companies must meet those requirements."

Olson: "Yes. Yes."

Wolf: "Domestic companies."

Olson: "Yes."

Wolf: "These are... These are Bills of the Department, aren't they?"

Olson: "Yes, they are, Representative Wolf."

Wolf: "Does the Department attempt... intend to address the minimum capital and surplus requirements for companies other than domestic companies?"

Olson: "No."

Wolf: "Could you tell me why?"

Olson: "It hasn't been discussed. It wasn't a part of the legislation that was offered, Representative Wolf."

Wolf: "I would think that in view of the difficulty that the State of Illinois has been experiencing over the years with a number of insurance companies and the liquidity of some of those companies that the Department would address some of those same concerns with respect to companies other than domestic companies as well as domestic companies. Thank you."

Olson: "Thank you very much. Representative Wolf, in response to your inquiry, and it's well taken, there are other measures being offered to address that concern, and you have a valid

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

61st Legislative Day

June 25, 1985

concern, Sir."

Speaker Braun: "Is there further discussion? There being none, the Gentleman moves for the passage of Senate Bill 1292. All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there is 116 voting 'aye', none voting 'no'. Senate Bill 1292, having received the Constitutional Majority, is hereby declared passed. Representative Greiman in the Chair."

Speaker Greiman: "On the Order of Special Call - Insurance appears Senate Bill 1294. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1294, a Bill for an Act in relationship to medical health, vision, pharmaceutical and... dental service plans. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Lee, Mr. Olson. Excuse me, Mr. Shaw. For what purpose do you seek recognition? Mr. Olson, proceed."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We have no Amendments to offer in this one so we should be able to proceed at a more orderly pace. This is basically a fee Bill. In it's unamended form - I'll discuss the Amendment in a moment - it amended the Medical Service, Voluntary Health Service, Vision Service, Dental Service and Pharmaceutical Service Act. It increases and adds various fees which would generate in the area of about 10,000 dollars annually. The Amendment #1, which was adopted last week, is the one which sparks some interest. And this Amendment, again, is a fee Bill. It simply raises the filing fees. Sets up a dedicated fund for those filing fees. Not a targeted fund, a dedicated fund. It does not, and I would repeat for the benefit of those who have concerns, does not include any assessments. The examination fees would continue to go to the General

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

61st Legislative Day

June 25, 1985

Revenue Fund. Now, I'd like to give you a little background and history on this. We might avoid some of the controversy and discussion that surrounds this issue. A year ago at this very time, we were seeking to do something different in this particular area at the direction of Speaker Madigan and with the assistance of legislative Leaders on both sides. That issue has been abandoned. And in what we are doing with this Amendment is not to seek targeted funding. We are seeking to raise it approximately 250,000 additional dollars by changing the filing fee schedule which has been in place since 1961. We have the general consensus of the insurance industry relative to this issue. The opposition comes from two companies - one of whom feels so strongly about doing business in Illinois that they've taken one of their offices, Indianapolis, a number of years ago before this issue has been raised. So we would be willing to address the questions that will come our way again. I'd just like to simply say, this is a filing fee Bill. The Bill unamended would raise about 10,000 dollars a year in additional funding. The Amendment to the Bill will raise an additional 250,000 dollars. And again this will be subject to the appropriation efforts of the General Assembly. I'd be happy to accept questions."

Speaker Greiman: "The Gentleman from Lee moves for the passage of Senate Bill 1294. And on that, the Gentleman from Cook, Mr. Shaw."

Shaw: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The first statement I'd like to make is that I stand opposed to Senate Bill 1294, and if it get enough votes I would like a verification. But I... But I'd like to ask the... Would the Sponsor yield for a few questions?"

Speaker Greiman: "Indicates he will."

Shaw: "What is the... I know you just went through some formality

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

61st Legislative Day

June 25, 1985

in terms of this Bill. You say you need 250,000 dollars?"

Olson: "Is the question, do we need or will we gain 250,000 dollars?"

Shaw: "Right. What will you... What will be the net gain of the increased fee and the... the present fees that you..."

Olson: "It will... It will free up approximately 250,000 dollars in GRF money by virtue of collecting fees from the companies who are doing business here."

Shaw: "This Bill was defeated in Committee, is that right, the... the original concept of this Bill?"

Olson: "Not in this form. That's why it has been amended."

Shaw: "Okay. Well, didn't they... Wasn't there some negotiations relative to the 250,000 dollars that you say you needed?"

Olson: "Representative Shaw, you and I were both here last year. I participated in the negotiations on an entirely different issue. I... I'm sorry to say I think there's a misunderstanding between the... the people who are suggesting your position and the actual position of the Bill. A year ago we were looking at raising significant dollars, putting it into the revenue area of the Department of Insurance. This is not targeted funding. It is merely a fee Bill. So consequently what we're talking about this year is not the issue that we described last year, and it's being misconstrued."

Shaw: "Well, where is this money going to? Is... Is this money going into the General Revenue Fund?"

Olson: "It'll go into the Insurance Regulation Fund. As Senator... Senator... I moved him over to the other House. As Representative Wolf alluded to earlier, we have some concerns with companies being looked at in a fashion to prevent them from going down. So this money will be dedicated to the Regulation Fund."

Shaw: "Is that a... something similar to the dedicated fund that

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

61st Legislative Day

June 25, 1985

we set up a year or so ago?"

Olson: "It is the dedicated fund."

Shaw: "Okay. But it's called what? What's the name of the fund?"

Olson: "Insurance Financial Regulation, Bill."

Shaw: "Okay. To the Bill, Mr. Speaker."

Speaker Greinan: "Excuse me, Mr. Shaw. Representative Giglio in the Chair."

Speaker Giglio: "Continue, Representative Shaw."

Shaw: "Yeah, to the Bill. What we're doing here is creating a separate fund. That's what the... Representative Olson is attempting to do here where that the... it would impede the legislative process, in my opinion, by setting up a dedicated fund. Now, not only that, in the analysis, in the Democratic analysis, they talk about 250,000 dollars, 10,000 dollars, but that's what they said some two years ago in the dedicated fund that we set up some two years ago. And that fund, today, generates 4.3 million dollars. Now, I don't understand why that Representative Olson would introduce a piece of legislation that would take the money, and don't make no mistake about it, Gentlemen, Ladies and Gentlemen, he would take the money, remove the money from the General Revenue Fund and give to the Department of Insurance who have absolute control over the money. Not only that, this... this Bill, I've argued this Bill on the floor of the House at least three times. But somehow, somebody manages to find a sheet instead of covering the... covering the body up with a sheet, somebody... after the body has been covered up with a sheet, somebody manages to make the toes wiggle again. But the... But the fact of the matter is, the Gentleman stated last week that this money would not go into the General Revenue Fund. And I want you to know, Representative Olson, I've taken the trouble to go

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

61st Legislative Day

June 25, 1985

get a tape... go get the tape of the transcript, and I have it here where you said that this money... someone had misled me, and that this fund would not go into... would not be going into a special fund. It would still go into the General Revenue Fund. And that is not the truth. The truth of the matter is that it goes into a special fund. Now, why should we set up and embark on this when we have a fine appropriation process down here... It seems like something is wrong with my mic, Mr. Speaker."

Speaker Giglio: "I think it's trying to tell you something, Representative Shaw."

Shaw: "Well, maybe it is. But the... But the fact of the matter is, you are misleading the people of this Assembly, maybe not intentionally, maybe you're taking the directions from the Department... from the Insurance Director. But I would warn the Ladies and Gentlemen of this House that I think one of the worst things that we could do is to vote for the... vote for the Insurance Financial Regulation Fund. And one of the other things that Representative Olson stated, that it wasn't any insurance companies opposed to this. There's about 20 different companies opposed to this, and I have a list here - Abraham Lincoln, American Life, American Midstate, Associated Life, Buckingham, Central Investors, Employees Life, Ford-Dearborne, Millers National, Illinois of Midstate. It's... It's on and on. There's an awful lot of companies opposed to what you're doing here. No one is objecting to raising the fee. But what I'm objecting to is the fact that the money should stay in the General Revenue Fund. That's were all money should be if it's state money. We should not give the Department of Insurance special treatment where they can spend the money anyway they want, anyway they like without coming to this Body asking for appropriation. And I think

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

61st Legislative Day

June 25, 1985

that if... I think that if the Ladies and Gentlemen of this House vote for this Bill they would be doing themselves a disservice. They would be doing the people of this state a disservice. I think that this Bill should be defeated. I don't think the intent of the people and of the Constitution of this state meant for us to relinquish our responsibility to the Director of Insurance. I have nothing against the Director. All I want the Director to do is to come before the Appropriation Committee like every other governmental agency do. And we should be permitted to make the appropriation. But that's not what you... that's not what the intent of this legislation is. And anyone who read it, read the legislation. Nowhere in the speech on the floor here in explaining the legislation do you tell the people that you're going to circumvent the legislative process. And I think it should be defeated, and I'm urging a 'no' vote on this Bill."

Speaker Giglio: "The Gentleman from Will, Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. With all due respect, would you mind explaining just what control the Legislature has over the 4,000,000 dollars?"

Olson: "Four hundred thousand dollars."

Regan: "...said 4,000,000 dollars."

Olson: "Well... Well, that... that's the Producers' Fund. That's another Bill of a year ago."

Regan: "Alright. How about the 400,000 dollars?"

Olson: "The 400,000 dollars will net GRF an additional 250,000 relative to financial regulation of foreign companies who do business in this state by virtue of their paying filing fees as opposed to it coming out of GRF. There's no subterfuge relative to this Bill. It has been misrepresented by the people who have been speaking to some Members on this House floor. This is not the targeted fund

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

61st Legislative Day

June 25, 1985

proposal of a year ago."

Regan: "I... I'd just like to know what control the Legislature has over the... the 250... the 260,000 dollars now."

Olson: "It's all subject control of the appropriation process. No control has been removed from us at all."

Regan: "And... And targeted..."

Olson: "It's not a targeted funding proposal at all. It's financial regulation. It's designed to get the additional monies from the companies who are doing business here. It's basically a filing fee Bill."

Regan: "Would you tell me the difference between the money going directly to the Insurance Department rather than going into the General Revenue Fund and then going through the normal appropriations?"

Olson: "Well, it comes to us by virtue of the additional filing fees, and then we can move it on to the agency."

Regan: "It goes directly to the agency though."

Olson: "It has to be reappropriated."

Regan: "We appropriate that. Alright. Thank you."

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

Leverenz: "The Sponsor yield?"

Olson: "Yes."

Speaker Giglio: "Indicates he will."

Leverenz: "The Amendment increases the number of fees, and an earlier comment by a Member on this side doesn't apparently have much problem with that. But are we receiving enough money on the filing fees now to cover the costs of the investigation on a new possible insurance company operating in the state? Do we get enough to cover our costs?"

Olson: "That's the problem, Representative Leverenz. We're not... We're not covering the costs. And this is designed to raise an additional 250,000 dollars."

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

61st Legislative Day

June 25, 1985

Leverenz: "So simply stated, the increase in fees is to cover the costs by the Department of Insurance to figure out whether a company should be doing business in this state or not."

Olson: "That is correct. And that relatively addresses the concerns expressed by Representative Wolf just a few minutes ago on 1292."

Leverenz: "And further that the money that is generated or raised from those that wish to operate in the state, another new insurance company, goes to a dedicated fund. Is that correct?"

Olson: "That's correct."

Leverenz: "And the Department of Insurance introduces their budget and expresses through that budget the desire to spend money from that dedicated fund for their operations. Is that correct?"

Olson: "That's correct. Very well put."

Leverenz: "Therefore, it does in fact... all the money comes in, though it doesn't go through General Revenue, it does go through the entire appropriations process similar to other fees raised by the Department of Insurance or the Commissioner on Banks and Trusts or Financial Institutions. Is that correct?"

Olson: "That's correct, Representative Leverenz."

Leverenz: "That's the normal operating procedure."

Olson: "Yes."

Leverenz: "Then I would encourage those that have raised perhaps an issue through a misunderstanding perhaps on this side of the aisle that we indeed should recover the costs and especially in terms of an insurance company so that we do not have insurance companies operating in this state selling policies for which they cannot back themselves up. So I would encourage everyone to vote green on this Bill. Thank you."

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

61st Legislative Day

June 25, 1985

Speaker Giglio: "The Chairman of the Insurance Committee, Representative Laurino."

Laurino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. As Chairman of the Insurance Company (sic - Committee), I've heard this issue debated time in and time out over the years. And I agree with the Sponsor of the Amendment and am confused, quite sincerely, that Representative Shaw would be opposing this. Evidently he doesn't really quite understand it. So with those reasons in mind, I think that what we'll do is urge you to give an 'aye' vote on this Senate Bill 1294."

Speaker Giglio: "Representative Saltsman."

Saltsman: "Speaker, move... move the previous question."

Speaker Giglio: "The Gentleman moves the previous question. All those in favor signify by saying 'aye', those opposed... The 'ayes' have it in the opinion of the Chair. Representative Olson, to close."

Olson: "Thank you, Mr. Chairman... Speaker, Ladies and Gentlemen of the House. I appreciate the statements by Representative Leverenz and Representative Laurino which truly state the position that we've taken here. The Bill is designed to match the cost of doing business by enhancing our revenues relative to the fees, and I would urge an 'aye' vote on House Bill 1294... Senate Bill 1294 as amended."

Speaker Giglio: "The question is, 'Shall Senate Bill 1294 pass?' All those in favor signify by voting 'yes', those opposed voting 'no'. The voting is open. Have all voted who wish? For what purpose does the Gentleman, Mr. Tate, rise?"

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I... I reluctantly rise in opposition to this Amendment for... for the various reasons. Senate Bill 1294, which the Amendment which was adopted earlier this week, provides

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

61st Legislative Day

June 25, 1985

for a dedicated fund and filing and transitional fees, but it still does not contain any explanation of how these funds can be spent or for how the excess funds can be transferred to the General Revenue Fund at the end of the year. However, these two defects have currently been amended and corrected on the Senate side in House Bill 2424... 44 (sic - 2444). That Bill will soon be over in this chamber. That Bill is an agreed Bill. It has virtually no opposition, and this Bill has continued to have opposition. And I encourage a 'no' vote."

Speaker Giglio: "Representative Young, to explain his vote.
Representative Parke, to explain his vote."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have no problems with the content of the Bill. I just feel that the Department of Insurance doesn't need to establish another fund. If we, in fact, have control over this, I don't see that we really need to... set up another fund because I can see that later on that maybe next year or the following year this might look... be something attractive to look to for a target funding program; and, therefore, that is the reason I'm voting 'no' on this."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 93 voting 'aye', 20 voting 'no', 2 voting 'present'. Senate Bill 1294, having received a Constitutional Majority... Representative Shaw, for what purpose do you rise?"

Shaw: "I... I know that we have an awful lot of votes up there, but I'd ask for a verification of those votes. Mr... Mr...."

Speaker Giglio: "The Gentleman has asked for a verification."

Shaw: "No. No."

Speaker Giglio: "You care to explain yourself, Representative

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

61st Legislative Day

June 25, 1985

Shaw?"

Shaw: "But it seems as though that we have enough that we cannot get them off. I withdraw the Motion."

Speaker Giglio: "This Bill, having received the Constitutional Majority, is hereby declared passed. ...Special Order of Business appears Senate Bill 1295. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1295, a Bill for an Act to amend an Act in relationship to the Illinois Life and Health Insurance Guarantee Association. Third Reading of the Bill."

Speaker Giglio: "Representative Parcells."

Parcells: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this proposed legislation would alter somewhat the responsibilities of the Guarantee Association. Under the present law the Association is required to provide benefits to all policy holders of an impaired or insolvent domestic insurance company and to Illinois residents of an insolvent foreign company. With this Amendment, the Association will be primarily responsible for Illinois resident policy holders in all instances and certain specified nonresidents. The Bill came out of the Senate 59 to 0 and out of our Insurance Committee 16 to 0. I know of no opposition, and I ask for your 'aye' vote."

Speaker Giglio: "The... The Lady moves for the adoption of Senate Bill 1295. On the question. There being no discussion, the question is, 'Shall Senate Bill 1295 pass?' All those in favor signify by voting 'aye', those opposed voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this record, there are 114 voting 'yes', none voting... 'no', none voting 'present'. And Senate Bill 1295, having received a Constitutional Majority, is hereby declared passed. On this Special Order

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

61st Legislative Day

June 25, 1985

of... Special Order of Business in the Insurance appears
Senate Bill 1296. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1296, a Bill for an Act to amend the
Illinois Insurance Code. Third Reading of the Bill."

Speaker Giglio: "Representative Tate."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House.
Senate Bill 1296 amends Article 7 and a half to the
Insurance Code. Provides that the Director of the
Department of Insurance may investigate the condition of
any domestic insurance company and issue corrective orders.
Unlike the current law, such orders could be shaped to fit
the hazard and would not be issued confidentially so
that... to worsen the condition of companies in the current
situation."

Speaker Giglio: "Any discussion? Hearing none, the question is,
'Shall Senate Bill 1296 pass?' All those in favor signify
by voting 'aye', those opposed voting 'no'. The voting is
open. Have all voted who wish? Have all voted who wish?
Have all voted who wish? Mr. Clerk, take the record. On
this question, there are 115 voting 'yes', none voting
'no', none voting 'present'. Senate Bill 1296, having
received a Constitutional Majority, is hereby declared
passed. On the Order of Third Reading appears Senate Bill
1298. Mr. Clerk... Representative Panayotovich in the
chamber? Senate Bill 1298, Representative Panayotovich.
Take 1298 out of the record, Mr. Clerk. On the Order of
Third Reading appears Senate Bill 1311, Representative
Braun. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1311, a Bill for an Act in relationship
to agreements between insurers and providers. Third
Reading of the Bill."

Speaker Giglio: "Representative Braun, Senate Bill 1311."

Braun: "Thank you, Mr. Speaker. I'd like to return 1311 to

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

61st Legislative Day

June 25, 1985

Second Reading for purposes of an Amendment."

Speaker Giglio: "She asks to bring back Senate Bill 1311 back to Second Reading for purpose of Amendment. All those... The Lady moves to bring Senate Bill 1311 back to Second Reading. All those in favor signify by voting 'aye', those opposed will vote 'nay'. The voting is open. Takes 60 votes. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 93 voting 'aye', 15 voting 'nay', none voting 'present'. The Motion carries. Second Reading."

Clerk Leone: "Senate Bill 1311, a Bill for an Act in relationship to agreements between insurers and providers. Second Reading of the Bill. Amendment #1, Braun - Davis, amends Senate Bill 1311 on page one and so forth."

Speaker Giglio: "Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 represents a major coming together of business and industry and the labor forces regarding the establishment of PPO's in the State of Illinois. PPO's are preferred... is an acronym for preferred provider arrangements. Essentially what the Amendment does is create the Health Care Reimbursement Reform Act. It defines health care services which are subject to such PPO's in the state. Among the definition and for purposes of legislative intent, I would like to mention that nursing services are included with the definition of hospital, medical, surgical, dental, vision and pharmaceutical services involved. It allows that insurers and administrators come together and are properly capitalize and put together... and put together policies and arrangements under which such preferred provider arrangements can be contracted. The proponents of the legislation are... include the AFL-CIO, the UAW, AFSCME,

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

61st Legislative Day

June 25, 1985

Illinois State Chamber, Illinois Manufacturers'... Association, Associated Employers, Illinois Retail Merchants, Illinois Life Insurance Council, Blue Cross/Blue Shield. I encourage your support for Amendment #1 and will respond to any questions along with Representative Davis on this Amendment."

Speaker Giglio: "The Lady moves for the adoption of Amendment #1. On the question, Representative Vinson. Representative Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the Assembly, I rise in support of the Lady's Motion. I think Amendment #1 is a reasonable Amendment which creates an effective framework for preferred provider organizations in the State of Illinois. It has been intensively and methodically gone over. The only person who wasn't in the meeting was Bill Hart. I would move for adoption of Amendment #1."

Speaker Giglio: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker. Just to verify, this Amendment does change the title of the Bill, doesn't it? Does the Amendment change the title of the Bill?"

Speaker Giglio: "Yes."

Ronan: "It does? That means the Bill will be heard tomorrow?"

Speaker Giglio: "Doesn't... Doesn't necessarily mean that. It could be heard as soon as we adopt..."

Ronan: "I just want to verify that this Amendment does change the title of the Bill. Fine. That's what I wanted to verify. Thank you."

Speaker Giglio: "A question on the Amendment. Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Thank you, Mr. Speaker."

Speaker Giglio: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Representative Braun... Will the Representative yield for a question?"

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

61st Legislative Day

June 25, 1985

Speaker Giglio: "Lady indicates she will."

Ryder: "Representative Braun, I have a rather specific question.

I note that the Amendment #1 amends existing Insurance Codes 3710, 364, 367 and 370(b) to provide that there's no prohibition on an insurer from providing incentives for insured to utilize the service of a particular hospital. Am I correct in my understanding that these Amendments to existing Sections are necessary to legally permit the offering of preferred provider arrangements under new Article 20 and a half and such Sections are directed only to arrangements treated in 20 and a half?"

Braun: "That is correct, Representative, and I would point out that under Section 36(d) of our rules such a change would not necessitate a return of the Bill to the Order of Second Reading First Legislative Day. Your... Your... What you said is correct, and again, under our rules, under 36(d), the language is very clear that where such a change as you have enunciated takes place, the Bill does not return to First Legislative Day."

Ryder: "Thank you."

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

Terzich: "Representative Braun, are there preferred providers at the present time in the State of Illinois?"

Braun: "Representative Terzich, there was some question raised last year when we passed the health care cost containment legislation whether or not an actual Bill would be required to allow the operation of PPO's in this state or whether or not such organizations could exist in the absence of legislation. This legislation has been put together and agreed upon to address that concern; however, there is some rule... there is a ruling presently in effect that indicates that such... such organizations may exist in the state in the absence of legislative provision... specific

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

61st Legislative Day

June 25, 1985

legislative provision."

Terzich: "Well, doesn't Blue Cross and Blue Shield, from what I understand, they presently have a preferred provider program. Don't they?"

Braun: "That's correct. In fact, there are... some of the insurers are presently offering these kinds of contracts. Again under the... the ruling on the law which suggests that they can exist in the absence of specific legislation. The purpose of this Bill is to clarify the rules pertaining to such organizations and again represents a major compromise between the effected interests."

Terzich: "Well, I... I'm not sure everyone knows what the so called PPO actually is. Is this basically an agreement between an insurance carrier or an employer sponsored health program that they have gone into arrangements to provide benefits under their insurance plan with a specific health provider?"

Braun: "Yes. Yes. It's a little... It's more than that. Representative Davis... I would defer to Representative Davis in response to your question."

Speaker Giglio: "Representative Davis."

Davis: "Thank you, Mr. Speaker. Representative Terzich, it... it does allow for them to... for Preferred Provider Organizations to enter into agreements to provide health care services. Hospitals can do that now. This Bill refers to both hospitals and noninstitutional providers or doctors. And... And these kind of agreements can be negotiated in labor contacts. That's why labor supports this. This kind of agreement can offer the same benefit level in negotiated labor contracts that currently exist at lesser cost because of the quantity involvement and because the discount service available on a patient base expansion of a preferred provider organization. So the answer to

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

61st Legislative Day

June 25, 1985

your question is yes, but a little bit more than yes."

Terzich: "And this Bill is basically supposed to be reducing health care costs by having a preferred provider?"

Davis: "That's essentially correct. Yes, Sir."

Terzich: "It is a little noisy in here, Mr. Speaker. I wish we could have a little attention."

Speaker Giglio: "Your point is well taken. Will you give the Gentleman attention? The noise is getting a little hectic over here. Please give the Gentleman your attention. We have just a few more Bills, and if we're going to get out of here at the proper time, I would hope that those of you would pay a little more attention, try to be a little quiet. Representative Terzich."

Terzich: "Yeah, getting back to the PPO. Is that the same as going to a HMO Program or whereby an employer or a health insurance company would... pay..."

Speaker Giglio: "Representative Terzich."

Terzich: "I'm just trying... you know... Really and truly, I mean, all I hear is talking all over this place. Forget it. I have no other questions."

Speaker Giglio: "Representative Oblinger."

Oblinger: "Representative Braun, you and I discussed this a great deal last time on the nursing home reform Bill. I realize that EPO's would probably, and for those of you who don't like all these acronyms that's Exclusive Provider Option, I know that this is probably outlawed - these preferred provider options. And I must tell you that we've been doing a lot of work on this. And when I say we, I use it advisedly. It's the Illinois... the Federal Council on Aging. Number one, suppose I have a doctor and I have to go to the hospital, the preferred hospital under my insurance, but my doctor's not on the staff of that hospital, do I have to accept another doctor or do I have

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

61st Legislative Day

June 25, 1985

to go to another hospital and pay the difference?"

Braun: "Representative, it does not interfere with freedom of choice with regard to your physician arrangement. And Section 30... 370(i) of the... of the Amendment provides that policies or agreements issued under this Article may not contain terms or conditions that would operate unreasonably to restrict the access and availability of health care services to the... for the insurance."

Oblinger: "I'm glad you have your assurance, although that's not what's happening."

Braun: "That's what in the Bill, Representative."

Oblinger: "Yeah, but it isn't happening now, and I hope that the Bill cures it. I'm not sure it will."

Braun: "I would refer you to Section 370(i) of the Amendment."

Oblinger: "Now I looked in 370(i). Second question - there has been a lot of determination in states such as Arizona, Minnesota and Iowa that this is... contravenes the Sherman Anti-Trust Act because it restricts competition. What is your stand on that?"

Braun: "Representative, I would submit to you in the first instance that as opposed to restricting competition, the whole idea is... behind the PPO's is to encourage competition, number one. And number two, that it does not again interfere with freedom of choice."

Oblinger: "No, I would disagree... To the Bill, Mr. Speaker."

Speaker Giglio: "To the Amendment."

Oblinger: "I would disagree with the explanation that was just given. They might give the preferred provider contract to a hospital that charges a dollar and a half or two dollars less for the room, for the operation or three dollars less for the anesthetist, and sure I can go to another hospital now. That's alright. But the thing is, it is in restraint of trade. Maybe I want to go to hospital A. They have

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

61st Legislative Day

June 25, 1985

better food. They have better care, and I like the hospital. It's closer to my home. But, oh, no, I have to go to the other hospital because they got the contract because they were two dollars cheaper. I think we're going about it the wrong way. In the investigations we made - and I will make this brief - this will be my final statement - we found out that cost was sacrificing care. And if that's what you want, poor care, because you want to save a couple of three, four dollars per person, you just go ahead and vote for this."

Speaker Giglio: "Representative Davis, to close."

Davis: "Well, thank you, Mr. Speaker. I must respectfully disagree with the last speaker. The whole object of the idea of PPO's is to encourage and enhance competition. And by the very structured nature of the agreement with third party payers between an employer, let's say, who has negotiated a benefit level with his employees and is seeking to hold the cost for the same or increased benefit levels, will contract with a quality care PPO organization with the notion that if you do not wish to go to that, you can go anywhere you want but you must pay the differential that will be negotiated with that particular PPO organization. Let me suggest to you that the law today contains hospital PPO language. It is already being done by the Blue Cross/Blue Shield Organization and others are entering into it. 1311 refers... incorporates by reference hospitals, but it also deals primarily with noninstitutional providers, or doctors, and nurses, and chiropractors and other medical providers. It will, since the frontal assault began on hospital costs that are escalating wildly out of control and have for the last fifteen to twenty years, it will, along with this assault that we started last year, with the Hospital Cost

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

61st Legislative Day

June 25, 1985

Containment Act, it will... and with malpractice that has occurred this year, where we asked lawyers to pay the price, now we're asking the doctors to help in noninstitutional provider PPO's to drive the exorbitant costs of medical care, quality medical care, down. I think when this is in effect for any length of time, we will not only see a declination in cost of PPO's but an increase in benefits for collective bargaining agreements and employers who want to offer something more to their employees. This Bill is supported by virtually... well, virtually... not virtually every... every major employer group. The Illinois State AFL-CIO, AFSCME, the UAW, the Hospital Association and others. Yes, the doctors do oppose it this year, although last year they made a commitment in the Hospital Cost Containment Act to address that issue this year... excuse me, this year. This is what we are doing. There have been protracted, months-long negotiations on this particular Amendment. It is before you. It is a chance to go back to your... constituents and tell them that, by George, hospital costs and doctor costs are going to come down. And I urge your green vote."

Speaker Giglio: "The Gentleman moves for the adoption of Amendment #1 to Senate Bill 1311. All those in favor signify by saying 'aye', those opposed. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Braun, amends Senate Bill 1311."

Speaker Giglio: "Representative Braun."

Braun: "Withdraw Amendment 2."

Speaker Giglio: "Withdraw Amendment #2. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Greiman, amends Senate Bill 1311."

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

61st Legislative Day

June 25, 1985

Speaker Giglio: "Representative Greiman, on Amendment #2... 3. Representative Davis."

Davis: "Yes, Mr. Speaker, we'd like to give Representative Greiman a chance to... to have his Amendment heard, although the hour is late. We all want to go home. And if he's not in the sound of our voice, maybe we could chat for awhile while he comes. I would move to table Mr. Greiman's Amendment... Here he comes now. I withdraw my Motion."

Speaker Giglio: "The Gentleman is in the chamber. Amendment #3 to Senate Bill 1311, Representative Greiman."

Greiman: "Thank you, Speaker. Some... Sometimes Bills have a... or Amendments have a concept that is appropriate but they may not be somehow to the point of solution. This Bill... This Amendment would hold an insured or beneficiary harmless in the event the review board or utilization review board denied that person charges because the services were unnecessary. Now when I go to the hospital or doctor - well, I don't go, but if I did go - I probably would not know what was appropriate or not. So I would rely on my doctor, my hospital to provide me with services. And so that if it was found that they were not... if they were not appropriate, how in the world would I know? Am I a brain surgeon or a veterinarian or anything... any other health care provider? I'm not indeed. However, I look at this as I read it here on the floor, and I believe that possibly it is not as well thought out as I would like things to be. And so I do see some problems with it. Nonetheless, I believe that the House should consider whether a person, who is the patient, suddenly is chargeable with his insurance carrier for bills that he... that have been incurred on his behalf over which he had absolutely no knowledge of whether they were appropriate or not appropriate. And so, I would ask for your

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

61st Legislative Day

June 25, 1985

consideration of this Amendment."

Speaker Giglio: "Question on the Amendment? The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. It's my understanding that the addition of this Amendment is not a part of the agreed Bill, and I want to make that very clear from the outset. That all of those parties that have agreed to Amendment #1, which Representative Braun told you about, are not in agreement relative to this. This is a unilateral Amendment from labor. Now, to the... to the Amendment. The Amendment, in my opinion, creates a... a radical departure from current law relative to group insurance and the risk for the use of the group insurance or for a claim on the group insurance. Under current law and under most insurance contracts, a list of eligible uses for that insurance is stated. The party, the beneficiary, is given a copy of that and those uses are incorporated into the contract. You've all had the experience with Blue Cross/Blue Shield, 80% of the benefits in this case, 100% in this case, 50% in this case. It's all spelled out as a part of your group plan. You're given a copy of that group plan. You make your claim. The claim comes back. It's either on it or not on it. If it's not on it in accordance with the contract, you pay. That's how it is for us. That's how it is in industry. To make this under the PPO law any different from that is a radical departure and a mistake. It makes what was a good Bill, an agreed Bill, a very bad Bill. And if... I certainly oppose the Amendment, and I will be forced to oppose the Bill if this gets on."

Speaker Giglio: "The Gentleman from Will, Representative Davis."

Davis: "Well, Mr. Speaker and Ladies and Gentlemen, I too would resist the Amendment simply because it was without the scope of the agreement. It's a last minute add on if you

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

61st Legislative Day

June 25, 1985

will in an attempt to... to stick somebody with a bill. Now, it... it is true what Representative McCracken said. It's a radical departure from current practice - one that I don't think encourages the... the adequate... the adequate care that can come when the gatekeeper of medical care, your doctor, takes you into a hospital situation and orders something for you. The hospital is not necessarily always at fault for that gatekeeper's action. It will require physicians, in this particular point, to not look over their shoulder but to suggest that a utilization review behind the procedure may find him to have been at fault at some point. But why should the hospital then be stuck with that particular action of the gatekeeper who brought you to the hospital setting? I think the Hospital Association is rightfully opposed to this Amendment. It is without the scope of the agreement, and I would recommend to you a 'no' vote."

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

Braun: "Thank... Thank you. I'll pass."

Speaker Giglio: "Alright, the question is, 'Shall Amendment #3 be adopted?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the Amendment is defeated. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Ronan."

Ronan: "Yeah, Mr. Speaker, I had my light on before you moved that Bill to Third Reading. This Amendment #1 obviously changes the title of the Bill and also adds Sections to the Bill, and I want the Bill left on Second Reading First Legislative Day. And I expect a ruling from the Parliamentarian to that effect."

Speaker Giglio: "Representative Davis."

Davis: "Well, Mr. Speaker, I think Representative Braun correctly

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

61st Legislative Day

June 25, 1985

identified Rule 36(d) which is quite clear, I think, with reference to Amendment #1, and I would direct the Parliamentarian to that in his deliberations. That does say that when the Subsections and the deleting Section numbers for substantially the same Article that the Bill does not have to go back to First Reading or First Legislative Day."

Speaker Giglio: "Rep... Representative Cullerton."

Cullerton: "Yes. If the Parliamentarian rules that it changes the title, then I would move to suspend the rule so that the Bill would not be killed. The effect... The effect of that rule would be to kill the Bill because we couldn't hear it in time for the deadline. So I would move that we suspend the appropriate rule to have the Bill stay on Second Reading Second Legislative Day."

Speaker Giglio: "Mr. Ronan's point is well taking... well taken."

Cullerton: "Move to suspend the appropriate rule."

Speaker Giglio: "And Mr. Cullerton moves to suspend the appropriate rule to have the... Bill heard on Third Reading. All those in favor signify by saying 'aye'... voting 'aye', those opposed voting 'no'. The voting is open. It takes 60 votes. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 103 voting 'aye', 11 voting 'no', 2 voting 'present'. The Motion carries. The Bill... I move the Bill to Third Reading. Representative Braun."

Braun: "Mr. Speaker, I'd like to move for immediate consideration of Senate Bill 1311."

Speaker Giglio: "The Lady moves for the immediate consideration of Senate Bill 1311. The Lady have leave? Representative Ronan, for what purpose do you rise?"

Ronan: "I object. I want a Roll Call."

Speaker Giglio: "The Lady moves to suspend the appropriate rule

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

61st Legislative Day

June 25, 1985

to have the Bill heard immediately. All those in favor signify by voting 'aye', those opposed voting 'no'. It takes 71 votes. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 98 voting 'yes', 12 voting 'no', 2 voting 'present'. The Motion carries. Representative Braun, Senate Bill 1311. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1311, a Bill for an Act in relationship to agreements between insurers and providers. Third Reading of the Bill."

Speaker Giglio: "Representative Braun."

Braun: "Thank you, Mr. Speaker. The Bill has been adequately explained I believe. It is a major advancement in the area of health care, and I would encourage your support for Senate Bill 1311."

Speaker Giglio: "The Lady moves for the adoption of Senate Bill 1311. Hearing none, all those in favor signify by voting 'aye', those opposed voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'aye', 2 voting 'nay', 2 voting 'present'. Senate Bill 1311, having received a Constitutional Majority, is hereby declared passed. The House will be at ease. Representative Leverenz, for what purpose do you rise?"

Leverenz: "Now? Go ahead. Say now."

Speaker Giglio: "The House is now going to go to a Special Order of Business, Special Subject, Prairie State 2000, Senate Bill 1156. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1156, a Bill for an Act in relationship to job training. Third Reading of the Bill."

Speaker Giglio: "Senate Bill 1056 (sic - 1156) is on page 10 of the Special Order of Business under Business and Economic

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

61st Legislative Day

June 25, 1985

Development. Representative Braun, 1156."

Braun: "Thank you... Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to bring this Bill back to Second Reading for purposes of an Amendment."

Speaker Giglio: "Does the Lady have leave? Leave. Hearing none, leave is granted. The Bill is on Second Reading."

Clerk Leone: "Amendment #1, Braun, amends Senate Bill 1156."

Speaker Giglio: "Representative Braun on Amendment #1."

Braun: "Thank you very much. Amendment #1... This Bill, in its original form, relates to the Prairie State 2000 economic development package that was passed by the General Assembly overwhelmingly some time ago. Essentially Amendment #1 makes technical Amendments and expands some of the programs... the... the provisions of the Prairie State Fund. Essentially what it does is make some changes in the... in the insurance provision of the Prairie State Fund. Adds training programs. Changes the nature of the fund, and I encourage your support for Amendment #1."

Speaker Giglio: "On the question, Representative Vinson. Representative Vinson, on Amendment #1."

Vinson: "I think this is a fine thing, and I rise in support of it."

Speaker Giglio: "Further questions? Representative Braun, to close."

Braun: "I encourage your support for Amendment #1."

Speaker Giglio: "The Lady moves for the adoption of Amendment #1. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Braun - Vinson, amends Senate Bill 1156."

Speaker Giglio: "Representative Braun, Amendment #2."

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

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

61st Legislative Day

June 25, 1995

House. Amendment #2 creates the Office of Urban Economic Assistance within the Department of Commerce and Community Affairs. We've worked on this. This was the legislation that unfortunately got hung up before, and I encourage your support for it. It has the support of the Department."

Speaker Giglio: "Representative Vinson."

Vinson: "I think this is a fine thing, and I'm for it."

Speaker Giglio: "The Lady moves for adoption of Amendment #2 to Senate Bill 1156. All those in favor signify by saying 'aye', those opposed... In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Braun, amends Senate Bill 1156."

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

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 makes some revisions in the... finance part of the Bill that's already there. It clarifies some of the area to include, for example, industrial parts, unused quarries, rail yards, rail right-of-ways and corrects a technical error."

Speaker Giglio: "Representative Vinson, Amendment #3."

Vinson: "I think this is fine thing, and I'm for it."

Speaker Giglio: "The Lady moves for the adoption of Amendment #3 to Senate Bill 1156. All those in favor signify by saying 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Amendment #4, Braun, amends Senate Bill 1156."

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

Braun: "Withdraw Amendment #4."

Speaker Giglio: "The Lady moves to withdraw Amendment #4. Further Amendments?"

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

61st Legislative Day

June 25, 1985

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. The Lady asks leave for immediate consideration to hear Senate Bill 1156. Does she have leave? Leave is granted. Third Reading. Representative Braun."

Clerk Leone: "Senate... Senate Bill 1156, a Bill for an Act in relationship to the training... job training. Third Reading of the Bill."

Speaker Giglio: "Representative Braun, it's Senate... Senate Bill 1156."

Braun: "Mr. Speaker, I would just as soon have this Bill heard tomorrow morning."

Speaker Giglio: "Representative Cullerton."

Cullerton: "Yes, I have no objection to that. I have a Motion."

Speaker Giglio: "Representative Cullerton, for a Motion."

Cullerton: "Yes, I would move that we would continue all the Special Orders of Business that we have not finished today that were scheduled for today till tomorrow at the Call of the Chair."

Speaker Giglio: "Representative Vinson."

Vinson: "I wonder if he would clarify the Motion."

Cullerton: "Yes."

Speaker Giglio: "Representative Cullerton."

Cullerton: "There were some Special Orders of Business that were scheduled for today that we... we completed, and what I would like to do is to continue the Special Order of Business that we did not complete till tomorrow at the Call of the Chair."

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

Cullerton: "Sure."

Speaker Giglio: "Indicates he will."

Cullerton: "Yes, I will."

Vinson: "We were informed somewhat earlier that on the Special

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

61st Legislative Day

June 25, 1985

Order - Environment, Public Utilities that Senate Bills 849 and 833, which had previously been carried on those orders but were not today, would be tomorrow. Now is that part of your Motion?"

Cullerton: "Well, I'm not sure what Bills will be added or subtracted from the Special Orders. I just thought we might want to continue the Special Orders till tomorrow so that actually what gets... called or added to that list will be determined tomorrow."

Vinson: "Mr. Speaker."

Speaker Giglio: "Representative Vinson, I've been informed that these two Bills will be on the Special Order of Call for tomorrow."

Vinson: "Very good. Thank you."

Speaker Giglio: "You're welcome. Representative Cullerton."

Cullerton: "So... So how's my Motion doing?"

Speaker Giglio: "Yeah, the... the Motion was to adopt the Call for the Special Order of Business to be heard tomorrow."

Cullerton: "Right. It didn't pass yet though."

Speaker Giglio: "All those in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it. The Motion's adopted. Representative McPike."

McPike: "Thank you... Mr. Speaker... Yeah, Madam (sic - Mr.). Allowing the Clerk perfunctory time to read appropriations Bills a second time and to hold them on Second Reading, I move the House stand adjourned until tomorrow at the hour of 10:00 a.m."

Speaker Giglio: "You heard the Motion, all those in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The House adjourned until 10:00 tomorrow morning."

Clerk Leone: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I'm directed to inform the House of

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

61st Legislative Day

June 25, 1985

Representatives that the Senate has concurred in the House in the passage of the following Bills, together with Amendments...'"

Speaker Giglio: "Representative Wojcik, for what reason does the Lady arise?"

Wojcik: "I just wanted you to recognize me since you're sitting in the Chair."

Speaker Giglio: "I recognize you."

Clerk Leone: "Further Message by the Senate by Mr. Wright, Secretary. 'Mr. Speaker. I'm directed to inform the House of Representatives that the Senate has concurred in the House in the passage of the following Bills, together with Amendments, and adoption of which I'm instructed to ask concurrence of the House of Representatives, to wit: House Bills 312, 314, 316, 334, 335, 344, 354, 357, 360, 409, 431, 474, 481, 483, 497, 510, 513, 521, 561, 563, 567 and 570, passed the Senate as amended June 25, 1985. Kenneth Wright, Secretary.' Further Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred in the House in the passage of the following Bills, together with Amendments, and adoption of which I'm instructed to ask concurrence of the House of Representatives, to wit: House Bills 571, 574, 598, 605, 627, 650, 692, 694, 703, 704, 777, 792, 805, 831, 880, 883, 903, 932, 964, 971, 975 and 1000, passed the Senate as amended June 25, 1985. Kenneth Wright, Secretary.' Senate Bills on the Order of Second Reading - Appropriations. Senate Bill 132, a Bill for an Act making appropriations to the Illinois Development Finance Authority. Second Reading of the Bill. Senate Bill 134, a Bill for an Act making appropriations to the Board of Higher Education. Second Reading of the Bill. Senate Bill 145, a Bill for an Act making appropriations to

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

61st Legislative Day

June 25, 1985

the Department of Commerce and Community Affairs. Second Reading of the Bill. Senate Bill 167, a Bill for an Act making appropriations to the Department of Commerce and Community Affairs. Second Reading of the Bill. Senate Bill 168, a Bill for an Act amending certain appropriation Acts. Second Reading of the Bill. Senate Bill 173, a Bill for an Act making certain appropriations. Second Reading of the Bill. Senate Bill 174, a Bill for an Act making appropriations to the Department of Children and Family Services. Second Reading of the Bill. Senate Bill 175, a Bill for an Act making appropriations to the Department of Public Aid. Second Reading of the Bill. Senate Bill 308, a Bill for an Act making appropriations to the Department of Conservation. Second Reading of the Bill. Senate Bill 342, a Bill for an Act to provide for the ordinary and contingent and distributive expenses of the State Comptroller. Second Reading of the Bill. Senate Bill 360, a Bill for an Act making appropriations to the Board of Regents. Second Reading of the Bill. Senate Bill 361, a Bill for an Act making certain appropriations to the Illinois State Scholarship Commission. Second Reading of the Bill. Senate Bill 397, a Bill for an Act making appropriations to the Department of Public Health. Second Reading of the Bill. Senate Bill 304... Senate Bill 403, a Bill for an Act making appropriations to the Court of Claims. Second Reading of the Bill. Senate Bill 428, a Bill for an Act making appropriations to the Department of Commerce and Community Affairs. Second Reading of the Bill. Senate Bill 449, a Bill for an Act making appropriations to the Prairie State 2000 Fund. Second Reading of the Bill. Senate Bill 451, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Central Management Services.

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

61st Legislative Day

June 25, 1985

Second Reading of the Bill. Senate Bill 452, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Capital Development Board. Second Reading of the Bill. Senate Bill 453, a Bill for an Act making appropriations to the Capital Development Board for permanent improvements, minor capital improvements, repairs and maintenance. Second Reading of the Bill. Senate Bill 455, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Insurance. Second Reading of the Bill. Senate Bill 458, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Environmental Protection Agency. Second Reading of the Bill. Senate Bill 459, a Bill for an Act making appropriations to the Environmental Protection Trust Fund Commission. Second Reading of the Bill. Senate Bill 461, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Court of Claims. Second Reading of the Bill. Senate Bill 463, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Commissioner of Banks and Trust Companies. Second Reading of the Bill. Senate Bill 464, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Registration and Education. Second Reading of the Bill. Senate Bill 467, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Commerce and Community Affairs. Second Reading of the Bill. Senate Bill 468, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Agriculture. Second Reading of the Bill. Senate Bill 470, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Office of State Fire Marshal. Second

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

61st Legislative Day

June 25, 1985

Reading of the Bill. Senate Bill 472, a Bill for an Act making appropriations to the Department of Transportation. Second Reading of the Bill. Senate Bill 473, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Nuclear Safety. Second Reading of the Bill. Senate Bill 476, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Public Aid. Second Reading of the Bill. Senate Bill 477, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Health Care Cost Containment Council. Second Reading of the Bill. Senate Bill 478, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Alcoholism and Substance Abuse. Second Reading of the Bill. Senate Bill 480, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Corrections. Second Reading of the Bill. Senate Bill 481, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Law Enforcement. Second Reading of the Bill. Senate Bill 482, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Veterans' Affairs. Second Reading of the Bill. Senate Bill 483, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Governor's Purchase Care Review Board. Second Reading of the Bill. Senate Bill... Senate Bill 528, a Bill for an Act making appropriations to the Judicial Inquiry Board. Second Reading of the Bill. Senate Bill 552, a Bill for an Act making appropriations for various legislative support agencies. Second Reading of the Bill. Senate Bill 1368, a Bill for an Act making... reappropriations to the Capital Development Board. Second Reading of the Bill.

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

61st Legislative Day

June 25, 1985

Being no further business, the House will now stand
adjourned until June 26, 10:00 a.m."

12/16/85
13:45

STATE OF ILLINOIS
94TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 1

JUNE 25, 1985

SB-0001	SECOND READING	PAGE	5
SB-0003	THIRD READING	PAGE	188
SB-0003	OUT OF RECORD	PAGE	189
SB-0122	THIRD READING	PAGE	190
SB-0132	SECOND READING	PAGE	303
SB-0134	SECOND READING	PAGE	303
SB-0137	THIRD READING	PAGE	26
SB-0141	THIRD READING	PAGE	191
SB-0145	SECOND READING	PAGE	303
SB-0160	SECOND READING	PAGE	5
SB-0167	SECOND READING	PAGE	304
SB-0168	SECOND READING	PAGE	304
SB-0173	SECOND READING	PAGE	304
SB-0174	SECOND READING	PAGE	304
SB-0175	SECOND READING	PAGE	304
SB-0200	SECOND READING	PAGE	144
SB-0217	THIRD READING	PAGE	222
SB-0226	SECOND READING	PAGE	5
SB-0239	THIRD READING	PAGE	31
SB-0243	THIRD READING	PAGE	39
SB-0235	THIRD READING	PAGE	111
SB-0296	THIRD READING	PAGE	192
SB-0306	SECOND READING	PAGE	5
SB-0308	SECOND READING	PAGE	304
SB-0329	SECOND READING	PAGE	25
SB-0329	THIRD READING	PAGE	25
SB-0342	SECOND READING	PAGE	304
SB-0343	THIRD READING	PAGE	198
SB-0355	SECOND READING	PAGE	12
SB-0355	THIRD READING	PAGE	23
SB-0356	SECOND READING	PAGE	5
SB-0357	SECOND READING	PAGE	6
SB-0358	SECOND READING	PAGE	6
SB-0359	SECOND READING	PAGE	6
SB-0360	SECOND READING	PAGE	304
SB-0361	SECOND READING	PAGE	304
SB-0362	SECOND READING	PAGE	6
SB-0363	SECOND READING	PAGE	7
SB-0364	SECOND READING	PAGE	7
SB-0371	SECOND READING	PAGE	265
SB-0371	THIRD READING	PAGE	266
SB-0373	THIRD READING	PAGE	31
SB-0387	SECOND READING	PAGE	304
SB-0403	SECOND READING	PAGE	304
SB-0418	THIRD READING	PAGE	97
SB-0425	SECOND READING	PAGE	193
SB-0425	THIRD READING	PAGE	197
SB-0428	SECOND READING	PAGE	304
SB-0447	SECOND READING	PAGE	163
SB-0447	THIRD READING	PAGE	170
SB-0449	SECOND READING	PAGE	304
SB-0450	SECOND READING	PAGE	7
SB-0451	SECOND READING	PAGE	304
SB-0452	SECOND READING	PAGE	305
SB-0453	SECOND READING	PAGE	305
SB-0454	SECOND READING	PAGE	7
SB-0455	SECOND READING	PAGE	305
SB-0456	SECOND READING	PAGE	3
SB-0458	SECOND READING	PAGE	305
SB-0459	SECOND READING	PAGE	305
SB-0460	SECOND READING	PAGE	8
SB-0461	SECOND READING	PAGE	305
SB-0462	SECOND READING	PAGE	8
SB-0463	SECOND READING	PAGE	305
SB-0464	SECOND READING	PAGE	305

SB 75 - 141

12/16/85
13:45

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 2

JUNE 25, 1985

SB-0465	SECOND READING	PAGE	8
SB-0466	SECOND READING	PAGE	9
SB-0467	SECOND READING	PAGE	305
SB-0468	SECOND READING	PAGE	305
SB-0470	SECOND READING	PAGE	305
SB-0471	SECOND READING	PAGE	9
SB-0472	SECOND READING	PAGE	306
SB-0473	SECOND READING	PAGE	306
SB-0474	SECOND READING	PAGE	9
SB-0475	SECOND READING	PAGE	10
SB-0476	SECOND READING	PAGE	306
SB-0477	SECOND READING	PAGE	306
SB-0478	SECOND READING	PAGE	306
SB-0480	SECOND READING	PAGE	306
SB-0481	SECOND READING	PAGE	306
SB-0482	SECOND READING	PAGE	306
SB-0483	SECOND READING	PAGE	306
SB-0486	SECOND READING	PAGE	250
SB-0486	THIRD READING	PAGE	257
SB-0496	SECOND READING	PAGE	10
SB-0506	SECOND READING	PAGE	92
SB-0507	SECOND READING	PAGE	10
SB-0528	SECOND READING	PAGE	306
SB-0552	SECOND READING	PAGE	306
SB-0557	SECOND READING	PAGE	202
SB-0557	THIRD READING	PAGE	202
SB-0560	THIRD READING	PAGE	203
SB-0562	SECOND READING	PAGE	171
SB-0562	THIRD READING	PAGE	172
SB-0583	THIRD READING	PAGE	39
SB-0588	SECOND READING	PAGE	175
SB-0588	THIRD READING	PAGE	176
SB-0610	THIRD READING	PAGE	40
SB-0629	THIRD READING	PAGE	204
SB-0653	THIRD READING	PAGE	112
SB-0721	SECOND READING	PAGE	177
SB-0721	THIRD READING	PAGE	180
SB-0728	SECOND READING	PAGE	205
SB-0728	THIRD READING	PAGE	208
SB-0734	RECALLED	PAGE	209
SB-0734	THIRD READING	PAGE	214
SB-0755	THIRD READING	PAGE	65
SB-0756	SECOND READING	PAGE	69
SB-0756	THIRD READING	PAGE	73
SB-0771	RECALLED	PAGE	74
SB-0771	THIRD READING	PAGE	75
SB-0863	SECOND READING	PAGE	11
SB-0887	THIRD READING	PAGE	119
SB-0954	THIRD READING	PAGE	115
SB-1021	THIRD READING	PAGE	235
SB-1033	SECOND READING	PAGE	11
SB-1064	SECOND READING	PAGE	185
SB-1064	THIRD READING	PAGE	185
SB-1091	SECOND READING	PAGE	84
SB-1091	THIRD READING	PAGE	91
SB-1112	SECOND READING	PAGE	11
SB-1156	RECALLED	PAGE	298
SB-1229	SECOND READING	PAGE	77
SB-1229	THIRD READING	PAGE	78
SB-1229	OUT OF RECORD	PAGE	82
SB-1291	THIRD READING	PAGE	267
SB-1292	RECALLED	PAGE	268
SB-1292	RECALLED	PAGE	270
SB-1292	THIRD READING	PAGE	272
SB-1294	THIRD READING	PAGE	274

12/16/85
13:45

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 3

JUNE 25, 1985

SB-1295	THIRD READING	PAGE	284
SB-1296	THIRD READING	PAGE	285
SB-1311	RECALLED	PAGE	285
SB-1311	THIRD READING	PAGE	298
SB-1368	SECOND READING	PAGE	306
SB-1375	THIRD READING	PAGE	106
SB-1410	SECOND READING	PAGE	11
SB-1411	SECOND READING	PAGE	11

SUBJECT MATTER

HOUSE TO ORDER - SPEAKER MCPIKE	PAGE	1
PRAYER - REVEREND HARRY MEYER	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
MESSAGE FROM THE SENATE	PAGE	1
AGREED RESOLUTIONS	PAGE	3
COMMITTEE ON ASSIGNMENT	PAGE	4
DEATH RESOLUTION	PAGE	4
MESSAGE FROM THE SENATE	PAGE	83
ADJOURNMENT RESOLUTION	PAGE	302
ADJOURNMENT	PAGE	302
MESSAGE FROM THE SENATE	PAGE	302
ADJOURNED	PAGE	306