

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

73rd Legislative Day

October 15, 1985

Speaker McPike: "The House will come to order. Members will be in their seats. The Chaplain for today will be Father Anthony Tzortis, Pastor of St. Anthony's Hellenic Orthodox Church in Springfield. Father Tzortzis is a guest of Representative Steve Nash. Will the guests in the balcony please rise and join us in the invocation?"

Father Tzortzis: "In the Name of the Father and of the Son and of the Holy Spirit. Amen. Glory to Thee, Oh God, our hope, glory to Thee. Oh Heavenly King and Comforter, the Spirit of Truth, Who art everywhere present and feelest all things, the Treasury of the blessings and Giver of life, come and dwell in the hearts and in the minds of our State Representatives and all loyal officers of our government of our country. Purify them from every stain and of Thy goodness save their souls. 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. 118 Members answering the Roll Call, a quorum is present. Representative Ropp, for what reason do you rise?"

Ropp: "Thank you, Mr. Speaker, a point of personal privilege. Just a moment."

Speaker McPike: "Representative Ropp, you'll notice that the microphones are more sensitive and you can lean back a little now. Proceed."

Ropp: "That means I can stand up. Mr. Speaker and Members of the House, a very historic event took place on October 7th, and I personally, on behalf of the citizens of McLean County

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and the Twin Cities of Bloomington-Normal, want to thank the Members of this Body, the General Assembly, the Governor, the Department of Commerce and Community Affairs for all of their joint efforts in culminating more than two years of activity to bring an industrial giant to the State of Illinois and to the 39th Representative District. That industrial giant was the joint venture effort of Mitsubishi and the Chrysler Corporation, now known as the Diamond Star Corporation, certainly I think will be a symbolic activity of the Build Illinois Program and probably one of the biggest programs that we will see happen in Illinois. As you may well know, it's going to provide 2500 new jobs in the plant, which will be manufacturing 180,000 automobiles annually beginning in 1988. It will also provide a spinoff of some 9,000 jobs in the State of Illinois, and we see that some 350 new corporations, new companies will be established. In the furtherance and the development of Route 51, the Governor mentioned a corridor of opportunity. I'm sure that we all can take great pride in this event that took place October 7th, 1985 in Bloomington-Normal, McLean County, for certainly it will mean much to our state in the new industrial development. And certainly, I think it sends out a message to the world that Illinois is a state that is fit for business. I think all of us should take great pride in that and I want to thank you for this opportunity as well as to congratulate all of the people who had so much to do in this joint effort to bring this new business to the State of Illinois. Thank you."

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

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

Speaker McPike: "Representative Huff, it was on a point of personal privilege."

Huff: "Personal privilege? Well, I'd just like to have a

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question out of curiosity. I'm very happy for the possibility of creating jobs, Representative Ropp, but I also read some statements attributable to Lee Iacocca who indicated that the Bloomington-Normal deal was somewhat contingent upon the state providing monies for a retooling of the Belvidere plant. Would you mind commenting on that and what that contingency would be?"

Ropp: "The program that Lee Iacocca mentioned was addressed by the Governor, and he said that he would be willing to look at that certainly on a little smaller scale because of the size of the operation and they certainly did not rule any consideration out. He was pleased though that Illinois could be very supportive in its efforts to bring the Diamond Star Corporation to our borders."

Huff: "So there was no contingency factor at all. Okay."

Ropp: "They are separate issues."

Speaker McPike: "If the Chair could have everyone's attention, we would like the Clerk of the House to explain the changes in the new voting board. Mr. Clerk."

Clerk O'Brien: "There was a memo distributed to all Members in their offices and again on your desks in the House chambers pointing out some of the changes. One of the changes with your voting switches - you have your original consoles, but the voting switches need to be depressed more... more firmly to have a vote recorded. You... If you just tap it, it may be that your vote won't get picked up. So, if we will, I'll open a vote and you can try them. A quick tap may not be recorded. So, if it isn't, your voting light would not go on. So, I think what you should do is make sure you press it firmly and your vote is recorded. Another change with your voting switches, if you vote one way and decided you wished... you wished not to vote at all, you may press it a second time, and the vote will be

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removed. So, if you vote 'present' and then decide you would rather not have voted, press it a second time, and the vote will be removed and you'll be not voting. To change your vote from 'aye' to 'no' or 'present' is just the same procedure you used previously. You just press your different switch, and it will go on. Your Page light and your tele... Page and speak light work as they did previously. Telephone light works as it did. In the memo I passed out, we gave you a sample of the Roll Call showing an excused person. Anyone that's excused for the day, the Roll Call will indicate that they're excused, and that will be recorded for the entire day. If they do come to the chambers later, they would have to come up to the Speaker and indicate that they are present, and he would direct that their switches be unlocked. The message board... I'll put some samples up here. The message board will indicate the Bill number we're on, the Sponsor of the Bill and the description that you normally see on your LIS Report 10. That's a 30 character description which will always be on a line by itself. And whatever LIS has in the computer is the information that we will receive. We can then add further Motions. So, whatever Motions we're on, hopefully we'll be able to indicate on the message board exactly what it is that you'll be asked to vote on. If you have any questions about the system, see Tony Leone or myself. We'll be happy to try to answer your questions."

Speaker McPike: "Introduction and First Reading."

Clerk O'Brien: "Introduction and First Reading of Bills." House Bill 2539, Homer - et al, a Bill for an Act to amend Sections of the Illinois Income Tax Act. First Reading of the Bill. House Bill 2540, Began, a Bill for an Act to amend Sections of the Carnival and Amusement Ride Safety Act. First Reading of the Bill. House Bill 2541,

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Leverenz, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 2542, Farley, a Bill for an Act to amend Sections of the Open Space Lands Acquisition and Development Act. First Reading of the Bill. House Bill 2543, Farley, a Bill for an Act making an appropriation to the Department of Conservation. First Reading of the Bill."

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

Vinson: "Yes, Mr. Speaker, Members of the House, in the memorandum submitted by the Clerk to the Membership on the voting machine, I think there is one provision in that that it would be useful to have the Chair make a clarification in regard to, and that is the dot point which states that voting switches of Members absent may also be locked at the direction of the Chair. And it would seem to me appropriate that we adopt a convention that the Chair would announce prior to locking a switch that it was going to lock the switch so that you don't have a Member present who wants to vote have his switch locked by the willfulness or misuse of the Chair."

Speaker McPike: "It's the Chair's understanding that you're talking about those that have an excused absence, that once an excused absence is announced from the floor, that the Clerk will then announce that those switches are to be locked?"

Vinson: "Well, I'm... no. That... That kind of situation where the person is an excused absence or is absent on the Quorum Call, I have no quarrel with locking that switch. I think that's appropriate. The situation that I'm thinking about is the kind of situation that you typically get into in late June where a Member is not present in the chamber and his switch is repeatedly voted and the Chair has asked that the switch not be voted. And then, it would seem to me

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that before the Chair annou... before the Chair locked that switch, that the Chair announce that that switch is going to be locked."

Speaker McPike: "Representative Vinson, your point is well taken. The Clerk will not be locking switches unless directed to by the Chair."

Vinson: "Thank you."

Speaker McPike: "Page 12 of the Calendar, Amendatory Vetoes. The Chair will call those Bills where there are Motions to accept the Governor's amendatory veto. That's on page 14, the bottom of page 14 of the Calendar, Amendatory Veto Motions. Where a Motion has been both... to override or both to override and accept, we will not hear those at this time. We will call only those amendatory veto Motions where a Member has filed to accept the Governor's amendatory veto. And on that Order appears House Bill 47, Representative Leverenz. Representative Leverenz in the chamber? Out of the record. House Bill 53, Representative Preston. Mr. Clerk."

Clerk O'Brien: "House Bill 53, a Bill for an Act to amend the Code of Criminal Procedure. A Motion to accept the Governor's amendatory veto message."

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

Preston: "Yes, thank you, Mr. Speaker. Thank you, Mr. Speaker. The Governor's amendatory veto of House Bill 53 chan... The Bill itself was a Bill that would, for the first time in Illinois, permit the introduction into evidence at the trial of an accused juvenile sex offender, to have the statement of that juvenile victim introduced into evidence by way of a video taped statement so as to save some portion of the trauma that child victim would have to go through in testifying in open court. The Governor's amendatory veto simply requires that the video tape that is

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made permits, at the time of making the video tape, permits cross-examination of the child witness to take place to keep in accord with the requirements of the confrontation clause of the United States Constitution. And I'd ask for your acceptance and your vote to accept the Governor's veto."

Speaker McPike: "Gentleman moves to accept the Governor's amendatory veto on House Bill 53. And on that, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Sponsor yield?"

Speaker McPike: "He will."

Cullerton: "Representative Preston, one of the changes that the Governor makes is to make the video taping discretionary with the court. Is that correct?"

Preston: "Yes, that's correct."

Cullerton: "Now, who then has the burden of proving the necessity for the taping?"

Preston: "The... the moving party, which would, in this case, be the state."

Cullerton: "Okay. And that would be a motion then the state would have to..."

Preston: "That is correct."

Cullerton: "Right."

Preston: "Representative Cullerton, there are a number of circumstances where the video taping might not be necessary and the discretion is left with the court to make that determination. All children aren't equally traumatized by an episode and all episodes of sexual abuse are not as intimate or intense as every other episode may be. And the occasion could arise where an older child, who has not been terribly traumatized, in the courts discretion the court may say that there's no need to use video tape in this case because the child can testify himself or herself."

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Cullerton: "Well, if there's a motion necessary and the state has the burden of proving its necessity to have the video tape, then wouldn't it be necessary for them to come forward with some evidence? And if they have to come forward with some evidence, might it require the presence of the child in court?"

Preston: "Yes. Representative Cullerton, yes, that may be necessary; but, under..."

Cullerton: "And isn't the purpose of the Bill to avoid having the child to come to court?"

Preston: "Yes, John, but there would never be a situation where the child or the child's parents say that we are not going to testify and we won't go forward with this where the state, nonetheless, goes forward with it. So, there would always be... there would always be acquiescence and acceptance by the child witness and that child witness's parents to permit that motion to be made."

Cullerton: "Alright. Let me ask you about another part of the amendatory veto. Does he add a Section which deals with the fact that only one video tape may be made?"

Preston: "Yes, that's correct."

Cullerton: "Okay. And what happens if the original tape is lost or destroyed?"

Preston: "That, unfortunately, is not dealt with in the Governor's veto message. And that... there's no question that's a defect. My feeling on this, John, is that I'm not happy with the veto for a number of reasons, some of which you're pointing to. And, secondly, I'm not happy with the portion that would require the cross-examination to be done at the time of making the video tape. However, I do think it's very important to get this Bill on the books and worry about cleaning it up at some future time."

Cullerton: "You feel... Then, along those lines, do you feel



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that the original Bill that you passed needed any cleaning up at all?"

Preston: "I liked the Bill as originally passed. I thought it was cleaned up very well. I think this veto makes it less of a forceful Bill than it was before but better than not having anything at all."

Cullerton: "Well, there's nothing in our rules that I know of to preclude us from attempting to override the Governor's veto. And then if it's unsuccessful, then accepting the Governor's veto... amendatory veto."

Preston: "I understand that."

Cullerton: "Alright. Well, if this thing prevails, then maybe we should at least have some legislative intent to find out what you're saying. You're saying that if the original tape is lost or destroyed, that you're out of luck. You can't... You can't..."

Preston: "No, I'm not saying that, John. I'm saying that that's left to the courts to determine at that point what goes on. This was not my writing of this Bill. This is the Governor's language, and I'm not happy with it."

Cullerton: "And... and is it your understanding then that with the Governor's language, that there's no way you can have a new tape?"

Preston: "I can't address that, because I... I'm not prepared to say that at all. That's for the court to determine."

Cullerton: "I have another question. The... allowing the cross-examination during the taping, could you explain how he's changed your Bill again?"

Preston: "I'm sorry. Would you repeat that?"

Cullerton: "I guess we have to get a new sound system here. It's hard to hear. The Governor changed that Section dealing with cross-examination during the taping. Could you describe what he changed in your Bill?"

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Preston: "Yes. Under the original Bill, there was no cross-examination at all during the taping. Under the Governor's veto, they now have cross-examination during the taping. Under the original Bill and the original proposal, any cross-examination that was to be done was to be done at some future time after the tape was made and after the tape was introduced into evidence, and that cross-examination would take place in a separate room and be transmitted to the jury by way of closed circuit television. The... Under this provision, now the cross-examination takes place at the same time the direct examination takes place."

Cullerton: "So, as a result of this change, it's possible for the defendant to not have the right to cross-examine the child witness at the trial."

Preston: "That... Again, I don't want to address that. That is a possibility, since cross-examination will be taking place at the time the tape is made."

Cullerton: "But not in front of the jury or the Judge who is going to decide the guilty or innocent."

Preston: "No. Well, no. In front of the Judge. The Judge is present at the ..."

Cullerton: "What if it's a jury trial?"

Preston: "Well, listen to me. Let me answer your question. There is a taping made in the presence of the Judge, the attorneys, both the state's attorney and defense attorney, the victim, the witness and whatever personnel are necessary for... to ensure the safety and best interests of that child victim. That... that direct examination and cross-examination will all be video taped. At some future time, that video tape will be played for the jury. So, the confrontation is taken care of because there was an opportunity to have complete cross-examination of that child, but the cross-examination of the child was not done

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live for the jury but done on video tape for the jury."

Cullerton: "And what happens if new evidence has been discovered since the time of the original taping? New evidence about the credibility of the child's original testimony?"

Preston: "That... the child can be called again, and that was true under the original Bill and that was true under this Bill."

Cullerton: "And does the defendant have the right to call the child?"

Preston: "If there's new... if... they would have the same right to recall somebody who has testified under the present Bill as they always did under our laws."

Cullerton: "But, in your original Bill, the only way that..."

Preston: "Under the original Bill, there was no cross-examination outside the court."

Speaker McPike: "Representative Cullerton, could we bring this to a close?"

Cullerton: "No. No. This is a very important Bill, and I've got to answer these... I've got to ask these questions. I don't care if anybody's listening. It's not my fault."

Speaker McPike: "Alright. Proceed."

Cullerton: "Under the original Bill, the child's recorded statement was admitted into evidence only if the defendant was allowed to cross-examine the child at trial. And that's been changed, correct?"

Preston: "Well, no. There... the defendant was always permitted to cross-examine the child witness. That's a requirement of our Constitution. The question here is, and what has been changed is, when will that cross-examination take place? Will it take place live at the time of trial, or will that cross-examination take place before the trial at the time the video tape is made? Under the Governor's amendatory veto, that cross-examination will now take place

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at the time that the tape is made."

Cullerton: "Okay. Let me ask you this. If the defendant's... if the defense calls a child during the taping..."

Preston: "I'm sorry, John."

Cullerton: "If the defendant calls the child during the... for the taping, is the defendant allowed to do a direct examination or only a cross-examination?"

Preston: "If the defense... I... my understanding is the defense cannot require the child to have video tape. That is not an option with the defense. That's the state's option."

Cullerton: "The defendant doesn't have a right to call the child witness as a..."

Preston: "Not under video tape. You can't... You... the video tape isn't made at the motion of the defense. The video tape is made under motion of the state. And there's not any reason on God's earth why the defense would insist on a video taping..."

Cullerton: "I apologize. Apparently, my analysis is in error then."

Speaker McPike: "Former Representative Tommy Hanahan."

Preston: "It wouldn't be the first time."

Cullerton: "I think that... Mr. Speaker, I apologize for taking so much time, but I think that what the Sponsor has revealed in his answers is that the Governor's amendatory veto messes up his Bill. And his Bill was a fine Bill when we passed it. And, for some reason, rather than making a Motion to override the veto and seeing how that works, he's made a Motion to accept the amendatory veto. I think that I'm just going to vote 'present'. I think this was a good Bill when he passed it."

Preston: "Mr. Speaker."

Cullerton: "And as a result, I think that if this Motion fails, then we can go to a Motion to override; and, if that

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doesn't work, we can come back to this Motion."

Preston: "Mr. Speaker."

Speaker McPike: "Further discussion?"

Preston: "Mr. Speaker, if..."

Speaker McPike: "Representative Preston?"

Preston: "Mr. Speaker, I ask, and I apologize for having so much go on in discussing this - I'd like to take this out of the record so I'd have an opportunity to discuss this with Mr. Cullerton and anyone else who may have a concern."

Speaker McPike: "Mr. Clerk, take the Bill out of the record. Representative Greiman in th Chair."

Speaker Greiman: "For what purpose does the Gentleman from DeWitt, Mr. Vinson, seek recognition?"

Vinson: "Mr. Speaker, we've had a gross transgression of the rules already in this Veto Session. I notice being distributed on our desks on General Assembly letterhead is... in violation of the rules, is a notification about some private event. The use of public money for propagandizing about private events is deplorable and might well be a violation of the law. But what really bothers me is that this literature would be distributed on our desks in violation of our rules. And I would like you to take to task to people who so violate the rules and to correct them."

Speaker Greiman: "I appreciate your calling it to the Chair's attention, Mr. Vinson. The Chair will certainly investigate this trans... this alleged transgression."

Vinson: "I'm sure the Chair will investigate. I just hope that we'll finally get a report on the investigation."

Speaker Greiman: "Perhaps you could even send one up to the Chair, since the Chair has no idea what you're talking about."

Vinson: "Oh. Oh, I'll bring it right up."

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Speaker Greiman: "Thanks. On the Order of Amendatory Vetoes, page 15, appears House Bill 72. Mr. Rea, 72. The Gentleman from Franklin, Mr. Rea."

Rea: "Thank you, Mr. Speaker, Members of the House. House Bill 72 increases the mine subsidence insurance for property owners from 50,000 dollars to 100,000. And in the amendatory veto, there were just technical changes. It does the very same thing but says it in a little bit different way, and I would move for the adoption of the amendatory veto on House Bill 72."

Speaker Greiman: "The Gentleman from Franklin, Mr. Rea, has moved that the House adopt the amendatory veto of the Governor with respect to House Bill 72. On that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 72 by the adoption of the Amendment?' This is final action. All those in favor signify by voting 'aye', those opposed 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 110 voting 'aye', none voting 'no', none voting 'present', and this Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change regarding House Bill 72 by the adoption of the Amendment. On the Order of Amendatory Veto Motions appears House Bill 142, Ms. Currie. The Lady from Cook, Ms. Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I move that we do adopt the Governor's specific recommendations for change on House Bill 142. This is a Bill to provide public support for radio and... public radio and public television stations across the state. The Governor's changes include one technical change to make the formula an

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accurate one. The second one makes sure that all public radio stations in the state are presently available for these grants."

Speaker Greiman: "Lady from Cook, Ms. Currie, has moved for the adoption of the Governor's amendatory veto. And on that, is there any discussion? There being none, the question is, 'Shall... Shall the House accept the Governor's specific recommendations for change with respect to House Bill 142 by the adoption of the Amendment?' This is final action. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 85 voting 'aye', 24 voting 'no', none voting 'present', and the House... and this Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change regarding House Bill 142 by the adoption of the Amendment. The Chair recognizes the Majority Leader, Mr. McPike, for purposes of a Motion. Mr. Vinson, yes, for what purpose do you seek recognition?"

Vinson: "I think that it's appropriate that Mr. McPike didn't show up when you asked for the Majority Leader. I do note that Mr. Giorgi's in his seat as always, and maybe you should call on him for the Motion."

Speaker Greiman: "Mr. McPike was in his... was in his Chair, Mr. Vinson. Surely all you had to do was turn your head and watch... and see him. Mr. McPike."

McPike: "I'm sorry that Representative Vinson has a neck problem and can't look over this way, but maybe he could visit with the doctors. I move that the... I move that we now stand adjourned until the call of the... I move we now stand in recess until the call of the Chair."

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Speaker Greiman: "The Gentleman from Madison moves that the House stand in... at recess until the call of the Chair. Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House is in recess. The Special Session... Second Special Session of the 84th General Assembly will now come to order. Mr. McPike. Mr. McPike moves that the... moves that the Roll Call for the... that the Quorum Roll Call for the Session just recessed be deemed to be the Roll Call for the Special Session. Are there any objections? Without objections, so ordered. Mr. McPike."

McPike: "Thank you, Mr. Speaker. I now move that the Second Special Session stand adjourned until tomorrow at the hour of 10:30 a.m."

Speaker Greiman: "The Gentleman from Madison, Mr. McPike, moves that the Second Special Session stand adjourned until the hour of 10:30 tomorrow. All those in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Second Special Session stands adjourned until the hour of 10:30 tomorrow. The Chair now calls the Regular Session to order. We'll just go back a Bill or two to pick up House Bill 47 on Amendatory Veto Motions, page 15 of the Calendar. The Gentleman from Cook, Mr. Leverenz."

Leverenz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move that we would accept the recommendation and the amendatory veto of the Governor. It changes references to Public Act 81-0045 and Public Act 81-0093, and it simply cleans it up. I would move for the acceptance of the Governor's veto."

Speaker Greiman: "Gentleman from Cook, Mr. Leverenz, has moved to adopt the Governor's recommendations for amendatory veto on House Bill 47. On that, is there any discussion? There



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being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 47?' All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is 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 102 voting 'aye', 3 voting 'no', 1 voting 'present', and the House... and the Motion, having received the Constitutional Majority, the House accepts the Governor's specific recommendations for change with respect to House Bill 47. On the Order of Amendatory Vetoes appears House Bill 344. The Gentleman from Cook, Mr. Preston, House Bill 344. Gentleman from Cook, Mr. Cullerton, for what purpose do you seek recognition?"

Cullerton: "Yes, I wonder if the Gentleman could take this out of the record for just a moment."

Speaker Greiman: "Mr. Preston, we will take that out of the record..."

Cullerton: "It's not Preston's Bill."

Speaker Greiman: "I'm sorry. Yes, I'm sorry. Mr. Peterson. Mr. Peterson."

Peterson: "Yes, Mr. Speaker."

Speaker Greiman: "Alright. ... asked that it be taken out of the record for a moment or two. We'll get back to you."

Peterson: "That's fine."

Speaker Greiman: "Fine, Mr. Cullerton. On the Order of Amendatory Veto Motions appears House Bill 431, Mr. Ropp. Gentle... Out of the record. Amendatory Veto Motions appears House Bill 513, Mr. Hicks. Gentleman from Jefferson, Mr. Hicks."

Hicks: "Yes, Mr. Speaker, I'd move to accept the specific recommendations of the Governor of House Bill 513. House Bill 513 is the sign Bill for the interstate highways, and

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the Governor has made some changes in the Bill that... and those changes specifically state where economically feasible will those signs be put in. And I would move to accept those changes."

Speaker Greiman: "The Gentleman from Jefferson, Mr. Hicks, moves that the House accept the Governor's specific recommendations for change with respect to House Bill 513. And on that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 513?' 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 106 voting 'aye', none voting 'no', 1 voting 'present', and the Motion prevails and the House... and has received a Constitutional Majority. And the House accepts the Governor's specific recommendations for change regarding House Bill 513. The Clerk is going to be printing a Supplemental Calendar on Motions with respect to overrides, and if you... and if it's your intention to make such a Motion, this would be an appropriate time to come to the well and present that Motion so that it may be included on the Supplemental Calendar - for Motions to accept we are talking about. That's what we are covering today. For what purpose does the Gentleman from Livingston, Mr. Ewing, seek recognition?"

Ewing: "Mr. Speaker, I really wanted to try the mic, but, no. I noticed that you just handled House Bill 513, and I wondered, did we move past those in between or did..."

Speaker Greiman: "We are... We've announced that we're taking those Bills where the Sponsor has requested a Motion to accept, where there are only one Motion and there's no

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Motion to override. So, we're limiting the scope of our...  
of our Motions today."

Ewing: "Take care of some of the easy ones, first. Thank you."

Speaker Greiman: "Right, Tom. On the Order of Amendatory Veto  
Motions appears House Bill 521. The Gentleman from DuPage,  
Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. I move to accept the  
Governor's specific recommendations for change. This Bill,  
as originally drafted, extended anti-trust immunity... or  
anti-trust immunity to municipalities of the state under  
the state action exemption but did not provide for any  
limitation on relief against the municipalities in cases  
where they were not exempt. In cases where they are not  
exempt, the amendatory veto provides that the only relief  
available is injunctive relief, no damages. And I move to  
accept the Governor's specific recommendations for change."

Speaker Greiman: "Gentleman from DuPage moves that the House  
accept the Governor's specific recommendations for change  
with respect to House Bill 521. And on that, is there any  
discussion? There being none, the question is, 'Shall the  
House accept the Governor's specific recommendations for  
change with respect to House Bill 521?' 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? Mr. Clerk, take the record. On this question there  
are 109 voting 'aye', none voting 'no' and 2 voting  
'present', and the House does accept the Governor's  
specific recommendations for change by the adoption of the  
Amendment with respect to House Bill 521. On the Order of  
Amendatory Veto Motions, page 15 of the Calendar, appears  
House Bill 891. Mr. Levin, the Gentleman from Cook."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. I move that the House do accept the Governor's

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specific recommendations for change with respect to House Bill 891. House Bill 891 modifies the due process appeals procedures with respect to special education as far as who can be the hearing officers and whose the... who hears the appeals when they get to the state level. What the Governor did was simply to change the effective date from July 1, 1986 to January 1, 1986, as he indicates in his message, to comply with federal law and so that we will not lose the federal funding for special education. I think the Governor did the right thing, and I urge that we accept his amendatory veto."

Speaker Greiman: "Gentleman from Cook, Mr. Levin, has moved that the House accept the Governor's specific recommendations for change with respect to House Bill 891. And on that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 891?' 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 111 voting 'aye', none voting 'no' and none voting 'present', and the House does... and this Motion, having received the Constitutional Majority, the House does accept the Governor's specific recommendations for change with respect to House Bill 891. On the Order of Amendatory Veto Motions appears House Bill 982. The Gentleman from Cook... Out of the record. On the Order of Amendatory Veto Motions appears House Bill 1000. The Gentleman from Lake, Mr. Matijevich. Gentleman from Lake, Mr. Matijevich."

Matijevich: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House, I move to accept the specific recommendations of the Governor as to House Bill 1000. House Bill 1000 enacts a

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new Toxic Substance Disclosure Act in response to apparent federal preemption of portions of that Act and in compliance with a Federal Court decision. The Governor supports all of the provisions of the Bill which implement that response and comply to that decision. However, the last Section of the Bill, Section 16, adds language relating to testing of drinking water. The Governor's amendatory veto removes that Section of the Bill without comment on whether the EPA testing requirements should be relaxed for smaller communities. I now support that action of the Governor and do so move and ask for your support."

Speaker Greiman: "Gentleman from Lake has moved that the House accept the Governor's specific recommendations for change with respect to House Bill 1000. And on that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 1000?' 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. Mr. Clerk, take the record. On this question there are 102 voting 'aye', 3 voting 'no', 1 voting 'present', and the Motion carries and has received a Constitutional Majority. And the House accepts the Governor's specific recommendations for change with respect to House Bill 1000. On the Order of Amendatory Veto Motions appears House Bill 1680. The Gentleman from Cook, Mr. Keane."

Keane: "Thank you, Mr. Speaker. I move to accept the Governor's amendatory veto on House Bill 1680. The amendatory veto makes the language clearer and it basically just indicates that for the preamble, heading and other explanatory matters is the... are the exact words that were put in, and I move to accept the Governor's amendatory veto."

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Speaker Greiman: "Gentleman from Cook, Mr. Keane, has moved that the House accept the Governor's specific recommendations for change with respect to House Bill 1690. And on that, is there any discussion? The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Mr. Speaker, didn't we miss some of the acceptances?"

Speaker Greiman: "Mr. Vinson, were you rising on a point of order or what?"

Vinson: "It appeared to me that the Order of... the Calendar Order that the Chair was on we missed some Motions to accept amendatory vetoes."

Speaker Greiman: "No, the Chair announced that it would not be con... would not concern itself with... would not call Bills for which Motions had been filed for an override or where there were both filed, both an override and an acceptance filed. So, as far as I can make out..."

Vinson: "So, all of those, even though the Motions don't appear on the Calendar, there are override Motions that are filed now?"

Speaker Greiman: "No. I'm going down the Calendar, Mr... Mr. Vinson."

Vinson: "I see. Okay, thank you."

Speaker Greiman: "There being no further discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 1680?' 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 106 voting 'aye', none voting 'no', 2 voting 'present', and this Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change with respect to House Bill 1680."

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On the Order of Amendatory Veto Motions appears House Bill 1814. The Gentleman from Kendall, Mr. Hastert."

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to accept the Governor's amendatory veto of House Bill 1814. Basically, the amendatory veto covers two issues. One is the issue of CPE, which is customer preference equipment, and there was a problem that was identified by the Illinois Commerce Commission. I think they just finally read the Bill to find out what was in it. And they thought that the way that was worded, they would have to flash cut, which was against the basic policy of the Joint Committee. The other issue was on cross subsidization and how the bookkeeping on that would be done and what the long-term fixed cost would be, and it was a rewording on how that determination would be made."

Speaker Greiman: "Gentleman from Kendall, Mr. Hastert, moves that the House accept the Governor's specific recommendations for change with respect to House Bill 1814. And on that, is there any discussion? The Gentleman from Cook, Mr. Levin."

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

Speaker Greiman: "He indicates that he will."

Levin: "I know you share my concern, Representative Hastert, that as portions of the telephone industry in our state become subject to competitive market forces, the people who remain customers of monopoly service; i.e., basic residential and single line business customers, not be overcharged for those services. We both know, through our work on the Joint Committee on Public Utility Regulation, that incentives are increasingly present for Illinois phone companies to reduce prices where they face competition and to use regulation to raise rates for monopoly services."

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This would obviously hurt users of basic service and would give established companies unfair market advantages at the expense of captive customers. As we worked together last winter and spring to develop House Bill 1814, we saw this problem and addressed it as thoroughly as we could. Section 13-507 of the Bill specifically directs the Commerce Commission to prevent telephone companies from subsidizing prices competitive offerings by overcharging for basic monopoly service. Now the Governor has recommended to us that the strong mandate we gave the Commerce Commission be weakened and made more discretionary. What about this mandate? What about the protection of monopoly customers? Isn't that why we have regulation at all?"

Speaker Greiman: "Yes, Mr... Mr. Hastert."

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Thank you, Representative Levin. You're certainly correct. I am concerned about what's happening to our telephone service and the three questions that you asked certainly are relevant. Neither you nor I or anyone in this chamber want to see the prices of basic telephone service go up or see anyone forced to do without service as a result of changes in the structure of this industry. 1814 was developed, introduced and passed with precisely those concerns in mind. And in... I believe it's thoroughly and diligently implemented by the Commerce Commission. The telephone industry in our state will weather the present period of change and come out for the better - more sophisticated providers of service for people of Illinois and, more importantly, the customer will be well protected in this issue. In specific answers to your questions, the mandate we passed is still in the identical form. The new language I have asked our colleagues to



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accept still requires the Commission to protect monopoly service customers against unfair rates. And, as you know, we have continued tradition, pervasive regulation of monopolies under this Bill. What the Governor has eliminated from Section 13-507 are specific procedures, and the Commission would have to follow in doing that. As his message stated - and I believe you have a copy of that on your desk - the procedures we specified would have cost tens of millions of dollars to implement, and, of course, the rate payers would have had to pick up that cost. Specifically, the present language of Section 13-507 would require the ICC to order all telephone companies, large and small, to keep a double set of books of accounts. The FCC spent several years investigating this requirement as a way to separate interstate and intrastate revenues and expenses and found it wholly unworkable. Obviously, our Commission doesn't need a mandate to force it to chase its tail anymore than it's already doing. In any event, I'm confident, having reviewed the suggestion and having discussed this issue with a number of individuals, that the change will not weaken our regulatory mandates and, in fact, will further protect customers of basic service. I hope I've answered your question."

Speaker Greiman: "Mr. Levin."

Levin: "Thank you, Representative Hastert. With that explanation, I support your Motion to accept the Governor's amendatory veto."

Speaker Greiman: "Mr. Hastert, to close. Question... There being no further discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 1814?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all... Have all voted who wish?"

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Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'aye', none voting 'no', none voting 'present'. Representative Greiman 'aye'. On this question there are 113 voting 'aye', none voting 'no' and none voting 'present', and the House does accept the Governor's specific recommendations for change with respect to House Bill 1814. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Amendatory Veto Motions appears House Bill 1947. The Gentleman from DuPage, Mr. Barger."

Barger: "Thank you, Mr. Speaker. I move the acceptance of the amendatory veto of the Governor on House Bill 1947. House Bill 1947, among other things, revived the Medical Determination Board within the Department of Health... Public Health. The Governor's veto takes the Hospital Licensing Board and the Ambulatory Surgical Treatment Center Board out from under the power and authority of the Medical Determination Board, and this is totally acceptable. And I ask for your support. Thank you."

Speaker Greiman: "Gentleman from DuPage, Mr. Barger, moves that the House accept the Governor's specific recommendations for change with respect to House Bill 1947. On that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 1947?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'aye', 2 voting 'no' and none voting 'present', and the Motion prevails. And the House does accept the Governor's specific recommendations for change, this Motion, having received an Extraordinary Constitutional Majority, which

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was required. On the Order of Amendatory Veto Motions appears House Bill 1969. The Lady from Marshall, Ms. Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to accept the Governor's amendatory changes in House Bill 1969. The original Bill amended the Endangered Species Act and made some changes with regard to endangered flora and fauna. The Bill provided new protections for endangered and threatened species of both animals and plants. However, in his amendatory changes, the Governor pointed out that there was some confusion over the definitions included in the Bill and the duties of the various Departments that would be required to take actions under the legislation. Therefore, the Governor made some questions... made some procedures establishing criteria for approved projects. Then, he has also taken care of any possible confusions between the duties of the various Departments. I move to accept the Governor's recommendations for change."

Speaker Greiman: "The Lady from Marshall has moved that the House accept the Governor's recommendations for change with respect to House Bill 1969. And on that, is there any discussion? The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Mr. Speaker, would you have the Clerk read the title of the Bill?"

Speaker Greiman: "Mr. Clerk, read the title of the Bill. Well, Mr. Vinson, the Bill is on your desk, so we'll just proceed on. Did you want to comment on the Bill? The Gentleman from Adams, Mr. Mays."

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

Speaker Greiman: "Yes."

Mays: "... will this, in your mind, speed up the flow of studies

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and things like that for highway projects, for example, or will it bog them down further?"

Koehler: "It is the position of the Department that it would clear up any inconsistencies in the responsibilities to be designated to the Department of Conservation and the Department of Transportation. It was cause them to work together in a more expeditious manner."

Mays: "Okay. To the Bill and on the Lady's representations..."

Speaker Greiman: "Proceed, Sir."

Mays: "If, indeed, this is a measure that will help improve the speed by which a given project can be undertaken and the cooperation between the given agencies, I would wholeheartedly support it. I, however, have some reservations that... and I'm personally going to vote 'present' on this Bill because of those."

Speaker Greiman: "Further discussion? There being none, the Lady from Marshall, Ms. Koehler, to close."

Koehler: "Thank you, Mr. Speaker. And in answer to Representative Mays' concern, it... according to the Department, the problems that might have been experienced have certainly been worked out, and we do not expect to encounter any of the problems that... to which you might have been referring to in the Adams County situation. And we do not think that this piece of legislation will exacerbate those kind of problems but, quite to the contrast, will ease the ability of the two Departments to work together."

Speaker Greiman: "Question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 1969?' 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

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question there are 105 voting 'aye', none voting 'no', 9 voting 'present', and this Motion, having received the Constitutional Majority, hereby prevails. And the House accepts the Governor's specific recommendations for change with respect to House Bill 1969. On the Order of Amendatory Veto Motions appears House Bill 2226. The Gentleman from Cook, Mr. Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to accept the Governor's veto on House Bill 2226. The change primarily changes the eligibility age from 16 to 21. We had an age from 16 to 23."

Speaker Greiman: "The Gentleman from Cook, Mr. Turner, has moved that the House adopt the Governor's specific recommendations for change with respect to House Bill 2226. And on that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 2226?' 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 105 voting 'aye', 4 voting 'no', 1 voting 'present', and the House does accept the Governor's specific recommendations for change. And this Bill, having received the Constitutional Majority, is hereby declared passed. Yes, Mr. Rice, for what purpose do you seek recognition?"

Rice: "My... Record me 'aye', Sir."

Speaker Greiman: "Alright. Well, we'll have to be rather kind and thoughtful of each other. Apparently, the switch on Mr. Rice's desk didn't work. So, the Gentleman has leave to be recorded 'aye' on this last Roll Call. You have leave, Mr. Rice. For what purpose does the Gentleman from Bureau, Mr. Mautino, seek recognition?"

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Mautino: "Thank you, Mr. Speaker. Inquiry. Since you were seeking Motions to accept the Governor's veto, I did file one on House Bill 2054 that's agreed."

Speaker Greiman: "Just now, you mean, Mr. Mautino?"

Mautino: "About a half an hour ago."

Speaker Greiman: "Yes, well, the Clerk advises me there will be a Supplemental Calendar, so we'll just wait for a moment or two till that's been distributed. The Chair now moves to Total Veto Motions on page five of the Calendar. And on the Order of Total Veto Motions appears House Bill 82. The Gentleman from Kankakee, Mr. Pangle. Mr. Pangle. Out of the record. Total Veto Motions appears House Bill 124. The Gentleman from Cook, Mr. Brookins. Mr. Brookins, House Bill 124."

Brookins: "Mr. Speaker..."

Speaker Greiman: "Mr. Brookins, proceed, Sir."

Brookins: "Can we pass for now?"

Speaker Greiman: "Yes. Out of the record. Page five of the Calendar, Total Veto Motions, appears House Bill 124, a Motion by Mr. Young. Mr. Young, did you wish to proceed on that? Out of the record. On the Order of Total Veto Motions appears House Bill 241. The Gentleman from Cook, Mr. Ronan. Mr. Ronan."

Ronan: "Thank you, Mr. Speaker, Members of the House. I move to override the Governor's total veto Motion on House Bill 241, which is the creation of the Illinois Infrastructure Revolving Loan Fund. I'll be glad to answer any questions concerning the veto."

Speaker Greiman: "The Gentleman from Cook, Mr. Ronan, has moved that House Bill 241 pass, the veto of the Governor notwithstanding. And on that, is there any discussion? Gentleman from DeWitt, Mr. Vinson."

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

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

Vinson: "Representative, you're moving for a... to override the Governor's veto on this Bill?"

Ronan: "That's correct, Representative Vinson."

Vinson: "Now, as amended, when the Bill finally got to the Governor's desk, what did the Bill do?"

Ronan: "What the Bill did was a number of things. It established a Revolving Loan Fund so that we're in a position to get more federal money back here to the State of Illinois. I know you're in favor of that concept. It also called for a five year capital plan for all capital construction of the state, which the Governor did sign in another piece that we sent to his desk. And it also called for the establishment of local infrastructure studies on the part of local communities funded by DCCA. The Governor also signed that piece of legislation that went in another Bill. So that, basically, what the Governor did was that he vetoed the concept of more federal money into Illinois. I think it's very shortsighted on the Governor's part. It's a typical example where Illinois is 50th in return of federal dollars to Illinois; and, with this shortsighted veto by the Governor, we're going to remain 50th. But by you and I working together to override the Governor's veto, we'll probably end up 49th next year because of your hard work and good judgment."

Vinson: "Would you tell me how much federal money is available in this program now?"

Ronan: "Well, Representative Vinson, here's what happened. A week ago on Saturday, the Governor and I testified before the House Public Works Committee, which was having a hearing in Chicago to establish a National Infrastructure Revolving Loan Fund. The Governor and I stood there arm in arm and said that it's important that we get federal money

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here for the State of Illinois. I just can't remem... can't figure out why the Governor vetoed my Bill which was the mechanism to get federal dollars. But the Governor was there right with me, and we testified before the House Public Works Committee in Chicago. So, the Governor's obviously committed to federal dollars. He was just a little confused, and that's why his staff probably screwed up when they vetoed this Bill. But the Governor and I and you are going to work together to override this mistake on the part of the Governor's staff."

Vinson: "How much money is available from the Federal Government for this program?"

Ronan: "As I said, Representative... as I said, Representative Vinson, the Governor and I testified together just last week before the House Public Works Committee. When that federal legislation passes, there's going to be 30 billion dollars available. Illinois should get it to the tune of about 151 million dollars a year, when the federal legislation passes. That's why the Governor and I worked together. As I said, this is a staff oversight on behalf of the Governor's staff, and I'm sure that the Governor, if he was here right now, would say, 'Boy, my staff screwed up again, but we're going together to support Representative Ronan's veto override.'"

Vinson: "And this Bill also includes the five year planning process?"

Ronan: "Yes, it does, Representative Vinson, I'm happy to say. I sent a number of Bills to the Governor's desk that included that. He did sign that. So, that's the law for the State of Illinois. I appreciate your help on that. As I remember, you voted against it, but I know in your heart you thought it was right."

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



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the Gentleman's Motion. If the Federal Government had this enormous sum of money to make available to the state, then there might be some merit in this program. As we all know, the federal budget is enormously in deficit and, in fact, Congress has impressed us of trying to come to grips with how to cut more federal money... existing federal money coming to the state. It's clear there's not going to be a program to assist the states in something of this nature anytime very soon. Now, I think that ten years from now this Bill might have merit. But we would be, in overriding this veto at this time, trying to pace this Bill before its time. And I would urge a 'no' vote on the Gentleman's Motion to override and request a verification, should it appear to get the requisite number of votes."

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

Ronan: "Thank you, Mr. Speaker. Well, Representative Vinson, as usual, is shortsighted, but we're going to all work together right now to prove Representative Vinson wrong again. What we've got is an opportunity to get increased federal dollars into the State of Illinois. The Governor is supporting the federal legislation that's pending right now before the House Public Works Committee which will hopefully be passed this year. What we're doing is we're setting up a state mechanism so that when that federal legislation passes, we can get those federal dollars here back to the state in order to do water projects, sewer projects, local road projects and local bridge projects. The need is tremendous. We're all aware of that. The shortfall is great. If we work together, we can send this Bill over to the Senate where we can get the 36 votes over there and obviously be happy that we've got a mechanism established. I move for the override of House Bill 241."

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Speaker Greiman: "The question is, 'Shall House Bill 241 pass, the veto of the Governor notwithstanding?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. It requires an Extraordinary Majority to override a total veto of the Governor. Gentleman from Cook, Mr. Ronan, to explain his vote. Mr. Ronan, to explain his vote."

Ronan: "Thank you, Mr. Speaker. In order to explain my vote, I'm just amazed that there are on 64 votes on the board at this point. I want the Members on the other side of the aisle to under that Representative Vinson's wrong. He's making a mistake. The Governor supports this concept. It's obviously a staff error on how this veto occurred. The Governor was there just a week ago testifying before the House Public Works Committee showing that he supports the efforts of the Congress to get federal dollars back to Illinois. We can't get those federal dollars until we have a mechanism put into place. I hope that this... this astonishing fact will cause a few Members on the other side of the aisle to wake up to the fact that Representative Vinson's again leading them down the primrose path towards doom and gloom that only happens when Republicans don't do what's right. However, it looks like we're not going to get 71, so let's close it off and go to the next one."

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', 48 voting 'no', none voting 'present', and the Motion to override fails. Clerk, for an announcement."

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

Speaker Greiman: "Total Veto Motions, on page five of the Calendar, appears House Bill 320, Mr. Young, the Gentleman from Cook. Out of the record. Total Veto Motions, on page

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five of the Calendar, appears House Bill 341. The Lady from Cook, Ms. Wojcik."

Wojcik: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I move to override the Governor's total veto Motion on House Bill 341. I would like to explain to the Members of this Assembly that people who have purchased a life care facility would be disenfranchised if we did not allow this homestead exemption. Instead of them staying in their homes and possibly becoming wards of the state in the future in the event a serious illness has come upon them, they have chosen to purchase a life care facility whereby they will have perpetual care. These facilities will take them, care for them and allow them to be the private citizens that they so choose. Why should they not have the homestead exemption when it is something that all the other senior citizens of Illinois are already able to get? I move that we override the Governor's veto."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik, moves that the House... that House Bill 341 pass, the veto of the Governor notwithstanding. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would rise in support of the Lady's Motion. It's interesting, if you look at your mail, there's a flyer from the Department of Aging which is sent out to the senior citizens telling them about their rights. One of the rights that the Department of Aging brags about is the whole program that allows for deferral of property taxes. Now, it's interesting that they are bragging about it, because two or three years ago, when we passed that Bill, the Governor vetoed it, and the only reason why it's law is because we were able to override the Governor's veto. Similarly, we should override the Governor's veto on

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this Bill as well. I believe that the Supreme Court case that the Governor cited in questioning the constitutionality of this particular Bill does not apply to the facts in this particular case. And I would urge people who are concerned about the senior citizen program to support this Motion to override."

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

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would just like to add that in the Governor's message he pointed out two issues as to why he vetoed the measure, and I would submit that the issues that he cited are erroneous. Number one, that this is not precluded by the State's Mandates Act from being enacted. Quite the contrary, that there are specific exemptions for the homestead exemptions, which is what this particular Bill is addressing. Secondly, he refers to the Proviso Township case which provided that the owner of a real property that is anticipating the benefits of the homestead exemption must be actually the owner and on the premises for the building which is subject to the homestead exemption. This does not alter that premise one bit. The life care facility resident is, in fact, a leasehold resident, has a life estate in the premises and is, in fact, on the premises. So, clearly, it meets the constitutional mandates of the Proviso case. Lastly, I would point out that Cook County presently grants the residents of life care facilities in Cook County the benefits of the homestead exemption. If this override is sustained, it will definitely jeopardize the rights of those current residents of Cook County from continuing with the benefits of the homestead exemption. There's only 500,000 dollars lost to the Treasury of this state. It's insignificant for

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the state but it's very significant for the senior citizens that reside in these life care facilities."

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

Keane: "Thank you, Mr. Speaker. I rise in support of the Motion to override the Governor's veto. We had a long and exhaustive hearing on this Bill in Revenue. The Sponsor explained it very well. I think the previous speaker indicated that there are some faults in the Governor's override message. We do have... We do need for those people that are going into extended care facilities the homestead exemption break. I don't think the authors of the homestead would feel that they should be exempt from it. And for that reason, I rise in support of the Motion to override."

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

Ropp: "Thank you, Mr. Speaker. I stand in support of the override, too. Many, if not all of these senior citizens are individuals who have, in fact, taken care of their homes and have received homestead exemption. They now are in a position where they want to move into other facilities and make these long-term contracts, and I think it is appropriate that this Bill be passed so those people have the same kind of treatment that they had when they owned their own, individual homes. I stand in support of the override."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall House Bill 341 pass, the veto of the Governor notwithstanding?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'aye', 3 voting 'no', none voting 'present', and this Bill shall pass, the veto of the

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Governor notwithstanding. Alright. On the Order of Total Veto Motions, page five, Mr. Brookins, are you prepared now to proceed on House Bill 124? The Gentleman from Cook, Mr. Brookins."

Brookins: "Yes, Mr. Speaker, I move to override the Governor's veto on House Bill 124. The Governor did not really understand that we had built into the Bill a mechanism to safeguard the rights of both the defendant and the state in this instance, in that the Judge himself may take action. So, I'm asking for a favorable vote in the override of the Governor's veto."

Speaker Greiman: "Gentleman from Cook, Mr. Brookins, has moved for the passage of House Bill 124, the veto of the Governor notwithstanding. And on that, is there any discussion? The Gentleman from Cook, Mr. Parke."

Parke: "Thank you. Thank you, Mr. Speaker. On the last vote, 341, I pushed my button. It did not light. I'd like to be recorded as voting 'yes' on that Bill."

Speaker Greiman: "The... The transcript will reflect that you would have voted... what is the vote, 'aye', Mr. Parke? Alright, fine. Further discussion on House Bill 124? There being none, the question is, 'Shall House Bill...' Mr. Cullerton."

Cullerton: "Yes, I just wanted to endorse the Gentleman's Motion. The Bill, in effect, prohibits a court from granting a continuance in criminal cases for murder, Class X felonies and Class 1 felonies in which death or serious bodily harm is inflicted. But it does provide for an escape hatch, if you would, to allow for a continuance as long as the court indicates, on the record, what those reasons are. And they are very broad reasons for granting the continuance. As long as the court finds that the ends of justice may be served by the granting. But at least it gives the public

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the reasons why a case is being continued. Now, in the veto message, the Governor ignores the fact that these... this escape hatch is available. If the state's attorney's office is having problems finding witnesses in preparing cases, that certainly is within the interest of justice to grant such a continuance. But at least it allows for the public to know why a continuance was granted. So, I strongly urge you to support this Motion to override. As a matter of fact, it really was surprising to see the Governor, who is a former prosecutor and who is one who knows that the public is outraged with the long delays that we have in bringing people to justice in the criminal justice system, I was very surprised to see him veto the Bill, because this Bill will bring people to trial sooner and quicker. And for that reason, we should override the Governor's veto. I would also point out that the Bill passed 91 to 1 back on the 24th of May, and there was only one person who voted against it. So, I think it would be consistent for us to once again vote for the Bill twice. It would look bad if you voted for it and then you voted against it. You know, it would look bad. It would look silly. So, let's vote for it. I'd be happy to tell the individual who voted 'no' who he is if he wants to vote 'no' again this time that that would be fine, but I think the 91 who voted 'yes' should vote for it again."

Speaker Greiman: "Question is, 'Shall House Bill 124 pass, the veto of the Governor notwithstanding?' All in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 76 voting 'aye', 39 voting 'no'. Greiman 'aye'. 77 voting 'aye', 39 voting 'no', 1 voting 'present', and this Bill hereby is declared passed, the veto of the Governor

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notwithstanding. Now, we will move to Supplemental Calendar #1, Amendatory Veto Motions, and on that Calendar appears House Bill 60. The Gentleman from... Out of the record, Mr. Curran? Out of the record. On Supplementary Calendar 1, Amendatory Veto Motions, appears House Bill 231. The Gentleman from Will, Mr. Davis. 231, out of the record. Amendatory Veto Motions appear House Bill 335. The Gentleman from Livingston, Mr. Ewing. Mr. Ewing. Mr. Clerk. Proceed, Mr. Ewing."

Ewing: "Oh, thank you, Mr. Speaker. I would move to accept the Governor's amendatory veto for House Bill 335 and I'd be glad to explain. All we do is add one sentence to the Bill, which indicates that the administrator... we are talking now about Department of Transportation, can get copies of accident reports free, like they have in the past."

Speaker Greiman: "Gentleman... The Gentleman from Livingston, Mr. Ewing, has moved that the House accept the Governor's specific recommendations for change with respect to House Bill 335. And on that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 335?' All those in favor signify by voting 'aye', those opposed vote 'no'. The 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 113 voting 'aye', none voting 'no', none voting 'present' and this Bill, having received the Constitutional Majority, the House accepts the Governor's specific recommendations for change regarding House Bill 335. Supplemental... On the Order of Supplemental Calendar #1, Amendatory Veto Motions, appears House Bill 493. The Lady from Lake, Ms. Frederick... Ms. Frederick,



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Frederick: "Okay, Mr. Speaker, Ladies and Gentlemen of the House, I move that we accept the Governor's amendatory veto on House Bill 493. What the amendatory veto amounts to simply changes a word 'board' to 'hearing officer'. It's a technical change approved by the Department and I move acceptance."

Speaker Greiman: "The Lady from Lake, Ms. Frederick, moves that the House accept the Governor's specific recommendations for change with respect to House Bill 493. And on that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 493?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'aye', 1 voting 'no', none voting 'present' and the House does accept the Governor's specific recommendations for change and this Bill, having received the Constitutional Majority, is hereby declared passed. Amendatory Veto Motions appears House Bill 592. The Gentleman from Edgar, Mr. Woodyard. Out of the record. Amendatory Veto Motions appears House Bill 975. Gentleman from Rock Island, Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. House Bill 975, as it passed the House and the Senate, defined three things: one, definition of machine guns; two, sawed off shotguns and rifles; and seizures of vehicles. The Governor has simply clarified language dealing with machine guns. If you will remember back a few years when we had some controversial legislation over machine guns, he was very careful when he went over the Bill and this amendatory veto is simply

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clarifying language. And I would move to accept the Governor's veto... amendatory veto."

Speaker Greiman: "Gentleman from Rock Island, Mr. Brunsvold, moves to accept the Governor's veto... I'm sorry, moves to accept the Governor's specific recommendations for change with respect to House Bill 975. And on that, is there any discussion? Gentleman from DeWitt, Mr. Vinson."

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

Speaker Greiman: "Indicates he will."

Vinson: "Representative, what did... what's the amendatory veto do?"

Brunsvold: "The amendatory veto simply clarifies language that was in the Bill. The Governor wanted to make sure... he was a little upset over the Bill that passed quite a few years ago and he was very cautious and wants to make sure... clear that machine gun is defined as it was in federal statutes which the Bill defined as... mirrored the language of federal law and he is simply trying to define what a machine gun is... a weapon that can shoot no more than one round at a time with one pull of the trigger."

Vinson: "Now is the... Is the function of the definition of the term 'machine gun' in the statute such that this definition applies now to all other purposes for which we use the term 'machine gun' in the revised statutes?"

Brunsvold: "If you are referring, Representative, to the discussion we had on the House floor before, one pull of the trigger expending one round, that is the definition that he is clearing. A machine gun is defined as a weapon that with one pull of the trigger fires numerous rounds. This does not exclude shotguns, et cetera, that with one pull of the trigger it would expel one round, and he is simply trying to clarify the language that he felt - that I

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don't really feel there is any problem with to start with -  
and... but he is a little cautious and I accept that."

Vinson: "You say it does not exclude shotguns?"

Brunsvold: "No, no, by no means."

Vinson: "So, if it does not exclude shotguns, it includes  
shotguns and shotguns now become machine guns if they are  
double barreled shotguns with double triggers, right?"

Brunsvold: "No, a double trigger is simply is one pull of the  
trigger and one round is fired with each pull of the  
trigger. So..."

Vinson: "So you are telling me that there is no way in which a  
double barreled shotgun becomes a machine gun under the  
amendatory veto?"

Brunsvold: "No, we discussed this on the House floor at length, I  
think, back in the spring when the Bill passed, and simply  
the Bill I passed was mirroring federal law, changing the  
definition in Illinois' statutes so it would mean one pull  
of the trigger and one round."

Vinson: "I understand that that occurred under the Bill. My  
question is what occurs under the amendatory veto?"

Brunsvold: "The amendatory veto is simply trying to clarify the  
language, as far as the Governor felt needed clarifying. I  
didn't think it personally needed any more clarification  
than was already existed in the Bill. But evidently, if he  
feels it does, why then the language as he has... put into  
the Bill now would simply be more clarifying than what was  
already in there. And that's all I can say that the  
Governor did was just simply more clarification, as far as  
he was concerned, dealing with machine guns."

Vinson: "What is the actual difference in language?"

Brunsvold: "Pardon?"

Vinson: "What is the actual difference in language?"

Brunsvold: "Okay, on page 2, by inserting at the end of line 3,

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'a machine gun, which shall be defined for the purposes of this Subsection as'. That was the change that the Governor had put into the Bill. And then on page 2, line 8, he inserted the words, 'sells, manufactures, purchases, possesses or carries'."

Vinson: "Okay. Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 975?' 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', 3 voting 'present'. And the House does accept the Governor's specific recommendations for change. This Bill, having received the Constitutional Majority, is hereby declared passed. Supplemental Calendar #1, Amendatory Veto Motions, appears House Bill 1212. The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to accept the Governor's specific recommendations for change with respect to House Bill 1212. The portion of the Bill that the Governor amendatorily vetoed eliminated the requirement that counties with a population of 35,000 to 50,000 must maintain an Office of Public Defender. This was a Senate Amendment offered by Senator Donahue which I accepted. It has... we subsequently learned that this would have eliminated some public defender's office in some counties that wished to keep those offices. As a result, I'm accepting the Governor's recommendations for change. I'd be happy to answer any questions and I'd urge your support."

Speaker Greiman: "Gentleman from Cook, Mr. Cullerton, moves that the House do accept the Governor's specific recommendations

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for change with respect to House Bill 1212. And on that,  
is there any discussion? There being none, the question...

The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you very much, Mr. Speaker. Will the Gentleman  
yield?"

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

Mautino: "What's the cost of this amendatory veto for the  
increased compensation?"

Cullerton: "No, the amendatory veto doesn't deal at all with the  
compensation portion of the Bill. It deals with the  
requirement that counties with a population of 35,000 to  
50,000 must maintain an Office of Public Defender. And the  
Bill eliminated that requirement at the request of Senator  
Donahue. The Governor has excised that from the Bill. In  
other words, the law was not changed with regard to which  
counties have to maintain an Office of Public Defender."

Mautino: "Thank you."

Speaker Greiman: "Further... Have you concluded, Mr. Mautino?  
Further discussion? The Lady from Cook, Ms. Pullen."

Pullen: "I'd like to ask the Sponsor the question that I think  
the previous Gentleman was going after."

Speaker Greiman: "Would you wish the Gentleman to yield for  
questions?"

Pullen: "I would like the Sponsor to yield to a question,  
please."

Speaker Greiman: "Gentleman, Mr. Cullerton, the Gentleman from  
Cook, indicates he will yield for a question."

Pullen: "This is final passage of the entire Bill, not just  
consideration of the Amendment, is that correct?"

Cullerton: "No."

Pullen: "Is it not correct that if this Motion fails and there  
isn't an override the Bill is dead? So this is final  
passage of the entire Bill. We are not just considering

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the Amendment?"

Cullerton: "Oh, that's correct. I thought you were talking... I was referring to the fact that this is the first House in which we have to vote on the Motion to accept the Governor's recommendations."

Pullen: "Well, final passage here is final passage here regardless of whether it's the first House."

Cullerton: "It's final passage here, yes, but not final passage."

Pullen: "Then I would like to pursue the line of questioning the previous question began to ask you what the cost is of the compensation increase in the underlying Bill without respect to the amendatory veto itself."

Cullerton: "Yes, this has no cost whatsoever. That's why the Bill passed 113 to nothing on the Consent Calendar."

Pullen: "Would you please briefly describe the effect of the original Bill?"

Cullerton: "Right. The state imposes a maximum compensation that can be paid to public defenders in certain counties, that is, counties less than 500,000 and more than, I think, 30,000. And they limit that percentage of compensation to 80 percent of whatever the state's attorney makes. A certain... but this does not in any way affect their salaries because the salaries are voted on by the county board. So, it's my understanding that certain county boards, now that they have full time public defenders, wish to give them a raise and that they are statutorily barred from doing that because of the state law. So, the reason why it doesn't have any impact on salaries is because we are not paying for their salary. It's entirely up to the county board to decide whether or not they wish to raise or not. If they don't wish to raise, by our increasing the possibility of a raise, doesn't require that they pass on that raise."

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Pullen: "Is there any state reimbursement to counties for public defenders salaries yet?"

Cullerton: "No, entirely paid for by the county board."

Pullen: "Thank you. Thank you."

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

Satterthwaite: "Representative Cullerton, can you refresh my memory in regard to what happens in counties between 30 and I guess it's... no, it's counties in excess of 30,000? Would they still be permitted by county action to restrict the public defender from having a private practice?"

Cullerton: "Yes, that part is kept in. In other words, it says that if these public defenders receive at least 90 percent of the state's attorney's salary, then they may... they are barred from practicing law on the side or maintaining a private practice. That part is kept in."

Satterthwaite: "But in regard to a county... a public defender that was paid less than 90 percent of the state's attorney's salary, would the county be able to prohibit the public defender from having a private practice?"

Cullerton: "Well, I'm not sure whether the county could do it on their own. It seems to me they could do that in their contract with that public defender, but there is nothing in the law right now that prohibits a public defender from having a private practice of law. That part was added by this Bill."

Satterthwaite: "But some counties, in fact, by their own initiative, make that restriction. I want to know whether this legislation would supercede the county action if the public defender were receiving less than 90 percent."

Cullerton: "No, it would leave it open to the county to decide how they wanted to structure their contract with their public defender. It wouldn't mandate..."

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Satterthwaite: "So, it would only impose a restriction on those that were paid in excess of 90 percent and it would not in any way change what a county is able to do for someone who gets less than 90 percent."

Cullerton: "That's correct."

Satterthwaite: "Thank you."

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

Vinson: "Question of the Sponsor, Mr. Speaker."

Speaker Greiman: "Indicates he will yield for questions."

Vinson: "Am I correct in thinking that the action you want to take on this would be anti-trial lawyer in nature?"

Cullerton: "No."

Vinson: "Oh, then they are far more generous in inviting new competition than they used to be?"

Cullerton: "Yes."

Vinson: "Has Mr. Hart been in the meetings dealing with this Bill?"

Cullerton: "No."

Vinson: "Thank you."

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

Cullerton: "I believe we have amply debated this. I agree with the Governor's recommendations for change."

Speaker Greiman: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 1212?' 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 101 voting 'aye', 14 voting 'no', 1 voting 'present' and the House does accept the Governor's specific recommendations for change. And this Bill, having received the Constitutional Majority, is hereby declared



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passed. Supplemental Calendar #1, Amendatory Veto Motions, appears House Bill 1269. The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Please take it out of the record."

Speaker Greiman: "Out of the record. Amendatory Veto Motions, appears House Bill 1340. The Gentleman from Cook, Mr. Berrios."

Berrios: "I move to accept the Governor's amendatory veto. All he did was clarify the language in the Bill so that the requirements for the safety inspection would be there."

Speaker Greiman: "Gentleman from Cook, Mr. Berrios, moves that the House accept the Governor's specific recommendations for change with respect to House Bill 1340. And on that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 1340?' All 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', 2 voting 'no'. Greiman 'aye'. 114 voting 'aye', 2 voting 'no', 1 voting 'present'. Younge 'aye'. 115 voting 'aye', 2 voting 'no', 1 voting 'present', and the House does accept the Governor's specific recommendations for change with respect to House Bill 1340. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Amendatory Veto Motions appears House Bill 1341. The Gentleman from Cook, Mr. Berrios."

Berrios: "I move to accept the Governor's amendatory veto. All he did was clarify... he took out a Section of the... of the law that we had in the Bill because of the fact that it would have affected a lot of tow operators and it would

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have kept a lot of vehicles on the highways. And I move to accept it."

Speaker Greiman: "Gentleman from Cook, Mr. Berrios, moves that the House accept the Governor's specific recommendations for change with respect to House Bill 1341. And on that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 1341?' All in favor say... signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 110 voting 'aye', none voting 'no', 3 voting 'present'... yes, Mr. Ropp. Mr. Ropp votes 'aye'. Mr. Greiman votes 'aye'. On this question there are 112 voting 'aye', none voting 'no', 3 voting 'present', and the House does accept the Governor's specific recommendations for change with respect to House Bill 1341. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Amendatory Veto Motions appears House Bill 1755. The Gentleman from Macoupin, Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. The Governor changed the effective date of this Bill from July 1st, 1987 to July 1st, 1986. Some other technical changes were made. The Bill itself simply changes the name of the State's Attorneys Appellate Service Commission to the State's Attorneys Appellate Prosecutor. It's not a controversial Bill and I would agree with the Governor's changes and ask for an 'aye' vote."

Speaker Greiman: "Gentleman from Macoupin, Mr. Hannig, moves that the House do adopt the Governor's specific recommendations for change with respect to House Bill 1755. And on that, is there any discussion? There being none, the question

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is, 'Shall the House adopt the Governor's specific recommendations for change with respect to House Bill 1755?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Mr. Dunn, are you seeking recognition or waving to the gallery? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'aye', none voting 'no', none voting 'present', and the House does accept the Governor's specific recommendations for change with respect to House Bill 1755. On the Order of Amendatory Veto Motions appears House Bill 1924. Gentleman from St. Clair, Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. I would move to accept the Governor's recommendation for amendatory veto."

Speaker Greiman: "Gentleman from St. Clair, Mr. Stephens, moves that the House do accept the Governor's specific recommendations for change with respect to House Bill 1924. And on that, is there any discussion? There being none, the question is, 'Shall the...' Yes, Mr. Cullerton. Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, I wonder if the Gentleman could repeat what he just said? I... This new sound system takes a lot of getting used to, especially when you don't talk very loud."

Stephens: "Thank you, Rep... Yes, Sir, Representative Cullerton. I move to accept the Governor's amendatory veto on House Bill 1924. Did you hear that?"

Cullerton: "Yes, I heard that part, but then I didn't hear the explanation as to why we should do that."

Stephens: "I'm sorry. I might have overlooked that explanation. The... First of all, there were some technical problems without which the... without the amendatory veto, the original language of the Bill, which was a land exchange between the Department of Conservation and the Metro East

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Sanitary District would not have been possible. That was one portion. Also the Governor removed the language pertaining to the percolating waters that was an Amendment to my Bill that I had no great interest in. He also makes, as I mentioned, technical changes in the land description that was my original Bill. It renumbered some Sections, which was a technical change. It also allowed the Sanitary District Board, which currently consists of five members to remain at five members. And I have no problem with that."

Cullerton: "Well, we had a Conference Committee Report on this Bill, is that correct?"

Stephens: "Yes, we did."

Cullerton: "And we... In that Conference Committee we created a certain cause of action against sanitary districts for percolating water interception and I think that that only referred to those sanitary districts under the Sanitary District Act of 1917. That's what we did... we put in that into a Conference Committee Report, right?"

Stephens: "That's right."

Cullerton: "That was... As I recall, it may have only affected one Representative in one particular district. Is that right?"

Stephens: "Well, I know of at least one, yes."

Cullerton: "Pardon me?"

Stephens: "I know of at least one, yes."

Cullerton: "You know of at least one, and the Governor took that out, is that right?"

Stephens: "As he amended the veto, yes."

Cullerton: "So, how... how come we are not trying to override the Governor and pass the Bill as we passed it out of the House?"

Stephens: "Because if we override the Governor's amendatory veto, the original language of the Bill, which had a technical

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error, would cause the original Bill, which was a land transfer that's important to the people of the Metro East area would be null. It would not be accomplished. And... but... so, the purpose of my support of the amendatory veto is to go back to the original Bill which is important. The other... the Amendments to the Bill, including those relating to percolating waters and the sanitary district numbers... numbers of board members are, in my opinion, less important than the original Bill."

Cullerton: "Okay, let me... let me ask you one other question. In the Conference Committee, we decreased the size of the board of trustees for sanitary districts with municipalities over 90,000 or less than 100,000 from 5 to 3, and the Governor removed this decrease in the board size. Now, it appeared that this particular Section of the Conference Committee also was dealing with one particular legislative district. Could you tell me who that... whose legislative district that effected and why are we accepting the Governor's change?"

Stephens: "Would you restate your question, please? I'm sorry."

Cullerton: "Okay, the Conference Committee Report had another Section dealing with the number of members on the sanitary districts. Okay, and I think basically it said that the law before we passed this was that a sanitary district must be increased from 3 to 5 members when the population goes up. The threshold used to be between 90,000 and 500,000. What we did was change that to 100,000 to 500,000, so it was being done obviously with one district in mind. We passed it. The Governor took it out and I want to know why you are accepting it."

Stephens: "Well, I believe that he grandfathered that... that language and I don't know who the Representative is. I really don't, but I think that the district that was

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affected was the Aurora district."

Cullerton: "Aurora?"

Stephens: "If the Representative from the District of Aurora would like to make himself known. I have..."

Cullerton: "Well, it's a Republican. I think it's Representative Deuchler."

Stephens: "Okay, well, I will certainly accept that."

Cullerton: "You should get to know her sometime. She is very nice."

Stephens: "I have met her."

Cullerton: "So what you are doing by accepting this is that these two special deals you put in here for Deuchler and Tate, you're not going along with them."

Stephens: "Well, what we are doing is saving the original language of the Bill. And I'm getting words in my ear that say that Aurora is still taken care of, if that's of great concern to you."

Cullerton: "Okay, well, I just wanted to make sure that the Members of your side of the aisle knew what you were doing by accepting this amendatory veto. You are hurting... saving your Bill, but hurting a couple of your colleagues. But it's fine with me. I'll be happy to support your Motion."

Stephens: "I don't think... I think we have percolated this too much, but I don't think we are hurting anyone, Representative."

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

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

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

Wolf: "Representative Stephens, is there anything in the amendatory act of the Governor which would affect a sanitary district organized under a specific Act? And I am referring specifically to the Metro East Sanitary

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District."

Stephens: "I'm sorry. Would you repeat the question? I'm sorry."

Wolf: "I said is there anything in the amendatory veto of the Governor which would affect the organizational structure of a sanitary district organized under a specific Act? And I'm referring specifically to the Metro East Sanitary District."

Stephens: "No, no, Representative, there is not."

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

Tate: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'm basically rising, I guess, for a point of information and I think I'd like to make these comments for the record. In the veto message of this Bill, in regards to the percolating waters, that was an Amendment that I had put on because it was probably... in my tenure as a public servant, it was the worst violation of public faith that I have ever seen. We had a sanitary district in the City of Decatur that dug a sewer line right through two residential blocks. Each and every neighbor in that block, their water supply was totally decimated. The sanitary district in my district told the residents of those neighborhoods that they had no legal foundation to sue. They had no legal liability to totally strip the water supply out of that sanitary... from those neighbors. And so, therefore, I have to rise in opposition to my colleagues, even though it is... there are certain aspects of this Bill that I think are very important to see this passed. But I feel very strongly that if you believe in anyone's personal rights, that a sanitary district has a legal obligation, if they are going to dig a ditch through your front yard and they are going to destroy your water supply, that they have an obligation to replace that water supply. Thank you."

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Speaker Greiman: "Further discussion? There being none, the Gentleman from St. Clair, Mr. Stephens, to close, briefly."

Stephens: "Thank you, Mr. Speaker, and I just want to make sure that everyone understands what we are doing here. Representative Tate's remarks are well taken. I think we need to remember that we did make a technical error in the original language of the Bill. By overriding the Governor's amendatory veto, the result of that would be that the land transfer that's very important to the Metro East area and the development of a major park area in that area would be put back by at least a year. I certainly hope that you will support my Motion to accept the amendatory veto. Thank you."

Speaker Greiman: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 1924?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 111 voting 'aye', 4 voting 'no', 1 voting 'present', and the House does accept the Governor's specific recommendations for change. And this Bill, having received the Constitutional Majority, is hereby declared passed. Amendatory Veto Motions appears House Bill 2054. The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I move to accept the specific recommendations of the Governor as it pertains to House Bill 2054. Specifically, what he did was agree with the legislation, but he wanted to include within the Forms Management Program Act agricultural information, as well as the information submitted by businesses and local governments. And it has the support of the Central Management Services. The



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Administration and I agree with it, to include the agricultural enterprise in the provisions outlined in his message on page 1, line 9, page 1, line 14. And with those changes, I think the Bill is proper and I move for adoption...acceptance."

Speaker Greiman: "The Gentleman from Bureau, Mr. Hautino, has moved that the House accept the Governor's specific recommendations for change with respect to House Bill 2054. And on that, is there any discussion? I would just break the debate for a moment. It's rare that we have, on the floor of the House, people who have run for President of the United States, but I note that Mr. Daniels is over talking to... Oh, no, the Reverend Jesse Jackson is in back of the chamber and we welcome you to the Illinois General Assembly, Reverend Jackson. Is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 2054?' 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 111 voting 'aye', none voting 'no' and none voting 'present', and the House does accept the Governor's specific recommendations for change. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Amendatory Veto Motions appears House Bill 2132. The Gentleman from Jersey, Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I move to accept the Governor's amendatory veto. The Governor restored the penalty for... the criminal penalty for giving or accepting anything of value on bidding to make it consistent with other penalties concerning bribes and I would move to accept."

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Speaker Greiman: "Gentleman from Jersey, Mr. Ryder, moves that the House do accept the Governor's specific recommendations for change with respect to House Bill 2132. And on that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendation...' I'm sorry, Mr. Dunn, Gentleman from Macon."

Dunn: "Little difficult to hear. What does the Bill do and what does the Bill do as amended by the Governor?"

Ryder: "Representative, the original Bill changed from a Class 3... or a Class 4 to Class 3 felony for any of the offenses concerning offering a bribe or accepting a bribe. All the other offenses are Class 4. The Governor made it consistent. It picked up an Amendment along the way that dealt with purchasing and it's for that reason that I move to accept."

Dunn: "What was the Amendment regarding purchasing?"

Ryder: "That wasn't my Amendment, but I will do my best to explain it which indicates that purchasing a contracts for office equipment and supplies that are listed under GSA, we can use those values rather than opening for bids. The purpose is that since so many of those things are listed and are normal office supplies, the values would be known and asking for bids would be redundant and in some cases, by using GSA values, we would, in fact, be able to save money that might not be possible to be saved on a bidding situation."

Dunn: "And let me ask you this. Is there any dollar limit as to what can be purchased without competitive bids?"

Ryder: "There is not a dollar limit in this Bill because we are tying it to the GSA."

Dunn: "So the state could then buy a million dollars worth of office equipment and associated supplies without bid so

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long as the price is equal to or lower than the GSA price?  
Is that correct?"

Ryder: "That's my understanding."

Dunn: "And what's the magic of the GSA price?"

Ryder: "The magic of the GSA price is that that price has been established and we are... as long as we are lower than or equal to."

Dunn: "Well, Mr. Speaker and Ladies and Gentlemen of the House, because of this provision, I reluctantly rise in opposition and ask that we refuse to accept the Governor's veto. This provision should be taken out of this Bill or it should not become law. We have better ways to define what is probably a worthwhile motive here to avoid competitive bidding where there really are bargain rates. But I don't know that the General Service Administration contract price is always the best bargain. It may be the best bargain in the eastern seaboard and the Washington area. It may be the best bargain where there is a supplier for a large defense industry, but here in the State of Illinois, when we are talking about office equipment and associated supplies and when we are talking about small business and right around this Capital and around all the state facilities in the State of Illinois are retail organizations who are small business people who like to do business with the State of Illinois and who are willing to submit bids and to bid competitively for the right to sell office equipment and supplies to the State of Illinois. These people will be forced out because there will be no need to bid competitively and there will be one price for some large supplier who will supply everybody and not have to worry about a competitive bid. I think we ought to give everybody a chance. Bids may vary from location to location because of shipping costs and there are a lot of

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ramifications here. We have relied for a long, long time upon the free enterprise system. Competitive bidding is the best method to insure the best value for taxpayer dollars and I see no reason to move away from that at this time just because somebody in Washington says the price is a good one. Washington has, I think anyway, has been known to make an occasional mistake and when they do, we shouldn't pay for it here. We should buy our supplies with competitive bids."

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

Leverenz: "Sponsor yield?"

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

Leverenz: "Is this to get out from some... get out from under some time constraints or..."

Ryder: "Although time restraints are not specifically mentioned in the Bill, it's certainly a part of it since the GSA has already gone to the time and effort of getting the necessary prices. I believe that would be one reason."

Leverenz: "Could you help me? I have never seen a list of those supplies, but I did see something on '60 Minutes'. Are hammers and pliers and screwdrivers on those lists? Are those the ones the Navy bought for high prices? Is that the same list? Toilet seats?"

Ryder: "I think, Representative, that you are confusing the very special hammers that are used for highly military tasks, as opposed to the hammers that you use in your office to type with and that sort of thing. This is specifically... specifically limited to office supplies."

Leverenz: "Would you then be removing minority suppliers from having the opportunity at state business?"

Ryder: "No, no, we're simply establishing a price."

Leverenz: "Then how do you... How do you... How do you provide then for them?"

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Ryder: "They have the opportunity to supply as they would under the Purchasing Act as of this time."

Leverenz: "How would it... Would it interfere at all with set aside contracts or... How do you know that?"

Ryder: "I'm informed by my research, as well as the research of those who are more familiar than I with this Bill, if you can imagine that."

Leverenz: "But they only have an equal opportunity when you bid in a competitive bidding situation, isn't that correct?"

Ryder: "Which means that they would have an equal opportunity for supplying in the circumstance, as long as the price is equal to or lower than."

Leverenz: "But you are eliminating competitive bidding which those contracts give them the opportunity to be a supplier and they would never find out what the state was trying to get, I would suggest. There would be no posting."

Ryder: "I believe they have the equal opportunity that's provided under the other provisions of this Act."

Leverenz: "Like they have for years, right."

Ryder: "...all of the history, to which I am sure you are far more familiar than I."

Leverenz: "I would suggest that the prior speaker from this side of the aisle might be a little more right than you on this Bill. Thank you."

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

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think we are getting mixed up in the amendatory veto with what was the original Bill, but since it's back up and people have asked the questions, we need to have some explanation of it. And I think the Sponsor has given a good explanation, but in essence, this deals only with office equipment and supplies, fairly small items. What it

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means is GSA pricing is pricing done on a competitive basis and competitive bidding is involved in that and the GSA is much bigger. They are able to deal with smaller items. The Central Management Services has to send out for bid all of those smaller items. There may be established GSA pricing existing. If that established GSA pricing is existing and it results when such contracts or pricing results in an economic advantage to the state, then it can be utilized. And what that means is anybody can supply it, so long as they supply it at the GSA pricing. It doesn't matter if they are a minority contractor or they are not a minority contractor. Whatever the situation, they can supply those items. An example would be if the State Board of Elections wanted to pick up a new typewriter and they determined that they wanted to look at an Olivetti or they wanted to look at an IBH or a Smith-Corona, and they concluded that they wanted a Smith-Corona, rather than having to bid, send out the bidding documents on one typewriter to serve the State Board of Elections, they would then be able to pick it up if the GSA pricing for that typewriter resulted in a competitive or economic advantage for the state. We would save ourselves a great deal of administrative costs in bidding those items separately. The supplier could be anyone who supplied those items, a minority business or otherwise. I think there has been a great deal of confusion. I understand the scepticism of certain Members on the other side of the aisle, but I don't believe it's valid. We have been through this with the Leadership on both sides and they are in agreement on it. I know this is a tough area, but I would recommend your support on that portion of the Bill. On the other portion of the Bill, which deals with the amendatory veto, I'd recommend you look at that on your

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own. Thank you."

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

Ryder: "Thank you, Mr. Speaker. I would ask that the amendatory veto be accepted and I would indicate that the entirety of the conversation and debate on the floor concerning this Bill was on an Amendment, an Amendment that did not receive any action by the Governor in his amendatory veto. The portion concerning purchasing was not affected by the amendatory veto. In essence, we have debated on an Amendment that was not subject to the veto, a Bill, by the way, that passed out of here with large numbers, passed through the Senate with large numbers and I would ask for your favorable vote to accept the amendatory veto. Thank you."

Speaker Greiman: "Question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 2132?' 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 75 voting 'aye', 38 voting 'no', none voting 'present', and the House does accept the Governor's specific recommendations for change with respect to House Bill 2132. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Amendatory Veto Motions appears House Bill 2278. The Gentleman from Bureau, Mr. Mautino. Mr. Mautino, on House Bill 2278."

Mautino: "Well, thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, 2278 was the milk haulers legislation which in its initial provisions allowed for only the hauling of milk by the tankers and the individuals in that business. The Governor's amendatory veto addressed

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some concerns that he had and in discussing my original intent of overriding the Governor's veto, I found that there was not sufficient support to do so. Therefore, I move to accept the Governor's specific recommendation as it pertains to the hauling of milk and setting up the rules, regulations, the logs for the hauling of products based upon a list by the Department of Public Health as it pertains to sanitation measures after hauling other non-toxic substances and I very reluctantly move for the approval of the House in... in accepting his recommended changes."

Speaker Greiman: "The Gentleman from Bursau moves the House accept the Governor's specific recommendations for change with respect to House Bill 2279. And on that, is there any discussion? The Gentleman from McLean, Mr. Ropp."

Ropp: "Mr. Speaker, would the Sponsor yield, please?"

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

Ropp: "Yeah, Representative, is... do you have any understanding as to what might be some of the products that would be on the approved list of the Department of Public Health?"

Mautino: "At this time, when I talked to the Administration and the staff, they had not provided me with the listings of those substance that would be authorized under the Department of Public Health and that's why I initially felt that the amendatory veto should be totally over... excuse me, the veto should be totally overridden. Then I was informed by the Department that the list certainly would be beneficial to the public health and safety. I would receive a copy of it before it was implemented through rules and regulations and that's basically where I'm at with that list, Representative Ropp. I can't give you a good, honest answer."

Ropp: "Okay, under the current provisions as the Governor now has



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it, are you in a position to still haul some toxic substance as long as you adequately and properly sanitize and clean it after the hauling has been completed or does the Bill now state that no toxic material can be hauled at all, period?"

Mautino: "The Bill and the Amendment... and the veto states that you cannot haul any other substance which may contain any toxic substance."

Ropp: "Okay, good. Thank you, I support your intent to go along with the Governor's amendatory veto."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendation for change with respect to House Bill 2278?' 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 113 voting 'aye', none... 115 voting 'aye', none voting 'no', none voting 'present', and the House does accept the Governor's specific recommendations for change. And this Bill, having received the Constitutional Majority, is hereby declared passed. We will now return to Total Veto Motions on page 5 of the Calendar. And on that appears... On that Order appears House Bill 621. The Gentleman from Bureau, Mr. Mautino, on House Bill 621, Total Veto Motions, page 5 of the Calendar."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 621, in its original proposal, I thought, was an excellent piece of legislation. This was brought about because of a couple scam operations that we... that were being perpetrated on the agricultural community in southern Illinois, as it pertains to loans being made available to those farmers who were in dire

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straits who paid a... what was called a finders fee up front and two individuals who said that they were representing oil interests and had money available. It was basically a loan shark scam, in my estimation, and we provided legislation that would regulate and license those individuals who are in the so-called business of brokering loans. We took from that legislation the concerns and the objections of the legitimate individuals currently licensed by the state such as mortgage brokers, insurance companies, bankers, financial managers, et cetera, and we've patterned the legislation after the current law in the State of Iowa. I cannot understand the Governor's veto on this legislation that would provide a safety net for individuals who are seeking financial assistance and go to these loan brokers for help in that regard. I think that by setting up the provisions that allow for the licensing, the time frame involved between the authorization of a loan, the seven day provisions, the amount of surety bond necessary for those loan brokers, those who do not establish the trust account find themselves in a situation of a Class A misdemeanor and basically make the filings that are required by law in all of our financial institutions. I thought it was an excellent piece of legislation to address this question. I, for one, don't understand the total analysis that the Governor used or his staff used in the veto of this measure. I think it's a protective measure for the consumers and specifically the farmers of this state and I would move to override the Governor's veto and would be happy to respond to any questions."

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

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

Speaker Greiman: "He indicates he will."

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Piel: "Dick, what exactly does this Bill do that is not already being done or cannot already be handled through the Department of Financial Institutions? Why do we need the legislation to handle this?"

Mautino: "We needed it because those individuals who were out presenting themselves as loan brokers were basically not loan brokers. There was... If this legislation wasn't presented, there is nothing in our existing statute that addresses that question as we have presented it. We took the same law that is now in effect in the State of Iowa and, therefore, if something was available under the current statute, it would have been enacted upon and prosecution would have been... come forth. But as the case may be, there was no regulation of those so-called loan brokers until we provided this legislation."

Piel: "Does the Bill, the way it is stated, exempt lawyers?"

Mautino: "No, Sir, lawyers are not exempted under our existing licensure provisions and, therefore, they are not exempted, unless they are registered as financial agents under our existing statutes."

Piel: "So, in other words, if they were to do a loan brokering business, you know, in conjunction with their legal business, then they would have to be licensed under this one also besides being licensed as an attorney?"

Mautino: "Probably so, yes. If they were loan brokers, yes."

Piel: "You're saying probably. You are not quite sure. I mean is it..."

Mautino: "Well, I don't know. Every time I have read some articles concerning loans, they usually end up out of someone's trust and if it happens to be involved with the legal profession, there usually is retribution somewhere if it isn't done correctly."

Piel: "Well, basically the way it is right now, even though you

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have a Bill, you know, licensing them... I mean the trust situation, whether it be a lawyer or a doctor or what have you, you know, the trust is there. The trust is there technically right now and I'm just sitting here, you know, trying to figure out are they going to be exempt? Are certain categories of people going to be exempt by the law?"

Mautino: "They will not be exempt. If they are in the loan brokering business, they will have to abide by the statute if, in fact, we override the veto."

Piel: "One other question. Why is the Department of Financial Institutions against the Bill?"

Mautino: "I was not... I'm not aware that the Department of Financial Institutions is against the Bill. They were supporting..."

Piel: "They are in support of the total veto... They are in support of the total veto and that would tell me that they are against the Bill."

Mautino: "They are the people who will be doing the registration and evaluation. Now, we took out of the Bill all of... we took out every objection that they had to the Bill. I have not been informed and I'm standing here. If somebody from Financial Institutions is here... When did this come forth? They were not against it in its original concept. It passed out of here overwhelmingly. I have not been notified at all that there was any problems with the Bill."

Piel: "No, the question... or the comment that I have gotten is that... in fact, the word that I have gotten is that they are in support of the total veto, which would tell me that obviously they are..."

Mautino: "Send them over here. If somebody has got a problem, bring them over here. He didn't tell me he had problem."

Piel: "My final question is what are we talking about as far as

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increased manpower for the Department and increased cost for the Department? Obviously, this is going to have to be regulated by the Department. We are going to have to increase manpower and there is a cost involved with that. What exactly would this be?"

Mautino: "It is my understanding from the original proposal that there was virtually no cost involved because the licensure provisions and the authorization for payment of the license would cover the cost of the Department of Financial Institutions. There would be no additional expenditures involved."

Piel: "No further questions. Thank you."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. First of all, I wanted to note for everybody's information and for purposes of the record that given the broad scope of the underlying piece of legislation in this case, I may well have a conflict of interest in regard to the legislation. Nevertheless, I intend to speak on it and to vote on it and will do so in accordance with my conscience because I think that the broad scope of the legislation creates a very real problem for many businessmen, many farmers in a particular profession in Illinois. What, as I read the Bill, the Bill would do, among other things, is compel attorneys licensed to practice law in Illinois to apply for a license with the Department of Financial Institutions in the event that they seek financing for a client with virtually any lending institution. Now, it is a very typical thing for a client to come to an attorney in Illinois and to ask that attorney to facilitate financing for him. It may be in connection with the purchase of a house. It may be in connection with the financing of a business. It may be in connection with

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the financing of a farm. But it is a very typical - perhaps the most typical request for legal assistance that a small town practitioner gets. Now, we currently have created a system for licensing and regulating the activities of attorneys in Illinois and we have vested, through the Constitution, a state agency with regulating attorneys in Illinois. I think that to then require the attorney to go to the Department of Financial Institutions and license himself with that agency, while, not only may it be a violation of the separation of powers in the Constitution, even more so, all it can do is increase the red tape involved in an attorney simply facilitating the kind of financial arrangement that his client is desiring. In many situations, this kind of relationship would do nothing more... this kind of regulatory relationship would do nothing more than to hinder the achieving of financing by the ordinary citizens and small businesses in Illinois. For that reason, I rise in opposition to the Bill. I think the underlying purpose of the Bill may well be meritorious and it would have been certainly preferable if we had discovered this aspect of the Bill at the time of passage or if the Governor had corrected it with an amendatory veto. That is not the case and for that reason, I oppose the override of the Governor's veto of this Bill. I think in the long run, it's going to hurt a lot of ordinary citizens in Illinois and I would urge a 'no' vote on the Motion to override."

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

Mautino: "Thank you, Mr. Speaker. In closing, I'd like to address the two concerns presented by Representative Piel and Representative Vinson. First of all, I'd like to read what has been submitted to me by the State Department of

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Financial Institutions which supports the intent of the Bill and does not believe that it will present any problems for them. I have, as I said, as of this date, not received any adverse position by the Department. The fee structure, I believe, will be adequate to fund the licensing of the new profession and I don't think it will create any additional hardships to the Department. I think that in Representative Vinson's case, we have to define loan broker and in the Bill it is defined. If, in fact, the attorney advances and receives an advance payment for that loan, yes, I guess that attorney would have to be licensed. By the same token, on line 20 of the Bill, the definition used in the Act shall not include those agencies that are regulated by the Financial Institutions Department, but the agreement to advance money or property in return for the promise that payments will be made for use of the money or property except that the loan not refer to any loan or sale arranged for the purchase of real property which property is used and shall be used for residential, commercial or industrial development. If, in fact, an attorney is involved in brokering an agricultural loan and receives a fee up front before that loan becomes available to that individual, yes, you would have to be registered. Other than that, you would not and it addresses only agricultural loans - nothing in residential, commercial or industrial development. So, therefore, I think that the arguments presented by Representative Vinson are incorrect. I think it's a good piece of legislation. It provides the agricultural community with some protective measure that is not there now, as it pertains to agricultural loans and I move for an override of the Governor's veto... the Governor's veto notwithstanding. Excuse me."

Speaker Greiman: "Question is, 'Shall this Bill pass, the

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Governor's... the veto of the Governor notwithstanding?' 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. Mautino, to explain his vote."

Mautino: "I guess the only way to explain my vote is that I wish that we had 71 votes on this side of the aisle. There isn't any other way to explain it. I see no reason why the agricultural enterprises in this state do not have the same protections that we allow for commercial and industrial loan... the loan enterprise system in this state. I just don't understand it. Why not let the farmers know that we will provide a qualified, licensed individual and they have some protections for people who want to go out into the rural lands and loan money."

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

Vinson: "Mr. Speaker, only for purposes of requesting a verification should it appear to get the requisite number of votes."

Speaker Greiman: "Have all voted who wish? Mr. Clerk, take the record. On this question, there are 69 voting 'aye', 48 voting 'no', 1 voting 'present' and the Motion to override fails. Representative Braun in the Chair."

Speaker Braun: "Thank you very much. Ladies and Gentlemen of the House, Speaker Madigan has graciously consented to allow the Reverend Jesse Jackson to address us this afternoon. I know we have business to conduct; however, Reverend Jackson has been in the Senate, has brought his message to them, has been in Springfield and surrounding areas and would now... I would like us all to give a warm welcome to the Reverend Jesse Louis Jackson."

Reverend Jackson: "Thank you very much. Thank you very much to



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the Leadership of this Body, to those of you who are present. Let me express my thanks to you, Mrs. Braun, Mr. Madigan and those who made this presentation possible. Last night, I stayed in Auburn, Illinois, with a family whose farm and whose neighbors farms are in distress. This is one of the overriding domestic crises of our times. In some instances, it has been translated into political terms, sometimes partisan terms. One of the impacts of the fallout of this is how it is impacting the families themselves and their children. This morning early I spoke at the high school in Auburn, Illinois, and when I finished speaking, I challenged the youth who were experimenting with drugs at any level, cocaine or PCP or angel dust or any of it to come forward. A couple of hundred children came forward saying they were on drugs, reaching out for help. I then asked if there were any teachers who were inclined to come forward and several teachers stood and came forward as well. When I look at that predicament of our children, I have to ask what is driving them to this state of madness? One set of data indicate that 60 percent of them believe that they will die in a nuclear war. They have very little faith in the future. Others of them feel that they will not be able to inherit their parents farms and cultivate their land. There is a creeping sense of despair in their bodies to drive them to two extremes. One extreme is a doubled and tripled involvement of premature and immature sex and often sex without love makes unwanted babies. It's a short term pleasure and long term pain. Others of them escape through drugs and alcohol. When I asked those who were experimenting with alcohol, they came forward two or three hundred more, starting at the age of six, seven and eight. This is Auburn, Illinois, right down the street from us. Last week while in New Orleans, I

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asked those who were experimenting to come forward and about 500 of 1,100 came forward. Eventually, it included teachers and the principal admitting they were on drugs at some level. It was true in Pasadena, California. When you get New York and Boston and New Orleans and Pasadena and Auburn, Illinois, in that level of drug and killer consumption, you can't knee jerk and say lock them up. There is no place to hold them. That is a genuine epidemic. If the Russians were putting that much drug into our children, we would call it a chemical warfare and be prepared to fight. I'm here to submit that whether we are urban or rural or suburban or rich or poor, this epidemic must be addressed as the emergency that it is. The farmers, if one or two farmers had lost their farm here and there, you could argue mismanagement or greed or miscalculation, but when 20,000 farms in the state of 98,000 are in varying degrees of financial collapse, when we are losing 2,000 family farms a week, that's an epidemic. When there is an epidemic or when there is an emergency, the first thing to do during an emergency is to declare an emergency, a moratorium on foreclosures, a restructuring of the debt. No self-respecting nation as strong as ours can lose its capacity to produce food and steel and maintain its independence as a nation. And so we reach out to the the rural farmer and the urban consumer, who are the most natural of allies, the feeders and the fed. I fear monopoly farming. I fear 50,000 corporations making the profit and paying no taxes and getting rebates on taxes they paid three years ago and replacing people with machines. I fear a Caterpillar dropping 1500 jobs that was made possible by your help and then rebuilding a plant in South Africa. I fear a steel plant closing in Illinois and transferring its works to South Africa where

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slave labor undercuts organized labor or IT&T giving up 24,000 workers while they made a billion dollar profit and those jobs go to Singapore which is not better labor. It's just slave labor undercutting organized labor. It's suggested in ways we have never done before. We reach out and talk about farm aid, legal assistance. It's a blow for freedom. It's a blow for independence. The educational assistance, I urge your support and the override for that. Why? Among other reasons, among many other reasons, four years at the University of Illinois, full scholarship, less than \$20,000. Four years Statesville Penitentiary, more than \$100,000. Schools at their worst are better than jails at their best. There has been a cutback, a 44 percent to 38 percent cutback on investment in public education. When there is a cutback on education, there is an increase in jails and the jails are costing more than the schools. We ask you to consider seriously the Minority Loan Board. It's an alternative to welfare and despair. It's a way of making tax consumers tax producers. It's a way of giving people a way out. Lastly, we look at the need for farm aid and it's real. We cannot say to 4,000 farmers in Illinois on their way out, we can save you with a concert. And the... in South Africa or in Ethiopia, Sumalia and the Sudan, we can save you with a concert. So much for the play and for the frivolity. It's time for serious redirection by Bodies such as yourselves. The reason the drug issue and the alcohol consumption issue appeals to me so much, as a crisis, it transcends race and region and religion. Maybe its ugliness binds us together in a very special kind of way. We can do no less than to take legislative initiatives that will open up of the vistas for our childrens future and give them some reason to breathe, some reason to live, some reason not to steal

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and rob and rape and rip off and drop out. My son finished a school in Chicago two years ago. After three years there, he had been a pallbearer at twelve funerals of students that he knew. We cannot preside over a death valley. We must devise a way out. To me, there is nothing more basic, thus leaving here on a transcendent note with some fundamental commitment to challenge our Governor, if you will, to challenge ourselves, if you will, but what is at stake is not the black and whiteness and brownness of the matter, but our children. And we measure our character, we really do measure our character by how we treat children in the dawn of light. It's worth the investment. By how we treat poor people and they are growing morer and poorer every day. It certainly does transcend race when there are now 41,000,000 in poverty, 29,000,000 of white, the poor most of white, female and young. Who are the poor? They are farmers. Who are the poor? They are driving cabs. Who are the poor? They are working tables in hotels. The poor are not mostly black and not mostly on welfare. They are mostly white and female and young with no way out. I urge you to transcend the boundaries that usually separate us one from another and leave here on a high note that the poor, the disenfranchised, the children and the old people can celebrate this very special Session of your Legislature. Thank you so very much, Mr. Madigan. I'm grateful."

Speaker Braun: "Before I relinquish the Chair to Speaker Greiman, there will be a reception for Reverend Jackson at the State House Inn this evening at 5:00. Representative Greiman, in the Chair."

Speaker Greiman: "Yes, the Gentleman from Bureau, for what purpose do you seek recognition, Mr. Mautino?"

Mautino: "My timing is terrible. After that speech, I'd like to

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have reconsideration on House Bill 621. I think maybe things would be more conducive."

Speaker Greiman: "Yes, the Gentleman from Lake, Mr. Matijevich."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I ask leave to suspend the posting notice, and this has been cleared on both sides of the aisle, on Senate Bill 625 and Senate Bill 882, so that those two Bills can be heard in Rules Committee and also to announce to the Rules Committee Members that the Rules Committee will meet immediately after adjournment in Room 114. Immediately after adjournment in Room 114. I ask leave for the..."

Speaker Greiman: "Excuse me. Mr. Matijevich, was that 625 and 882?"

Matijevich: "625, 882, Senate Bills."

Speaker Greiman: "Senate Bills, alright. Alright. The Gentleman from Lake, Mr. Matijevich, asks leave of the House, using the Attendance Roll Call to waive the posting rules for... rule for the Committee on Rules may consider Senate Bill 625 and Senate Bill 882, and on that, the Gentleman from DeWitt, Mr. Vinson."

Vinson: "Yes, Mr. Speaker. I wonder if you could hold that for just a second?"

Speaker Greiman: "Yes, Mr. Vinson. A long second or do you wish to come back to it or is that..."

Vinson: "If you can hold it for about 30 seconds, I can..."

Speaker Greiman: "Okay, we'll just fiddle-faddle up here then. Come back to us. ... waiting for Mr. Vinson to return, Mr. Matijevich has announced that there is a Committee... a meeting of the Committee on Rules at 3:09 o'clock directly after adjournment in Room 114. Committee on Rules, Room 114, immediately upon adjournment. Introduction and First Reading."

Clerk O'Brien: "Introduction and First Reading of Bills. House

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Bill 2544, Mautino and McMaster, a Bill for an Act authorizing the Director of Central Management Services to convey certain real property in the City of Kewanee. First Reading of the Bill. House Bill 2545, Levin, a Bill for an Act to amend Sections of the Unemployment Insurance Act. First Reading of the Bill. House Bill 2546, Kulas, a Bill for an Act to amend Sections of an Act in relation to fire protection districts. First Reading of the Bill. House Bill 2547, Matijevich - et al, a Bill for an Act to amend Sections of an Act making certain appropriations to the State Schools Scholarship Commission. First Reading of the Bill. House Bill 2548, Rice - et al, a Bill for an Act to prohibit institutions of higher education from refusing to issue official transcripts of incumbered students. First Reading of the Bill."

Speaker Greiman: "Agreed Resolutions."

Clerk O'Brien: "Agreed Resolutions. Senate Joint Resolution 88, by Laurino - et al; Senate Joint Resolution 89, by Harris - et al; Senate Joint Resolution 92, Churchill and Klemm. House Joint Resolutions; 98, Panayotovich; 99, Hensel - et al; 100, Hensel - et al; 101, Hensel - et al; 102, Parke - et al; 103, Panayotovich. House Resolutions; 693, McGann; 729, Soliz; 730, Krska; 731, Klemm; 732, Klemm; 733, Soliz; 735, Nash; 737, McCracken; 738, Keane; 739, Mautino; 744, Johnson; 745, Johnson; 747, Flowers; 750, Terzich; 751, Giglio; 752, Terzich; 753, Keane; 756, Keane; 757, Parcells; 762, Rice; 763, Panayotovich; 764, Terzich; 765, Terzich; 766, Matijevich; 767, Matijevich; 768, Curran; 769, Curran; 770, O'Connell; 771, Washington; 772, Harris; 773, Panayotovich; 774, Terzich; and 775, Hensel."

Speaker Greiman: "The Gentleman from Lake moves for the adoption of the Agreed Resolutions, and on that Mr. Matijevich."

Matijevich: "Senate Joint 88 lauds Judge Marovitz. Senate Joint

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99 salutes the Arlington Heights Lions Club. Senate Joint 92, Churchill, congratulates Margaret Tuck. House Joint 98, Panayotovich, recognizes the United Methodist Church. 99, Hensel, salutes Brigadier General Vaught. 100, Hensel, recognizes two naval officers. 101, Hensel, honors Captain Stechmann. 102, Parka, recognizes Hoffman Estates. 103, Panayotovich, commends Calumet Federal. House Resolution 683, McGann, wishes a happy birthday to Dan Shaughnessy. 729, Soliz, commends Lawrence Rattay. 730, Krska, honors John Fary. 731 salutes Walter LaBac. 732, Klemm, recognizes Evans Archos. 733, Soliz, commends Aurelio Garcia. 735 honors Senator D'Arco. 737 talks of Anthony Meyer. 738 recognizes Herbert Huskey. 739 speaks to Bishop Hill, Illinois. 744 commends Juanita Ferguson. 745 honors Chanute Field. 747 wishes a happy anniversary. 750 commends Frank Ferrera. 751, happy birthday. 752 congratulates the... (sic - Calumet Federal Savings and Loan Association of Chicago). 753 lauds Hazelgreen School. 756 recognizes Helen Dunlavy. 757 is a birthday wish. 762, Emerald Avenue Church. 763 honors Tom 'Terrific' Seaver. 764 recognizes James Smith. 765 recognizes an Eagle Scout. 767 (sic - 766) honors Sister Regensberger. 767 recognizes Lou Ellen Burton. 768 commends Bishop Rose. 769 recognizes Reverend Kast. 770 congratulates Dr. Clark. 771 honors St. Mary's Church. 772 congratulates Mike Brinker. 773 recognizes Vern Krause. 774 honors Louis Ricci. 775 recognizes Glenn Haines. I move the adoption of the Agreed Resolutions."

Speaker Greiman: "Sorry, John. My instincts were right in the first place, John, on the Motion."

Matijevich: "Yes, that's right."

Speaker Greiman: "The question is, 'Shall the Agreed Resolutions be adopted?' All in favor say 'aye', those opposed 'no'."

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In the opinion of the Chair, the 'ayes' have it, and the Agreed Resolutions are adopted. Mr. Matijevich, do you wish to proceed with your Motion with respect to Senate Bills 625 and 882 in that... move that they be..."

Matijevich: "Yes, I move..."

Speaker Greiman: "...move that we waive the posting rule so that they may be heard at this time in the Committee on Rules. Yes, Mr. Vinson."

Vinson: "Yes, Mr. Speaker, I would object to the Gentleman's Motion."

Speaker Greiman: "Yes... Mr. Matijevich, did you want to do something with your Motion? Mr. Matijevich, Gentleman from Lake."

Matijevich: "I see a lot of empty chairs here. I think I'm... I think we got to talk some more if we want to go with that."

Speaker Greiman: "Yes. So, Mr. Matijevich, shall we stand for a moment shall we stand for a moment at ease while you..."

Matijevich: "I think we should."

Speaker Greiman: "... make that connection?"

Matijevich: "Yes, I'll go talk to Sam and see if that will do any good."

Speaker Greiman: "Alright. We will... General Resolutions."

Clerk O'Brien: "House Resolution 665, offered by Speaker Madigan."

Speaker Greiman: "Committee on Assignments. Death Resolutions."

Clerk O'Brien: "House Resolution 734, offered by Representative Nash, with respect to the memory of Robert E. Wasick, Sr. House Resolution 736, offered by Representative Nash, respect to the memory of Mr. William P. Burke, Sr. House Resolution 740, offered by Representative Shaw, with respect to the memory of Willie Lloyd Hill. House Resolution 741, offered by Representative Shaw, with respect to the memory of Lizzie Burks Jones. House



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Resolution 742, offered by Representative Shaw, with respect to the memory of Silas William Green, Jr. House Resolution 743, offered by Representative Shaw, with respect to the memory of Herman O. Davis. House Resolution 746, offered by Representative Flowers, with respect to the memory of Cynthia Wright of Chicago. House Resolution 748, offered by Representative Brookins, with respect to the memory of Mr. Jackie Payton Hearns. House Resolution 749, offered by Representative Ewing, with respect to the memory of Bill Clapp. House Resolution 754, offered by Representative Shaw, with respect to the memory of Todd Dwayne McPhan. House Resolution 755, offered by Representative Johnson, with respect to the memory of Charlie Due. House Resolution 758, offered by Representative LeFlore, offered with respect to the memory of Brian Qualls. House Resolution 759, offered by Representative LeFlore, with respect to the memory of Lorean Ealey. House Resolution 760, offered by Representative LeFlore, with respect to the memory of Alice L. Harris. House Resolution 761, offered by Representative LeFlore, with respect to the memory of Olds Simmons. House Resolution 772 (sic - 773), offered by Representative Nash, with respect to the memory of George Savalas."

Speaker Greiman: "Gentleman... The Chair recognizes the Gentleman from Lake. The Gentleman from Lake moves for the adoption of the Death Resolutions. All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Death Resolutions are adopted. Introduction and First Reading."

Clerk O'Brien: "Introduction and First Reading. House Bill 2549, Ronan, a Bill for an Act to create the China Development Corporation of Illinois. First Reading of the Bill."

Speaker Greiman: "Yes, Mr. Vinson, for what purpose do you seek

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recognition?"

Vinson: "Mr. Speaker, for purposes of withdrawing my objection with regard to Senate Bill 625."

Speaker Greiman: "Alright. The Gentleman from Lake asks leave to use the Attendance Roll Call. Excuse me, Mr. Vinson, did you withdraw your objection on those Bills? Is that right? Is that my understanding?"

Vinson: "No, on Senate Bill 625, but not in regard to 882."

Speaker Greiman: "Oh, on one. I see. The Gentleman... The Chair recognizes the Gentleman from Lake, Mr. Matijevich."

Matijevich: "Speaker, I'll withdraw my Motion entirely."

Speaker Greiman: "Fine. Motion is withdrawn. The Chair again reminds Members of the Rules Committee. There will be a Rules Committee in Room 114 directly after Session. The Chair recognizes the Gentleman from Lake, Mr. Matijevich, for the purpose of a Motion. Mr. Matijevich moves that the House stand adjourned until the hour of 10:00 o'clock tomorrow morning. All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does now stand adjourned until the hour of 10:00 o'clock tomorrow morning."

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