

STATE OF ILLINOIS
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HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

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Speaker Breslin: "The House will come to order. The Chaplain for today will be the Reverend Oliver K. Zivney, Pastor of the Chrisman United Methodist Church. Reverend Zivney is a guest of Representative Woodyard. Will the guests in the gallery please rise for the invocation?"

Reverend Zeoney: "Twenty years in the Marine Corps gave me a different voice. Our Gracious Father in Heaven, we ask for Thy attention. Guide us and direct us as we begin this day of life. Guide us in thinking and planning and help us to do what's best and be with us through these meetings that are often put to the test. Often we've asked You what we ought to ask for and do and now we ask You to instill in the minds and demands of our constituents that we are not miracle workers, but rather that we are the enablers of their dreams. Guide us in our thinking and grant us lots of foresight, for our dreams without foundations will fall and crumble before they have the opportunity to be born with life. If it's possible, make us all good listeners and help us to really hear with the inner ears of conscience, not so much what we are or have been, but what we, as a people, can become. And remind us that even though the aisle be divided, let it be known to all that this House is one. It enables Illinois to not only be a prophet of the past, but the enhancer of this nation in the days yet to come. So, be with us now, Dear Father, as we start this day and show us what we should do as in Thy name we pray. Amen."

Speaker Breslin: "Representative Ropp will lead us in the Pledge of Allegiance."

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

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for all."

Speaker Breslin: "Roll Call for Attendance. Representative Huff, for what reason do you rise?"

Huff: "Yes, Madam Speaker, I rise on a point of personal privilege."

Speaker Breslin: "Excuse me, one moment. We're going to take the Roll Call and then we'll get back to you. Are all recorded? Are all recorded? Mr. Clerk, take the record. 118 Members answering the Roll Call, a quorum is present. Representative Huff is recognized on a matter of personal privilege. Representative Huff."

Huff: "Yes, Madam Speaker, as I started to say, I rise on a point of personal privilege. I'd like to make a few observations with regards to the last weekend's Sun-Times poll on the best and worst Legislators. I won't even speak to the reason as to why there were no blacks in the top ten. I would like to say that I believe in the First Amendment rights of the press, but I don't believe that right should be used to smear or to attempt to political assassination or attempt to intimidate duly elected Representatives of the people. What was said about me was mild compared to what these two muckrakers of the press had to say about others. However, I was accused of visiting too many places outside of our planet's planetary system. I realize it wasn't meant to be complimentary, but I will admit to having a sort of cosmic perception that, in my opinion, is light years ahead of our Leadership. This cosmic perception allowed me to see through, for example, the sham of McCormick Place - allowing me to be one, if not the only one - who did not vote to throw away taxpayers' monies on friends of the Leadership. My cosmic perspicacity also allowed me to see through the sophistry of this sham and those of us who have wisdom and understanding should

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realize that for whom the press would destroy, they must first ridicule. Today it's me, and tomorrow it may be you."

Speaker Breslin: "Committee Reports."

Clerk O'Brien: "The Committee on Rules has met and pursuant to Rule 29(c)-3, the following Bills have been ruled exempt on October 15, 1985: House Bills. House Bill 568, 740, 1109 and 1954. Senate Bills. Senate Bill 4... 241, 242, 351, 994, 1036, 1136, 1244, 1249, 1360 and 13... Strike that. 1449."

Speaker Breslin: "Agreed Resolutions."

Clerk O'Brien: "...Resolution 777, Mulcahey; 778, Slater; 780, Krska. And House Joint Resolution 105, Keane. And House Resolution 781, Satterthwaite."

Speaker Breslin: "Representative Matijevich."

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House. House Joint Resolution 105, Keane, recognizes St. Xavier College. House Resolution 777, Mulcahey, commends the North Grove Church. House Resolution 778, Slater, congratulates Memorial Hospital. House Resolution 780, Krska, recognizes the Knights of Lithuania. House Resolution 781, Satterthwaite, honors Dr. Beckman. I move the adoption of the Agreed Resolutions."

Speaker Breslin: "The Gentleman has moved for the adoption of the Agreed Resolutions. All those in favor say 'aye', all those opposed say... Representative Vinson, for what reason do you rise?"

Vinson: "To inquire of the Chair or of the Gentleman making the Motion, whether Mr. Ewing has seen the Agreed Resolutions."

Speaker Breslin: "Representative Matijevich."

Matijevich: "I'm not aware of that, but they are all congratulatory of nature, Sam. Very quick... Take my word for it."

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Vinson: "We're not congratulating any communist friends today?"

Matijevich: "There is none of that stuff... This is all clean as a whistle."

Vinson: "Okay."

Speaker Breslin: "The Gentleman has, therefore, moved that we adopt the Agreed Resolutions. All those in favor say 'aye', all those opposed say 'nay'. Hearing no objections, the Agreed Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 776, offered by Representative Greiman - et al, with respect to the memory of Sheldon Brown of Chicago, Illinois."

Speaker Breslin: "Representative Matijevich now moves the adoption of the Death Resolution. All those in favor say 'aye', all those opposed say 'nay'. Hearing no objections, the Death Resolution is adopted. Ladies and Gentlemen, the Chair is ready to proceed to the Amendatory Veto Motions that appear on page fourteen on your Calendar. So, please be in your seat and be ready to present and vote on the Amendatory Veto Motions. The first Motion on Amendatory Vetoes is House Bill 26, Representative Bowman. Out of the record."

Bowman: "Can we get back..."

Speaker Breslin: "We can get back to it as soon as your Motion is distributed."

Bowman: "Thank you."

Speaker Breslin: "House Bill 53, Representative Preston. Representative Preston wishes that we would get back to his Bill also. House Bill 60, Representative Curran. Is Representative Curran in the chamber? He is not in the chamber. Out of the record. House Bill 99, Representative Steczo. Out of the record. House Bill 188, Representative Countryman. Somebody has to be first, Representative."

Countryman: "Thank you, Madam Speaker. This is the dam Bill and

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I mean that seriously. This Bill involves the dams. It's a Motion to override the Governor's veto. The Governor's veto essentially rewrote the Bill and reversed the concept of the Bill from one of... of exempting grandfathering in dams that presently built... were built previously under permits - built according to the standards that existed at that time to allowing the Department of Transportation to develop standards that would regulate these dams and therefore, the Sponsors of this Bill... Members on both sides of the aisle have asked that we override this veto and have this Bill in its original form at the time the Bill was originally heard. I believe we had 105 votes in the House of Representatives. It's a good piece of legislation. And I would hope that the Members would agree and vote for it. And I'd move for favorable passage on the Motion to override the Governor's veto on House Bill 188."

Speaker Breslin: "The Gentleman has moved to override the Governor's veto of House Bill 188. And on that question, is there any discussion? Is there any discussion? Hearing no discussion, the question is, 'Shall this House override the Governor's veto of House Bill 188?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 93 voting 'aye', 13 voting 'no', and none voting 'present', and this House does override the Governor's veto of House Bill 188. House Bill 231, Representative Cullerton. We will go to your Motion first. Out of the record. House Bill 344, Representative Peterson. Out of the record. House Bill 344, Representative Cullerton. Out of the record. House Bill 357, Representative Saltsman."

Saltsman: "Thank you, Madam Speaker. I am asking for an override on House Bill 357. On this pension Bill, this Bill passed

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the House initially by 100 to 2 vote Majority. I think everyone knows during our Pension Committees, which I am also a Member of, that there was hardly any Bills that were brought out this year that had any cost factors that amounted to any great amount of money. The gut of this Bill which the Governor or whoever on the staff did the analysis of it, vetoed out was a part where just a police officer can maintain his hospitalization program, even though he's paying for it. We're not asking the municipalities to pay for this. The man just wants to stay in the group plan. And how, we wonder, is this? How can we expect to have an employee work for us for 30 or 35 years, at the age of 60 years old, send him out in the street and say, 'Hey, go find your own hospital plan somewhere else.' I don't know why this Bill was vetoed. No one on the floor knows why he put the amendatory veto on this Bill. And at this time, they talk about the high cost of health care and that's what these retiring people are looking at. As we all know, it's not mandatory that the municipalities pay for this health care. It's the guts of the Bill. Also, in his message, he stated that there is no other plan such as this, and it is wrong because last year, we voted the same Bill out for the firefighters and he signed this Bill. So, I don't know who did his analysis on this. It is wrong and I hope we get more than 100 votes to 2. We should have a 118 votes up on this Bill. I ask for the override."

Speaker Breslin: "The Gentleman has moved to override the Governor's veto of House Bill 357. And on that question, is there any discussion? Hearing no discussion, the question is, 'Shall the House override the Governor's veto of House Bill 357?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted

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who wish? Have all voted who wish? The Clerk will take the record. On this question there are 106 voting 'aye', 1 voting 'no', and none voting 'present', and the House does override the Governor's veto of House Bill 357. House Bill 431, Representative Ropp. Representative Ropp. This Bill amends the State Fair Act, Representative Ropp, and you have filed a Motion to accept the Governor's amendatory changes. Proceed."

Ropp: "Thank you, Madam Speaker. On this House Bill, the Governor made some amendatory changes in an attempt to resolve some problems in Dupage County area. To be real honest, I'm not fully in support of the whole idea, but apparently, there were some agreements made. Some people feel that the agreements have not been fully met, but what the intent of the Amendatory Veto is to set up another layer of bureaucracy appointed by the County Board to oversee the budget of the DuPage County Fair and in checking with some of the officials, I can't get a lot of unanimity in support. However, I am supporting the Governor's amendatory veto and urge the House to do so."

Speaker Breslin: "The Gentleman has moved to accept the Governor's specific recommendations for change in House Bill 431. And on that question, is there any discussion? Representative Cullerton, on the question."

Cullerton: "Yes, will the Sponsor yield?"

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

Cullerton: "Representative Ropp, I apologize. I was in the back listening to your explanation and it didn't... initially, it didn't catch my attention because you didn't seem to be real enthusiastic as you normally are about this particular Motion. And so, I became curious to know why you're not enthusiastic about this Motion."

Ropp: "Well, one of the reasons is that this is somewhat of a

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change in normal county fair operations. However, that does not necessarily mean that a change like this would not be needed if people in that particular area are in support of the change. Anytime we pass legislation... Well, let's say seldom do we have total unanimity on any particular issue. And I think this is one of them, but it also addresses the problem that they have in that particular county and the powers that be prefer to accept this Governor's change by putting another group of people to oversee the financial matter as it pertains to the monies that come from the State of Illinois by establishing a county fair authority, and that's what this amendatory veto does. It establishes a county fair authority appointed by the DuPage County Board and they will oversee..."

Cullerton: "...we can defeat this Motion and then leave the status quo, which would basically allow for this fair authority to run the fair. We can accept this Motion which would be an incorporation of this so called compromise that the Governor's worked out or we could override the Motion which would give the Bill, as we passed it late on June... on July 5, give that... have that become law which basically allowed for the DuPage County Board to appoint a new County Fair Board. That's what the Bill did, right?"

Ropp: "It allowed them to actually run the fair, right?"

Cullerton: "Alright. Now, is there any other county of the 101 that has a similar setup where the County Board has some influence over the fair?"

Ropp: "No."

Cullerton: "And is there any particular reason why DuPage County should be treated differently, in your opinion, other than the fact that, perhaps, your... lot of Republicans out there? Other than that, is there any other reason you can think of?"

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Ropp: "Well, that's probably a pretty good reason."

Cullerton: "Okay. Now, why do you think this county fair people agreed to this compromise? What do they get out of the compromise?"

Ropp: "The county fair people still get to operate the fair. As you well know, all of that work is pretty much volunteer and those people will still be operating and running the fair. In this particular case, there will just be an oversight board that will approve their budget."

Cullerton: "And who appoints the oversight board?"

Ropp: "The County Board... approved by the Board."

Cullerton: "Oh, I see. So, the County Board will have some influence but not as much influence as they would have liked to."

Ropp: "Yes, this is the compromise, and a good compromise is usually one where everybody is not really happy."

Cullerton: "Well, I'm not really happy and for that reason, I'll be happy to support your Motion."

Ropp: "I appreciate your interest."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change on House Bill 431 by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 71 votes are required to accept. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 92 voting 'aye', 15 voting 'no', and none voting 'present', and the House does accept the Governor's specific recommendations for change on House Bill 431 by the adoption of the Amendment. House Bill 576, Representative Van Duyne. Proceed. Present your Motion, Representative."

Van Duyne: "Thank you, Madam Speaker. He tried to do this on..."

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this has to do with the disconnection of townships from the collective packages they put together voluntarily on a previous occasion, and we tried to amend this to allow townships of over a thousand people to disconnect if they so desired. And the... and we tried to do what the Governor did in his amendatory veto by Amendment and evidently, we didn't succeed. We felt we had. So, I am in favor of the amendatory veto, and I move for concurrence with the Governor's amendatory veto on House Bill 576."

Speaker Breslin: "The Gentleman moves to accept the Governor's specific recommendations for change on House Bill 576. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House adopt the Governor's specific recommendations for change on House Bill 576 by the acceptance of the Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', none voting 'no', and 2 voting 'present', and the House does adopt the Governor's specific recommendations for change on House Bill 576. House Bill 582, Representative Woodyard."

Woodyard: "Thank you, Madam Speaker. I would move to accept the specific recommendations of the Governor in regard to House Bill 582. House Bill 582 is the farmland reporting Bill. And the changes made by the Governor's Office - it ensures that the corporations, trusts, and partnerships that would have to report on farmland ownership, would only have to do that when there is a land transaction, whether acquisition or sale or whatever, and they would not have to report every year as the former Bill. The other thing the veto addressed was, in our original Bill, the people making the reports would actually have to project the use of crop land rather... what crops would be planted for future use, and

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we deleted that from the Bill. And so, I very strongly concur with the amendatory veto and urge your support."

Speaker Breslin: "The Gentleman has moved to accept the Governor's specific recommendations for change on House Bill 582. And on that question, is there any discussion? Hearing no discussion, the question is, 'Shall the House adopt the Governor's specific recommendations for change on House Bill 582 by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 109 voting 'aye', 1 voting 'no', and none voting 'present', and the House adopt the Governor's specific recommendations for change on House Bill 582 by the adoption of the Amendment. House Bill 751, Representative Terzich. Is the Gentleman in the chamber? Representative Terzich. Representative Terzich, would you prefer we take it out of the record? Proceed."

Terzich: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move that we... I don't want to accept the amendatory veto."

Speaker Breslin: "Okay. The Motion is to override."

Terzich: "Right. I do not accept the amendatory veto. The amendatory veto on the Bill... the Bill prohibits the tinting of certain vehicle windows and it sets up standards found in the Vehicle Equipment Safety Commission, Regulation 20. I worked on this Bill with the State Police and also the members of the industry on windshields. What the Bill did, it simply clarified what the law presently is with regard to the tinted windshields. Now, this was a great concern to many law enforcement agencies throughout the state where they could not see entities... automobiles that had smoked windows. Now, we have a law in the books

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that specifies, you know, what the illumination could be on the windows and it affected automobiles of 1983 on. The amendatory veto stipulated that a change should be made and only affect automobiles in 1987 which would simply take out the law that's currently on the books. I did discuss this with the State Police and they are against this amendatory veto. The Bill simply sets up the standards which is in compliance with the federal standards and would apply to automobiles from 1983 on which they currently have. And therefore, I would urge your support in overriding this amendatory veto."

Speaker Breslin: "The Gentleman has moved to override the Governor's amendatory veto of House Bill 751. And on that question, the Gentleman from Adams, Representative Mays."

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

Speaker Breslin: "He will."

Mays: "Now, in... Representative, in reading the Governor's Amendatory Veto Message, it's point #2, is the second concern appears to be that there is an inconsistency in the maximum percentages of reduced light. Is that the case or is that not the case?"

Terzich: "Alright, from what I understand that the rules says 30%, but the manufacturer's is 35 and that could very... point one way or another on that."

Mays: "So, on the statute or in... You mentioned there was a previous statute that was passed. Is that not correct?"

Terzich: "Yes, we have a standard on the tinted windshields."

Mays: "Is that standard the same as the standard mentioned in this Bill?"

Terzich: "That's correct."

Mays: "Is this standard the same as the standard that is the Federal Regulation 20?"

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Terzich: "That's correct."

Mays: "Then where is the inconsistency that the Governor mentioned?"

Terzich: "The rules specifies 30. However, the manufacturer can go... it could be 28. It could be 29. It could be 31 or 32, but the manufacturer presently, you know, has that in the variance on that, from what I understand."

Mays: "Would it not be better to have it... have it all spelled out once and for all, no inconsistency whatsoever? That's my major concern, as far as the point #1... To the Bill, Madam Speaker."

Speaker Breslin: "Proceed."

Mays: "As far as the first point in the Amendatory Veto Message making this Bill apply to the 1987 model years, I don't see anything wrong with that concept, either. And so, I would urge that we oppose the Motion to override the Governor's amendatory veto on this measure."

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

Cullerton: "Would the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "Representative Terzich, the 1983 model year language, at whose insistence was that inserted in the Bill originally?"

Terzich: "Yes, that was by the state police at the present time, from what I understand. It's currently in the law right now, Representative Cullerton. It's current... that law currently stipulates the 1983 models."

Cullerton: "1983 models?"

Terzich: "Yes. Currently..."

Cullerton: "And this Bill changes it to 1987 models?"

Terzich: "Well, that's what he wants to do, but I worked with the state police on it. Now, the state police position on this

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is that, I will not proceed with this Bill. I will leave it alone because it... they would... it would be better off just leaving it the way it is. Now, I worked with the state police. They are against the Bill."

Cullerton: "I see. So, you're... the Motion to override is supported by the state police."

Terzich: "Correct."

Cullerton: "Okay."

Terzich: "That's correct."

Cullerton: "Fine. Thank you."

Speaker Breslin: "There being no further discussion, Representative Terzich, to close."

Terzich: "Yes, as I mentioned that I did work with the state police and the manufacturers and other municipalities with regard to the law enforcement that the law currently, as it presently stands, does cover 1983 models. It's within the federal standards. It's within the guidelines of our state standards. And therefore, I would move that we override this veto. Otherwise, certainly, I'm just going to leave the law in the books the way it is, and even though it is ambiguous. And so I would urge your support."

Speaker Breslin: "The question is, 'Shall the House override the Governor's specific recommendations for change on House Bill 751 by rejecting the Amendments?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 56 voting 'aye', 46 voting 'no', and 2 voting 'present', and the Motion fails. The Motion requires 71 votes in order to override an Amendatory Veto. You may now make a Motion to accept the Amendatory Veto if you wish. But if you wish to do that, the Clerk reminds me that you have to make that Motion in writing. So, you have to file such a Motion."

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You can file another Motion. Yes. The Parliamentarian's suggestion is that you file another Motion if you wish to have it heard to override. Since we have already dealt with this one Motion, you should file it again if you want to have another hearing on a Motion to override on this Bill. The next Bill is House Bill 880, Representative McGann. Representative McGann. House Bill 982, Representative Mulcahey. Out of the record. House Bill 982. Well, we have several 982s. Representative Steczo, you wish to proceed first with the second Motion? Very good. Representative Steczo."

Steczko: "Madam Speaker, House Bill 982, Motion #2 is the one I'd like to call."

Speaker Breslin: "Proceed."

Steczko: "Madam Speaker, I think the board is incorrect. I hope we don't need a Poll of the Absentees, Madam Speaker. Thank you, Madam Speaker, Members of the House. I move to accept the Governor's amendatory veto on House Bill 982. House Bill 982 when it passed this chamber and passed the Senate was part of the Elementary and Secondary Education Committee's school reform plan. It affected unit districts in the state and allowed those unit districts the same access to local tax rates that dual districts currently enjoy. It only affected, at that point, approximately, 30 or 40% of the smaller unit districts throughout the state. And basically what it did was that it was to say that unit districts, who are taxing at a \$1.60, over a period of four years could increase their nonreferendum rate to a \$1.84 to match that of dual districts. I'd also... It also said that unit districts could increase their transportation rate to twenty cents from twelve cents over four years and in that way, try to keep up with what dual districts currently enjoy. The Governor vetoed... amendatory vetoed

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the Bill, and he indicated that because of the stipulations of Senate Bill 730 which we passed governing reorganization, that this should be applicable to only unit districts of 1500 and over or 1499 and over, I should say. In that respect, it cuts down even further the number of unit districts. It is in accordance with what the Legislature had prompted in Senate Bill 730. This Amendatory Veto is supported by the Taxpayers' Federation, by the Farm Bureau and other groups who have traditionally been opposed to this type of a measure. And I would, at this point, Madam Speaker, move that we accept the Governor's amendatory veto on House Bill 982."

Speaker Breslin: "The Gentleman has moved that this House accept the Governor's amendatory veto on House Bill 982. And on that question, the Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Thank you, Madam Speaker. Would the Sponsor yield for a question?"

Speaker Breslin: "He will."

Mulcahey: "Representative Steczo, House Bill 982, you indicated does, indeed, affect the transportation rate as well. My question is not only regarding additional stated funds coming to school districts that are under 1500 right now in relation to how that would affect those school districts, but how would it affect those school districts regarding the funding of transportation as well?"

Steczko: "Representative Mulcahey, in response to your question, I don't know if there would be any effect on the transportation reimbursement because of the way the transportation formula works. It works on a formula based on the tax that you're levying in a district, so long as it's a certain amount. The reimbursement comes based on the EAV and the tax rate that you have up to a nickel or

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ten cents or so...in...with regard to the education fund. If you are allowing... if you allow this tax increase to take place for the smaller districts, you may, in fact, be hurting those districts because of the formula that we did pass last year, and that may reduce the amount of state aid going to those districts. So, all in all, I think to keep this for the larger districts to stay in... to be cohesive in what the Legislature did in Senate Bill 730, I think, at this time, is warranted."

Mulcahey: "Representative Steczo, there is a lot of... there is a lot of school districts, downstate school districts, that are under 1500 right now. As a matter of fact, my school district, my legislative district, we have about 99% of the schools and they're all unit districts that are under 1500. Now, I believe, initially, the intent of the legislation was to provide this additional means for funds to those unit districts regardless of size. Is that correct?"

Steczko: "Representative Mulcahey, the initial intent of this legislation was just to provide the extra help to those local... to those smaller unit districts regardless of size. However, it depended also on the tax rate at which those local unit districts were taxing because if those unit districts, no matter what their size, were taxing over a \$1.84, it would be no help to them whatsoever. This is an attempt to address... it was an attempt to address the problem of unit districts that were stuck at a \$1.60 and couldn't go any further, and also the problem of districts seeking to become unit districts that would have their nonreferendum tax rate reduced from a \$1.84 to a \$1.60. So, there would be a net loss there. Because Senate Bill 730 had a... an enrollment level in it, it was the Governor's wish that House Bill 982 should reflect that level that was put in Senate Bill 730. And I think that's

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very... a very consistent policy. And at the present time, I think it's a policy that we should accept."

Mulcahey: "Representative Steczo, I think the intent, at least the impression I got of the original intent of 982, was to provide this additional source of revenue for unit districts regardless of size. So, my question... And I'm confused as to why the Governor decided to amendatorily veto it and did, indeed, when he placed a 1500 cap on unit districts. Is... Was this not, indeed, a carrot, another carrot for the unit districts under 1500 throughout the state to, indeed, consolidate before they would enjoy this particular privilege of additional tax. Is this... You agree with that?"

Steczko: "Representative Mulcahey, I agree with you in one respect and I agree that this is a carrot in a way to try to have unit districts study the possibility of the 1500 level, and that's a level that we are going to be considering in this state through the next year and a half as the consolidation panels meet. And the legislation that provided for that level suggests that the level of units should be the 1500 level. House Bill 982 is consistent with that. In terms of the smaller districts, again, it would have helped some. It would have allowed that up to the twenty-four cent tax increase over a period of four years, but that was dependent on the tax rate that that unit district was currently taxing. Again, if it was over \$1.84, it would be no help to those districts at all. But yet, the policy that the Governor has suggested in House Bill 982 is consistent with the policy that this Legislature approved last July 1, in the education reform package. And at least until the time that the consolidation elections are held and we see what the impact of that might be and see how those consolidation plans may be approved or may be

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disapproved, I think it's consistent and a good idea to go with that level at this time. If we find that on the whole, a majority of those or a vast majority of those consolidation plans are disapproved, then perhaps, I think it's well worth it to us to come and review that and then look for increased help and incentives to unit... to the smaller unit districts."

Mulcahey: "Madam Speaker, to the Bill."

Speaker Breslin: "Proceed."

Mulcahey: "There, indeed, are some school districts downstate that will never, ever reach that particular size, never reach that situation, whereby they can provide those... that source of additional funds to improve themselves. And I... I wish that there would have been some... some discussion regarding this issue when the summit met that last weekend in June, because it was my impression... I came out of those meetings with the impression that, indeed, 982 would be part of the package as it passed the House last June. Now, all of a sudden the Governor seems to want to, again, put that additional carrot on there and stipulate with this amendatory veto that before unit districts can be put on that same basis with elementary and high school districts, that they're going to have to come up to that 1500 level. And I really don't think that is consistent with the original intent of the legislation as it came out of here last June. So, I am going to vote 'no' on this measure to accept with the idea being that the original intent was to provide 982 in order for local districts, unit districts under 1500 which, I feel, was the original intent to help themselves and I believe that this was a step backwards, quite frankly. I wish the Governor and the Governor's people would have explained to us at that time in June that, indeed, this was their thought,

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rather than passing this out and then coming back in October and changing it. I wish it would have been changed prior to that time and maybe, some of us would have had a chance to vote a different way."

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

Hoffman: "Thank you very much, Madam Speaker."

Speaker Breslin: "Would the people in front of Representative Hoffman please move to the side or sit down? Representative Hoffman."

Hoffman: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House, in regard to the closing argument that the previous Gentleman made, my explanation is that it would have been better had this been discussed at that time. However, that is not where we are. And if you read the language of the amendatory veto, you will find that it provides for those districts which, by nature, are necessarily small. And it does, in fact, tie in with what we did in Senate Bill 730. I would reiterate the point made by the Sponsor of this Motion and the Sponsor of the Bill that the Associate & Employers, the Illinois Agriculture Association, the Illinois Association of Realtors, the Illinois Manufacturers' Association, the Illinois Retail Merchants' Association, the Illinois State Chamber of Commerce and the Taxpayers' Federation of Illinois, all support the Governor amendatory veto. And I rise today in support of the Governor's amendatory veto. I also rise to commend the Sponsor of this Bill and the Sponsor of this Motion for the three years that he has worked diligently with the Members of this Body and the Members of the Senate in bringing greater equity into... a greater taxpayer equity into the tax rates. We started out compromising it over a number of years, and this is another

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part of that necessary compromise process which is the...
is really the key to the Democratic form of Government.
And so, in accommodating the Sponsor of this legislation
and in encouraging the Members of the House, I rise in
support of the Gentleman's Motion to accept the amendatory
veto on House Bill 982."

Speaker Breslin: "The Gentleman from Knox, Representative
McMaster."

McMaster: "Thank you, Madam Speaker, Ladies and Gentlemen of the
House. I have a legislative district as all of you do. I
think probably in my entire district, there is one district
that is over 1500 population. We put our children - first
graders, even - on the bus at 7:30 in the morning in many
cases. If we go to further consolidation, we will be
putting them on at 7:00 in the morning. I don't think
that's right for our children. I suppose that many of our
districts have already voted a tax rate in excess of what
this would provide for them. However, one of the previous
speakers said that this was a carrot and stick approach to
encourage consolidation. I disagree with that, somewhat.
I think that this is a club approach, rather than a carrot
and stick approach. I think that we have Committees being
appointed in every county to study further consolidation.
I think we should stay out of the consolidation issue until
those Committees have met, decided what they wanted to
propose - propose it to the voters and take the voters'
reaction. I would encourage a 'no' vote on this acceptance
of the amendatory veto of the Governor."

Speaker Breslin: "The Gentleman from Cook, Representative
O'Connell."

O'Connell: "A question of the Sponsor."

Speaker Breslin: "Proceed."

O'Connell: "Representative Steczo, just for clarification

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purposes. This applies to unit districts, not school districts under 1500?"

Speaker Breslin: "Representative Steczko."

Steczko: "Representative O'Connell, you are correct. This Bill applies to unit districts only. It does not affect dual districts in any way."

O'Connell: "No further questions."

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

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

Speaker Breslin: "He will."

Klemm: "Representative Steczko, is it true that larger school districts have a tendency to have economies in their operation and; therefore, the consolidation from small districts to large districts is really a benefit to the district as a whole because of economies of operation, for example."

Steczko: "Representative Klemm, thanks for your question. I remember the question from three years ago."

Klemm: "Okay, I'm really looking for a yes or no because I have a couple of questions..."

Steczko: "And I think... I think we would hope that there would be economies, and I think the intent of the Legislature would be so."

Klemm: "Alright. Thank you. Then, why are we giving large school districts more money and penalizing small districts, who by your own admission, don't have the economies, and therefore, really have some problems of funding necessarily the quality of education to smaller districts?"

Steczko: "Representative Klemm, could you repeat that for me? I'm not sure I understood your thrust."

Klemm: "Alright, if 1500 is the threshold that we're saying can

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get a larger access to the tax dollars."

Steczo: "Correct."

Klemm: "And you said that these large school districts really have better economies because of operation and administration and all these other good things of compounding or consolidating purchasing and all that. Then the poor school board... the poor parents of the children who go to school districts under 1500 are going to be penalized again and we're going to be kicked in the pants by the state because we're not going to even let them get to that access. Isn't that correct?"

Steczo: "Representative Klemm, I think the whole central issue we try to deal with in House Bill 982 and similar Bills over the last three years, was to recognize the fact that smaller school districts or smaller unit districts, for that matter, simply did not have the access to the tax rates that dual districts had. If you will look at the districts and the amount of funds that they currently tax, a \$1.60 or a \$1.84 is not adequate."

Klemm: "...But my concern now is not between unit and dual at this point. My question now is on your units; because, in my district and throughout this chamber, we have districts of under 1500 that are unit districts. Now, the purpose of the consolidation from dual to unit was because of the economies and all this and all the other good things that you mentioned. Alright, with that in mind, then largeness, bigness is supposed to give those school board members more dollars. But, in fact, if we were to accept the Governor's amendatory veto as you suggest, we actually, then, penalize the districts that are less than 1500 or this sign of bigness, then we don't penalize the districts. Who we really penalize are the school children. And I see that this is the year of school and educational reform. I don't

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think the reform was just for the big... to get bigger, the wealthy to get wealthier. It's really to help the small school districts, it would appear to me, because having served as a school board president for a number of years in small districts, we had the needs of the large districts. It was more difficult. And what we're saying by your acceptance of the amendatory veto, is that we're going to compound it for those school boards of less than 1500 in a unit district. How do you justify us going back and saying, 'We don't care about the children in small districts. We're going to force you to do some organizational structure, if you will, for consolidation or just get bigger and bigger?' In the meantime, what are these kids supposed to do as they go through the educational system for two or three years before we find out if consolidation is really the answer?"

Steczo: "Representative Klemm, I appreciate your comments and I think that, you know, in being fair to the whole question, you have to look back to what the Legislature did last July 1. The Legislature in the school reform package last July 1, told the school districts in the State of Illinois both unit and dual throughout the state that we are going to have to look at the delivery system. We're going to have to look at the way in which those districts are currently composed and we, in the Legislature, approved the reform package that put that 1500 level in there. When House Bill 982 went to the Governor, the Bill allowed local unit districts taxing under \$1.84 to go to \$1.84 over a period of four years. That means a 24 cent tax increased for those local districts, nonreferendum, over four years. When the Governor looked at House Bill 982 and when the Governor looked at the school reform package, it seemed inconsistent for us to be saying, 'We would like you to

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review the composition of your school system. We would like you to review the number of children in the enrollment and we would like you to try to come up to a level of 1500, if at all possible.' But then, here is the Legislature in 1982 and I'm not completely happy with this Amendatory Veto, but the Governor saying and the Legislature saying, 'However, even without that, we're going to allow you to increase your nonreferendum tax rate, tax your citizens 24 cents up to 24 cents in education, up to eight cents on transportation notwithstanding any review.' So, I think that in that respect, the Governor's amendatory veto makes sense that we should have the review. And we realize that there are districts that will never be able to come up to the 1500 level because as Representative McMaster said, 'We don't want to see kids on the bus for three or four hours a day.' However, let the review take place first, leave this as an incentive if we can do that, and I am perfectly willing to keep an eye on the situation as I have for the last three years and make certain that those that cannot or those that choose not to for good reasons certainly have access in the future and keep in mind, too, that by 1987 as we mandated in the reform package, we will be undertaking next year, a new school aid formula. And I think those issues at that point will be addressed."

Klemm: "Madam Speaker, to the question, please."

Speaker Breslin: "Proceed."

Klemm: "Thank you. I appreciate the comments and the rationale of why we should withhold the access to our property taxes by districts that have less than 1500 students. I don't agree with that rationale, however. In all due respect to the Sponsor who has certainly articulated the needs of small districts as well as large districts throughout his career, I find that being... though I represent the collar

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counties, that many of us, except for the large urban areas, don't have unit districts that have 1500. So, what you're talking about is supporting the larger municipality areas while, I think, turning our backs on most of the State of Illinois' attendance centers, and I think for us to say that you have to be a certain size before we'll give you adequate funding to fund and educate your children that you must be a certain size before we'll acknowledge your existence and help you out in trying to give the math, and the language arts and the other subjects, by saying we're going to force you to do things that may be even our statutes that we passed just this last year, does not even resolve after the voters if they would to defeat the proposal of consolidation after two times submitted to them. But, in the meantime, while we wrestle with it, while we study it, while we form new commissions, while we end up debating the issue through Legislative Sessions, these children need help, and it needs help not just with 1500 and 2,000 large school attendant centers, but it needs it for the districts that have a 1,000 and 1200 or anything else. So, I would think we should oppose this acceptance of the amendatory veto and give a vote for all the children in our educational attendance centers regardless of their size."

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

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

Speaker Breslin: "He will."

Hartke: "Terry, is it not a fact in a nut shell that what we did under 730, we said that small school units and districts should look at consolidation. Correct?"

Steczo: "That is correct. They should look at it."

Hartke: "They should look at consolidation. And yet, what we're

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doing here, if you accept this amendatory veto, what we're saying is, 'Fine, if you choose not to consolidate, you will not have the money to operate.'

Steczo: "I disagree with that statement, Representative Hartke."

Hartke: "Why?"

Steczo: "I... We, last year, acted, again, with concurrence by most Members of the General Assembly, to take into account unit districts, whether or not they're at the 1500 level or whether they are lower. We enacted a change in the state aid formula that helped unit districts tremendously last year. So, those smaller districts are going to be helped by the additional funds they'll receive by the access to the state aid formula that they have, that benefits them far greater than it did in prior years. The thing that we have to keep in mind with House Bill 982 is that, again, the consistency with what the Legislature did in July with the school reform package in House Bill 982 - there is consistency there where there was not consistency before. And as a person who has been committed over the last three years to tax rate equity, I am committed to looking at the results of what happens in the discussions that take place statewide and, should those discussions and ultimate elections prove futile, to come back and fight for that tax increase or... the tax equity, rather, across the board. At this point in time, the Legislature set the standard for what the Governor did in his amendatory veto message by passing the school reform package on July 1, and that's what we're faced with now. And I would also indicate to you that, should this Amendatory Veto Motion fail and if the override Motion fails, either here or in the Senate, which is likely or a good possibility, that nobody gets anything. So, I think it's a question here of whether we're willing to accept at least a half of what we wanted

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or a portion of what we wanted in hopes that at least it's a start in the right direction."

Hartke: "Well, Terry, aren't we... aren't we really, in effect, telling our small schools if you consolidate, the money won't be there. The majority of the money comes from the local districts anyway, not from the state aid formula, correct?"

Steczo: "Keep in mind, Representative Hartke, that at the present time, all unit districts that are... that have a tax rate under a \$1.84 are having difficulties. We tried to counter some of those difficulties by the state aid formula last year. So, in essence, their problems had been assisted somewhat. So, in House Bill 982, while it would assist them even more, those districts still are doing better this year with more money coming in than they were the year before."

Hartke: "Well, that's correct, but isn't it a 'Catch - 22'? If the school districts do not want to consolidate, the money will not be there to operate their schools. So, what we're doing, in effect, is forcing them to the 1500 level."

Steczo: "But I think it's unfair to say that because the panels haven't met yet, and the plans haven't been put forth yet, and the referenda have not been held. So, we really have no idea what the impact of what the Legislature did last July is going to have throughout the state. So, I think it's premature for us to simply say that no small unit districts are going to be assisted by either what the Legislature did last July or what I hope they will do by accepting this Motion."

Hartke: "But if you let your imagination run, what would you perceive to be the outcome?"

Steczo: "Representative Hartke, I wish I could tell you. I'm not a soothsayer. I'm not a seer. I'm not a prognosticator."

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So, I don't know."

Hartke: "I would think it would lead to the end of our local small schools. I really do."

Steczo: "I can't agree with that."

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

Ewing: "Madam Speaker, Ladies and Gentlemen of the House, I know that many people today are very interested in this Motion and in what we're going to do with this Bill. I'm not going to ask any questions because I think a great deal of the information is already out, but I would like to restate a philosophy, an opinion from some of us who represent downstate rural districts. The people who supported this legislation - we did so with the idea that all of the unit districts would qualify, that all of our constituents would have the opportunity to have this additional tax money for their schools. We did this as part of a package of reform which included a plan to consolidate schools in Illinois, not a mandatory plan, but certainly, a plan to lead us in an orderly fashion to consolidate our schools. I cannot believe that those who strongly support this have any school districts in their districts which will be affected. I appreciate their concern for education, but I wish they would depend a little more on their own districts and not meddle so much in what affects, very closely, many of our downstate districts. This idea, Ladies and Gentlemen, never had the chance to be discussed in front of any Committee and we're bringing a new concept into this Bill by an amendatory veto. I think our Governor was very poorly advised when he made this change in the law. This is not a popular concept in those districts which are closely affected. I would ask that we do not approve this Motion to accept this amendatory veto. There are other

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Motions pending on the Calendar, and I hope that this Body will see the wisdom of overriding the Governor's amendatory veto and putting this Bill back in the position that it originally existed when it went to the Governor. And I strongly urge you, even those of you who don't have any small schools, to give some consideration to those people who are taxpayers and citizens of this state and deserve the same rights as our larger school districts and in our suburban and city. Thank you."

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

Didrickson: "Thank you, Madam Speaker, Members of the House. I rise in support of this legislation as a suburban Legislator who does not represent unit districts. I represent dual districts. But, in my region, this is a very key component to consider consolidation seriously. It's the incentive that we need and I congratulate Representative Steczo. I congratulate the Governor for his amendatory veto, and I will also underline the fact that for those downstate rural districts, there are exceptions built into the Governor's veto message. We ought to look at that very carefully. For those hardship cases, there are provisos under this amendatory veto. Again, I would just like to say as a suburban Legislator, my school districts need this and have asked for this for a while. Thank you."

Speaker Breslin: "There being no further discussion, Representative Steczo, to close."

Steczko: "Thank you, Madam Speaker, Members of the House. I appreciate the House taking the time to hear this issue and would just like to respond, if I might, to one or two of the issues that were raised during the debate on this. No one as much as I have spent as much time dealing with the whole question of tax rate equity. I know a lot of the

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discussion this afternoon... or this morning has centered around the whole question of consolidation. However, consolidation is not the central issue that we're involved with in House Bill 982. The whole question of 982 is a question of tax equity between dual districts and unit districts. When the Legislature passed the education reform package last July 1, the Legislature set in motion the Governor's amendatory veto. So, we are acting today on something that we ourselves contributed to last July 1. And I wonder how many would come back later on or would have last year without any problem whatsoever, and I appreciate a lot of people having done that - voted for a 24 cent nonreferendum tax increase for school districts in your area or an eight cent transportation tax increase for schools in your areas. Not many people were happy about doing that. That's what this Bill would do, keeping in mind that if this Bill is overridden in a way that the strides that were made to help unit districts get extra state aid funds, would be eroded because they would be getting less from the state by increasing their own tax rate. This Bill or this Motion is supported, as Representative Hoffman pointed out, by the associated employers of Illinois, the Illinois Agricultural Association, the Illinois Association of Realtors, the Illinois Manufacturers' Association, the Illinois Retail Merchants' Association, the Illinois State Chamber of Commerce and the Taxpayers' Federation of Illinois. All feel that the Governor's amendatory veto was something that was a worthy policy, something I feel, that at the present time, is something we should consider and something we should approve. And I would like to address the comments of those who said we are hurting one segment, we are leaving some districts out. I would just like to reiterate

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that if this Motion does not pass and if the Veto Motion does not pass in both the House and the Senate - and I think it's questionable whether it would pass the Senate - then no districts - no unit districts get anything. So, from my perspective as the Sponsor, from my perspective as a person who has spent three years dealing with this issue, I am perfectly willing to accept what I can get from the Governor on House Bill 982 and vow to continue working next year to try to bring further equity to the smaller unit districts. I would encourage your 'aye' vote."

Speaker Breslin: "Because there are two Motions filed to accept on House Bill 982, I would now ask the Clerk to read the LRB number of the second Motion to accept, which is the Motion that we are dealing with right now."

Clerk O'Brien: "Both LRB numbers are exactly alike with the exception of the last letter. The full LRB number on the Motion we are handling right now is LRB 840386IRCMLAMVB."

Speaker Breslin: "The question is, 'Shall the House accept the Governor's specific recommendations for change on House Bill 982 by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 60 votes are required to accept this Motion. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 66 voting 'aye', 44 voting 'no', and 3 voting 'present'. And the House does accept the Governor's specific recommendations for change. Representative Tate, for what reason do you rise?"

Tate: "Madam Speaker, I'd like to be recognized for the purpose of a verification. I did have the speaker on before you announced that."

Speaker Breslin: "That's fine. The Gentleman has asked for a verification of the affirmative vote. Representative

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Steczo has asked for a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Hicks. McPike. B. Pedersen. Saltsman and Zwick."

Speaker Breslin: "Representative Giorgi asks leave to be verified, Representative Tate. Representative Tate, does Representative Giorgi have leave to be verified? He does. Proceed with the Poll of the Affirmatives. Excuse me, Representative Nash asks leave to be verified as well, Representative Tate. He has leave. Representative McPike changes his vote... wishes to be recorded as voting 'aye'. There are, therefore, 67 voting 'aye'. Proceed with the Poll of the Affirmative."

Clerk O'Brien: "Poll of the Affirmative. Alexander. Barnes. Berrios. Bowman. Braun. Brookins. Bullock. Capparelli. Cowlshaw. Cullerton. Curran. Currie. Daley. Daniels. DeLeo. Deuchler. Didrickson."

Speaker Breslin: "Excuse me, Mr. Clerk. Representative Tate, Representative McGann and Representative Keane ask leave to be verified as well as Representative Brookins, Representative Flowers. Representative Tate, for what reason do you rise?"

Tate: "Madam Speaker, this is probably one of the most significant issues that we'll entertain during this Veto Session. It affects all the school children in this entire state and it... to take 30 names, it's going to be very difficult for me to proceed. And so, I would like to deny those requests."

Speaker Breslin: "You'll have to tell us who have you accepted the request from and who are you..."

Tate: "The four that were previously mentioned. I just can't. Twenty-five people is too much."

Speaker Breslin: "We have Giorgi, Nash, McGann, Keane, Brookins and Flowers so far. Are those acceptable to you,

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Representative Tate? Representative Tate, I've read off six names. Are those six acceptable to you? Those are acceptable. The Gentleman has indicated he will not accept any other leaves to be verified. Proceed, Mr. Clerk."

Clerk O'Brien: "Farley. Flowers. Giglio. Giorgi. Greiman. Hallock. Harris. Hastert. Hensel. Hoffman. Huff. Keane. Kirkland. Krska. Kulas. Laurino. LeFlore. Leverenz. Levin. Matijevich. McCracken. McGann. McNamara. McPike. Nash. O'Connell. Panayotovitch. Parke. W. Peterson. Piel. Preston. Regan. Rice. Ronan. Shaw. Soliz. Stange. Steczo. Stern. Sutker. Tuerk. Turner. Van Duynes. Washington. White. Williamson. Wojcik. Wolf. Anthony Young and Wyvetter Younge. No further."

Speaker Breslin: "Representative Zwick asks to be recorded as voting 'aye'. Representative Saltsman, for what reason do you rise? Record Representative Saltsman as voting 'aye'. Do you have any questions of the Affirmative Roll, Mr. Tate?"

Tate: "Yes, Madam Speaker, what's the count when we start?"

Speaker Breslin: "The count is recorded on the board and will be recorded on the board so that won't be a question in the future."

Tate: "Okay. Representative Alexander."

Speaker Breslin: "Representative Alexander. Is the Lady in the chamber? She is."

Tate: "Representative Berrios."

Speaker Breslin: "Representative Berrios is by his seat."

Tate: "Okay. Representative Bowman."

Speaker Breslin: "Representative Bowman is in the chamber."

Tate: "Representative Huff."

Speaker Breslin: "Representative Huff. Is the Gentleman in the chamber? He is not. Remove him."

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Tate: "Representative Capparelli."

Speaker Breslin: "Representative Capparelli. He is in the chamber."

Tate: "Representative Bullock."

Speaker Breslin: "Representative Bullock is not in the chamber. Remove him."

Tate: "Representative Stern."

Speaker Breslin: "Representative Stern is in her chair."

Tate: "Representative Washington."

Speaker Breslin: "Representative Washington is not in the chamber. Remove him. I understand that a number of these people are in the back room, however. So they'll be coming out. Representative Shaw. Representative Huff has returned to the chamber. Add him to the Roll Call. Representative Hicks, for what reason do you rise?"

Hicks: "Yes, Madam Speaker, would you please record me as 'present'?"

Speaker Breslin: "Record Representative Hicks as 'present'. Representative Zwick changes her vote from 'aye' to 'no'."

Tate: "Let me see, Representative Greiman."

Speaker Breslin: "Representative McCracken."

Tate: "Greiman. Greiman."

Speaker Breslin: "Representative Greiman. The Gentleman is not in the chamber. Remove him."

Tate: "Representative O'Connell."

Speaker Breslin: "Representative O'Connell. Representative O'Connell. Is the Gentleman in the chamber? He is not. Remove him."

Tate: "Representative Pedersen."

Speaker Breslin: "Representative Greiman has returned to the chamber. Add him to the Roll Call. Representative Pedersen is in his chair."

Tate: "Okay, I will defer."

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Speaker Breslin: "On this question there are 65 voting 'aye', 45 voting 'no', and 4 voting 'present'. And the Motion to accept the Governor's specific recommendations for change on House Bill 982 is accepted. House Bill 1026, Representative Ropp. Representative Ropp. Is the Gentleman in the chamber? He is not. Out of the record. House Bill 1117, Representative Keane. Representative Keane. Is the Gentleman in the chamber? Out of the record. House Bill 1163, Representative Saltsman. Is the Gentleman in the chamber? Representative Saltsman."

Saltsman: "Thank you, Madam Speaker. House Bill 1163 is a Bill that has some technical changes and I accept the amendatory veto."

Speaker Breslin: "The Gentleman has moved to accept the Governor's specific recommendations for change in House Bill 1163, by the adoption of the Amendment. And on that question, is there any discussion? Hearing none, the question is, 'Shall this House accept the Governor's specific recommendations for change in House Bill 1163, by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no', and none voting 'present'. And the House does accept the Governor's specific recommendations for change in House Bill 1163. Representative McPike is recognized for a Motion."

McPike: "Thank you, Madam Speaker. I move the House stand in recess until the Call of the Chair."

Speaker Breslin: "The Gentleman has moved that the House stand in recess until the Call of the Chair. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House stands in recess

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until the Call of the Chair. Second Special Session called for the 84th General Assembly on Wednesday, October 16, 1985 is hereby called to Order. Representative McPike asks leave to use the Attendance Roll Call for the first Special Session... for the Regular Session to qualify as the Attendance Roll Call and Quorum Call for the Second Special Session. Are there any objections? Hearing no discussion, the Attendance Roll Call of the Regular Session will be so used. Messages from the Senate."

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Secretary. "Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of Amendments to the Bill of the following title, to wit; Senate Bill #1454, together with House Amendments #1 and 3, action taken by the Senate October 15, 1985 at the Second Special Session. Kenneth Wright, Secretary."

Speaker Breslin: "Representative McPike is recognized for a Motion."

McPike: "Thank you, Madam Speaker. I move that the Second Special Session stand in recess until the Call of the Chair."

Speaker Breslin: "The Gentleman has moved that the Second Special Session recess until the Call of the Chair. Is there any objection? Hearing none, the Second Special Session is recessed. The Regular Session is now called to Order. We will go to Amendatory Veto Motions appearing on page 16 on your Calendar. The first Bill is House Bill 1269, Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I would move to override the Governor's amendatory veto of House Bill 1269. Let me read to you what the Governor's amendatory veto says - the Governor's

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amendatory veto, by the way, keeps or retains what's known as the Dead Man's Act. What we did in the Legislature was repeal the Dead Man's Act, and the Governor says in his message, that, 'The repeal of the Dead Man's Act for practitioners before the probate for is a significant legislative initiative. Any move to repeal the Act, should, therefore, take into consideration the full range of debate.' This was not done with respect to House Bill 1269. In other words, the Governor vetoed a Bill because he didn't think we've debated it enough. Now, what's interesting is that sometimes the Governor, usually on June 30, submits Bills that are not debated on. And he signs them so quick that the ink isn't even dry. And he signs them before the Speaker... as soon as the Speaker sends it to him. So, I didn't really think that that was that valid a reason to keep the Dead Man's Act, but in deference to the Governor, I think what we should do is, right now, have a debate about the Dead Man's Act. That way we can fulfill what the Governor's views were. By the way, he says in the message, 'Therefore, without imposing my views upon the merits of the Dead Man's Act, I return the Bill to the General Assembly for full consideration of the Debate.' So, here we are on a Motion to override the Governor's veto, and we can have full consideration in debate of the Dead Man's Act. Now, the reason why, perhaps, we didn't have very much of a debate of the Dead Man's Act is because nobody cares about the Dead Man's Act. Nobody understands the Dead Man's Act. And I'm sure after this long debate that we'll have on it today, no one will still understand what the Dead Man's Act is. But that's... in fact, that's why we wanted to repeal it. So all I can tell you, briefly, is that I'm filing this Motion to override so that we can repeal the Dead Man's Act. Now what it says, in

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effect, the Dead Man's Act is a codification of some ancient common law which stands for the proposition that a person who has an interest in the outcome of a lawsuit will be tempted to lie at trial because the deceased is not around to rebut his testimony. The current trend, I would say modestly the current trend is to repeal these types of statutes. I'm not sure how many states still have it. I think it's only very few. Preventing persons from testifying actually leads to more injustices than would by allowing the people to testify. Other rules of evidence concerning credibility of witnesses and impeaching witnesses are... are really adequate to make the Dead Man's Act totally unnecessary. So, with that, I encourage this Body to have a full legislative debate and then to once again repeal the Dead Man's Act by overriding the Governor's veto."

Speaker Breslin: "The Gentleman has moved to override the Governor's amendatory veto on House Bill 1269. And on that question, the Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Madam Speaker. As a lawyer, I've had the opportunity to try a number of cases that involved the Dead Man's Act, and I think I have some understanding of it. But to convey to the Members of this Body that rule of what is substantive law that prohibits testimony, is almost impossible to have it without taking a whole course in law school on evidence. But I tried a case about a year ago involving an estate, and I represented the estate. And I think the simplest thing to say to you is, even though the Dead Man's Act existed and even though those objections were raised, sometimes by me, an ingenious plaintiff's counsel, who was opposing me, was able to get that same testimony in in other ways. And what Representative

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Cullerton and I are saying in making this Motion to override is, let the Judge make... or the jury make a judgment on the credibility of those witnesses. There's a serious question as to who is an interested party that's really not defined in the Dead Man's Act. The Dead Man's Act has been revised from this substantive rule of law that came down over the years, and it has been lessened and lessened through Amendments to this statute. And by abolishing it, you're really saying to the court they can rule whether or not that testimony should be admitted. In many instances that testimony has other basis for objection other than the Dead Man's Act, hearsay and otherwise, and let the counsel for the parties make those objections. If, in fact, the testimony is admitted, let the trier of fact, being the Judge or the jury, weigh the credibility of the interest of that person. That's true in many proceedings. A plaintiff generally has an interest in any litigation which he is testifying, and because he has an interest in that litigation does not automatically disqualify him as a witness. A defendant has an interest in most litigation. He wants to see it resolved successfully for him. He still is... able to testify. But what this says is a matter brought against a proceeding or a proceeding in which there is a decedent, people are barred from testifying because they have an interest in it and sometimes those are the only people that have the knowledge and the ability to make the... the testimony, any sort of testimony. And what you're doing by allowing the Dead Man's Act to exist is keeping people from having a case and getting to the courthouse steps because of a rule of law that is... applied arbitrarily and capriciously. By allowing or by repealing this, as we have proposed, you're not having an arbitrary and capricious denial of a person's right to have

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a trial on the issues that they claim; however, you're letting that trial exist and letting the trier of fact make the judgments and weigh their credibility in light of the case. Now this may allow a lot more people to come in and testify and say, 'My Aunt Matilda thought when she was drawing her will that she was going to leave me a million dollars, and somehow Attorney Cullerton drew it so that she didn't leave me the million dollars but she left it to... to John Doe.' But I think those are the sorts of risks that we take in society. We have frivolous lawsuits that are filed, and we have to deal with those sorts of things. And I think that the truth really comes out in legal proceedings, and that the Dead Man's Act doesn't really help in any other way. I must admit that I have placed as a portion of this other portion of this Bill which the Governor did not veto, an Amendment which was mine which I'd like to see passed. But I would also like to see us override the Dead Man's Act and allow people to get to the courthouse steps and in the courtroom and be able to have their cases heard. And with that, I would join with Representative Cullerton in the Motion to override. Thank you."

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

Vinson: "Yes, Madam Speaker, I wonder if the Sponsor might yield for a question."

Speaker Breslin: "He will."

Vinson: "Now, Representative, could you describe the basic thrust to the Dead Man's Act? We've done... Basically what we've done here so far is to say that it can't be described. And I'd like... I think if we're going to have a reasonable debate, we ought to describe it so people understand it."

Cullerton: "Right. I think that it personally... that it... I

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thought that it was unable to be described, but then I... just for the last few minutes I don't know if you caught it, Representative Countryman just droned on for a few minutes and explained the Dead Man's Act. So I think I have a better understanding of it right now. And I also used to know what it did just prior to the... about three minutes prior to the bar exam. And then after the bar exam it flew out of my head, and I haven't even thought of it since. Now, I'll tell you as best I can that it's a rule of evidence that says somebody can't testify in a... in a lawsuit. And the theory behind not allowing someone to testify is that that person would lie if they were allowed to testify because the only person that would rebut him is dead. And so we are going to... The Legislature's going to say that that person cannot testify. I think what Representative Countryman has said is that this is outmoded and that people use legal gymnastics to get around the rule. And the best thing to do is just simply abolish it and... and let the Judge decide, let the witnesses testify and let the Judge or the jury decide the credibility of the witnesses."

Vinson: "Alright, now aren't there a list of exceptions to the Dead Man's rule which would permit the available witness to testify?"

Cullerton: "I don't think there's a list of exceptions. I think there's, as these legal contortions that are gone through... for example, interpreting who really has an interest or not is... is one way that the courts can get around it."

Vinson: "Well, let's take the situation where someone has testified on behalf of the deceased side in the party as to the event. Then, isn't the person who would otherwise be disabled from testifying permitted to testify?"

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Cullerton: "Yes, in that case they would be."

Vinson: "And where the deceased's deposition is available in the trial then can't the other... can't the disabled witness then testify?"

Cullerton: "Right, because the theory behind having the Act does not apply because there is testimony from the deceased. It's only in cases where the deceased is not able to... to testify, as is the case with most deceased people, where the Act would apply."

Vinson: "Now, where you have a business record available on behalf of the deceased, then can the other person testify?"

Cullerton: "Right. That's an example when the Act does not apply."

Vinson: "That's right."

Cullerton: "We're talking about repealing the Act so that we don't have to even get into these distinctions..."

Vinson: "Now..."

Cullerton: "...as to whether or not the Act applies or not."

Vinson: "When the testimony relates to heirship of the decedent..."

Cullerton: "Heirship?"

Vinson: "Heirship."

Cullerton: "Could you spell that for me?"

Vinson: "H E I R S H I P."

Cullerton: "Okay. Heirship. Alright."

Vinson: "Then can't the other party testify?"

Cullerton: "I have no idea. I have no idea."

Vinson: "So you're... you're asking us to override a veto that you don't really know the substance of what's been vetoed out."

Cullerton: "That's right. No one knows what the... with the possible exception of Representative Countryman, what the Dead Man's Act does. That's one of the main reasons why we

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should repeal it."

Vinson: "Now how long has the Dead Man's Act been a part of Anglo-American law?"

Cullerton: "Well, the... it is in common law... I'm not sure how long we've found fit to codify it, but probably around the time when we became a state, I would imagine."

Vinson: "But I mean, doesn't it extend back into medieval English law, too?"

Cullerton: "That's correct."

Vinson: "And wasn't it something that medieval English Judges..."

Cullerton: "If it was good... If what you're saying... If it was good enough for the 13th Century, why can't it be good enough for this century? If that's what your point is, I would say that there are some things that after a couple hundred years they just sort of tend to fade and they're not as important."

Vinson: "And you're saying that you think that something that... the combined weight of 600 years of Anglo-American law said is good, that this General Assembly ought to throw out when you don't even know the substance of it?"

Cullerton: "...precisely that reason we should throw it out."

Vinson: "Now..."

Cullerton: "You're... You're proving my point in other words."

Vinson: "Have you even been involved in a case where the Dead Man's statute had an impact?"

Cullerton: "No... That's another reason why we should repeal it, so it won't be on that bar exam any more."

Speaker Breslin: "Gentleman, there..."

Vinson: "Would that get a lot more lawyers into the system?"

Cullerton: "That's possible. Are we for more lawyers?"

Speaker Breslin: "Gentlemen, there are several other people seeking recognition, so if you could bring your discussion to a close..."

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Vinson: "Well, Madam Speaker, this is an issue of some moment. We are sitting here talking, debating the subject of whether a hallowed and ancient principle of common law ought to be abandoned on a whim. And the Sponsor of the Motion, the Sponsor of the Motion says that he doesn't even understand the principle of law at stake, but he's for overriding the Governor's veto to abandon that long-term, longstanding principle. We go through the exceptions. In virtually every case that you can think of where the Dead Man's statute would reap bad results is covered by an exception. I am prepared to vote to override the Governor's veto if somebody can cite for me one case that's not covered by an exception where the Dead Man's statute would work a bad result. And I stand willing to listen to this debate until the end of the day today or until the end of the week this week for somebody to produce that one example and then, I'll vote to override the Governor's veto on this issue. But I think we at least ought to get to joining this issue on the merits..."

Speaker Breslin: "Representative..."

Vinson: "...and not just throwing it out because you don't want to take a bar exam question on the subject."

Speaker Breslin: "Representative Preston indicates he can provide that one example. Would everybody give their attention to Representative Preston?"

Preston: "Thank you, Madam Speaker. I agree with Representative Vinson. This is a very important principle of the law and because of that it's very important that we do override the Governor's veto and get rid of the Dead Man's Act which came about many hundreds of years ago because there was a basic assumption that a person would lie if the... if the person they were lying about wasn't around to testify in his or her own behalf. And that is an assumption that was

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really a fraud. It was at the same time, at the same point in law, it was also assumed that women would lie. So women weren't permitted, in most instances, to be witnesses in courts or in lawsuits. The Dead Man's Act, and I'd like to give you... I would like to give you an example of the mischief that is done by virtue of the Dead Man's Act. In this situation where an individual is intoxicated, and driving a car, and crosses over on the wrong side of the highway, and smashes into an oncoming car, but that drunk driver, the one who crossed the median line, is killed in that accident. The other person is just, perhaps, paralyzed from the neck down for the rest of his or her life, but the... the bad guy was killed in the accident. If there's a lawsuit brought, as of course there would be, against the estate of that deceased driver, the person who had been paralyzed, who is the only living witness to that occurrence, the only person who can testify as to what took place would not be permitted to testify. They would have to try to prove their case against that intoxicated deceased driver by other types of evidence, maybe looking at skid marks, maybe looking at the place where the accident happened. But there are a lot of explanations that could be given and a lot of errors that can be made in trying to prove that one person, even in fact, was intoxicated. You can't talk about anything, you can't give evidence on anything that took place at the occurrence in the presence of the decedent, and I think that is a frivolous, fraudulent area of the law that wreaks havoc in many situations that come up. And the situation I gave to you was not just one that I made up but actually happened and happens regularly. It happens in many estate matters as well that you're just... any occurrence that takes place in the presence of the decedent, you can't give

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direct testimony on. And that is unnecessary. The Dead Man's Act has long ago lost its usefulness, and it should be... should be done away with."

Speaker Breslin: "The Gentleman from Champaign, Representative Johnson."

Johnson: "In addition to repeating to what people have said before, and that is, I think we're one of two states that has this statute. It's totally outdate. I'll give Representative Vinson his example. You have a 40 year old husband and father of two who's dying or at least in weakened physical health. Well, he has a will that leaves everything to his wife and children, and three days before he dies his lawyer or a lawyer and his business associates come in, take advantage of his weakened physical or mental condition and use undue influence or duress to get the dying person to sign a will leaving everything to their... the lawyer and business associates and cutting his wife, his widow and his children out of the will. So the will that's probated is the new will, leaving everything to the business associates rather than the family. The family then files a will contest saying that the will was procured by undue influence seeking to have it set aside so that the will that's applicable would be the will that leaves everything to his wife and children as he intended to do when he was in good health and before he was subject to undue influence. The Dead Man's Act would flatly prohibit any testimony as to conversations, occurrences or anything else in the presence of the decedent by the widow and the children who are challenging the will because they're the adverse party to the executor of the... of the husband. And as a result, no testimony would be able to be elicited at all from those people about the conversations, the undue influence, the pressure, the harrassment, the duress and so

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forth that caused him to change the normal course of his disposition. So in that case a will contest that would serve justice would be totally eliminated in its ability to be presented to the courts. There are examples like that all over the state that occur frequently where this rule simply doesn't work. What would work well is by repealing the Dead Man's Act, you'd then be able to present evidence and have the evidentiary value of testimony weighed according to interest, and ability to perceive, and bias, and prejudice and so forth, which is the way it is in every other case, in every other situation, with every other kind of witness in the State of Illinois and in 48 states. I simply say that this Bill is now... or law is an outdated statute that serves no purpose other than to thwart justice and that a repeal of the Dead Man's Act is something that makes eminent good sense."

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

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House, I appreciate the Governor in allowing us to hear this very eloquent debate on the Dead Man's Act. I went over to Representative Cullerton just a moment ago. You know, all of what you say makes such sense to me that the Dead Man's Act should be repealed, and for the life of me I couldn't figure out why the Governor should apply the amendatory veto to take out this provision. And then it dawned on me that the Governor is out for the dead man's vote. So I think we ought to all be in the 20th Century to protect the living. Forget about the dead man. He can't vote anyway. So I will vote with Representative Cullerton on the override of this veto."

Speaker Breslin: "Representative Vinson, for what reason do you rise? Are you..."

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Vinson: "Madam Speaker, on a point of personal privilege. Representative Johnson has educed an example that has convinced me of the evils of the Dead Man's Act, and I would urge a vote to override the Governor's veto in this case."

Speaker Breslin: "Representative Cullerton is recognized to close."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. For those of you who are concerned, I understand that the Illinois Funeral Directors have no position on this Bill. I also understand that the Cemetery Association, on this Bill, is in full agreement with the Funeral Directors. The Medical Society apparently has not taken a position. I think that really what we've accomplished here is a very full explanation and debate about the merits of the Dead Man's Act, which is exactly what the Governor wanted in vetoing the Bill. He did not take any position on the merits of the Dead Man's Act. I think that as a result of our debate, I think it's very clear that the statute should be abolished. And for that reason, I would ask for an 'aye' vote."

Speaker Breslin: "The question is, 'Shall the House override the Governor's amendatory veto of House Bill 1269?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 114 voting 'aye', 3 voting 'no' and none voting 'present', and the House does override the Governor's amendatory veto of House Bill 1269. House Bill 1500, Representative Keane. Representative Keane. Out of the record. House Bill 1585, Representative Phelps."

Phelps: "Thank you, Madam Speaker. I move to override the Governor's portion, his amendatory veto on 1585, which

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actually deals with the question in this Bill of exempting the Municipal Gas Joint Agency, exempting their responsibility on property tax. When this Bill was drafted, it was modeled after an identical Bill that allowed the Municipal Joint Agencies for electrical companies... also which passed the General Assembly a couple of years ago and the Governor signed the Bill in that particular status. This is shocking to me, the fact that he would bring it to our attention that it should not be exempted of public utilities, exempted from property tax when they are the sponsor of that particular joint agency. The idea of the Bill, actually is to insert that provision to make it more cost effective for the price of consumer gas to be more affordable. That's the whole idea of the Bill. And I... I move to override the Governor's amendatory veto."

Speaker Breslin: "The Gentleman has... The Gentleman has moved to override the Governor's veto... amendatory veto of House Bill 1585. And on that question, is there any discussion? Hearing no discussion, the question is, 'Shall the House override the Governor's amendatory veto of House Bill 1585?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question, there are 97 voting 'aye', 18 voting 'no' and none voting 'present', and the House does override the Governor's amendatory veto of House Bill 1585. House Bill 1922, Representative Vinson. Representative Vinson. Out of the record. House Bill 2368, Representative McGann."

McGann: "Thank you, Madam Speaker and Members of the Assembly. I wish to override the amendatory veto of House Bill 2368. The reason for the Amendment originally that was put on House Bill 2368 was to protect its citizens of the State of

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Illinois that have the identification cards for their guns and rifles and so forth throughout the state. What has happened is the Department of Law Enforcement has failed to notify the FOID card members when their cards were expired. They told us they did not have the funds to do so, but funds were provided for them to continue to notify. And now, we felt as though that the extension after the card is expired until such a time as the Department of Law Enforcement has had an opportunity to notify them, that we would be protecting these citizens. I think we should override this, and I'd ask for your affirmative vote. Thank you."

Speaker Breslin: "The Gentleman has moved to override the Governor's specific recommendations for change in House Bill 2368. And on that question, the Gentleman from Macon, Representative Tate."

Tate: "Thank you, Madam Speaker. I rise in support of Representative McGann's Motion, as the Sponsor of this Bill is somewhat modest about it in terms of the work that he's put into it. There was an agreement that when we passed this... this Bill that this specific provision had to be incorporated in this Bill. This chamber, time in and time out for the last two years, has debated the issue of whether we should retain an FOID card. Many of the Members in this chamber have consistently received complaints about the Department of Law Enforcement's turnaround time in receiving FOID cards and their lack of cooperation in the delivery system of FOID cards. What the Sponsor is saying is at least we can give the citizens of this state the courtesy of notifying them that they are no longer... they no longer have a legal firearm FOID card. And so therefore, this... this Bill, with this provision, makes a great deal of sense. It's a practical approach to

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the problem. It's a courtesy to all the citizens that they should deserve... they should be notified that they have one and whether they're legal or not. And that's all we're doing. So I would encourage everyone to override this. It's a very important issue to gun owners throughout this state and to sportsmen throughout this state."

Speaker Breslin: "Is there any further discussion? Hearing no further discussion, Representative McGann to close."

McGann: "Thank you, Madam Speaker. Not to take up the time of the Assembly, but I think all is need to be said by Representative Tate. I would appreciate an affirmative vote. Thank you."

Speaker Breslin: "Representative McGann moves to override the Governor's amendatory veto of House Bill 2368. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 104 voting 'aye', 12 voting 'no' and none voting 'present', and the House does override the Governor's specific recommendations for change in House Bill 2368. On page 14 on your Calendar appears House Bill 26, Representative Bowman."

Bowman: "Thank you, Madam Speaker. The Motion that is printed in the Calendar is a Motion to override. However, I have discussed this issue with the... the Governor's Office and the specific problem revolves around the question of which... what is the correct name for the agency that the Bill... the underlying Bill cites. The underlying Bill referenced an Executive Order or the language of an Executive Order, which apparently the agency now goes by another name that it has picked up in sort of informal usage over the years, and the Governor in his amendatory veto changed the agency designation in the Bill to this

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more informal usage. However, there's no basis in law, or rule or an Executive Order that identifies what the agency is by this... this new... newer and informal name. Anyway so that is... he changed the Bill to use the informal name. I filed a Motion to override so that we would go back to the legally sanctioned name. Anyway, we worked it out so that he will issue an Executive Order amending the existing Executive Order establishing the agency, and that... so we'll all be dealing with the... the same name. In any event, that leads me to withdraw the Motion to override and offer a substitute Motion to accept the amendatory veto. And the Pages are now passing out the proper Motion to accept the amendatory veto. So Madam Speaker, I now withdraw the Motion to override and offer a substitute Motion to accept."

Speaker Breslin: "The Gentleman moves to accept the Governor's specific recommendations for change in House Bill 26. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House accept the Governor's specific recommendations for change in House Bill 26 by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is a Motion to accept. Have all voted who wish? The Clerk will take the record. On this question, there are 114 voting 'aye', none voting 'no' and none voting 'present', and the House does accept the Governor's specific recommendations for change in House Bill 26. House Bill 53, Representative Preston. Present your Motion please. Excuse me. Representative Brookins, for what reason do you rise?"

Brookins: "To record me as 'yes' on the last vote. You have to get used to hitting these things hard."

Speaker Breslin: "Yes, I know. We will... The transcript will reflect that you desire to be recorded as voting 'aye' on

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House Bill 26. House Bill 53, Representative Preston, proceed."

Preston: "Thank you... Thank you, Madam Speaker. I would move to override the Governor's veto... amendatory veto of House Bill 53."

Speaker Breslin: "The Gentleman has moved to override the Governor's amendatory veto of House Bill 53. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House override the Governor's amendatory veto of House Bill 53?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 85 voting 'aye', 23 voting 'no' and 3 voting 'present', and the House does override the Governor's amendatory veto of House Bill 53. Ladies and Gentlemen, we are now going to Total Veto Motions which appear on page six on your Calendar. The first Bill under Total Veto Motions is House Bill 82, Representative Pangle."

Pangle: "Thank you, Madam Speaker. I move to override the total veto on House Bill 82 that deals with a mandatory sentence for three conviction of prostitution in a five year period. Veto was made by the Governor. He felt that there wasn't enough room in the prison system for prostitution. I disagree with that, and I would ask for an override of the total veto."

Speaker Breslin: "The Gentleman has moved to override the Governor's total veto of House Bill 82. And on that question, is there any discussion? Hearing no discussion, the question is, 'Shall the House override the Governor's veto of House Bill 82?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take

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the record. On this question, there are 87 voting 'aye', 26 voting 'no' and 1 voting 'present', and the House does override the Governor's veto of House Bill 82. House Bill 208, Representative Soliz."

Soliz: "Madam Speaker, Members of the Assembly, I'd like to withdraw my Motion to override on House Bill 208, please."

Speaker Breslin: "The Gentleman moves to withdraw his Motion. House Bill 312, Representative Soliz."

Soliz: "I'd like to... Madam Chairman (sic - Speaker), Members of the Assembly, I'd like to move to override the total veto on House Bill 312, and I'm ready to answer any questions that the Assembly may have."

Speaker Breslin: "The Gentleman has moved to override the Governor's veto of House Bill 312. And on that question, is there any discussion? The Gentleman from Cook, Representative Piel."

Piel: "Thank you, Madam Speaker. Could the Gentleman... he just asked for an override, but would he explain the Bill, explain what it does and why he wants to override, please?"

Speaker Breslin: "Representative Soliz."

Soliz: "Thank you, Madam Speaker. There are two Sections to this particular Bill - one that would provide for the certification of interpreters in judicial proceedings in the courts of Illinois. The Governor vetoed this piece of legislation claiming that there was not a need for interpreters to be certified in judicial proceedings. I think, in fact, that he missed the point. We are not asserting in this particular piece of legislation the need, although there is a dire need, as you could tell if you were present at the testimony that was provided in the Committee hearings. There is unquestionably a need for interpreters in judicial proceedings. However, the Bill provides for the certification of these interpreters to

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assure that the interpreters that are used in judicial proceedings are competent. And I think that, in fact, the Governor did miss the issue. Now on the other question, there is a provision that would allow for appellate review of decisions barring the disclosure of information by the media in juvenile proceedings. The Governor claimed that there was a problem in that it would interfere with the separation of powers portion of the Constitution of the State of Illinois. Now that... this... this is arguable given that in divorce proceedings, for example, it has been... it is stated in the statute that certain proceedings are final orders and can be appealed. So there is precedent, at this point, for this type of order. And I do move respectfully that we override the total veto of the Governor in this... in this case because I think he just basically missed the point on the question of the interpreters and that arguably, in fact, you can... and there is precedent, there is ample precedent which would provide that these orders... these types of orders can be declared final orders and then be subject to an appeal."

Speaker Breslin: "Representative Piel."

Piel: "I can hear you. Can you... Representative, could you give us an approximate cost to this program if it's enacted?"

Soliz: "My... We would only be providing for the cost of the certification of the interpreters which would be provided by the Department of Registration and Education. I would estimate that the cost would be, in fact, minimal given the... the need that they would be able to comply with. I... It would just be a matter of coming up with a procedure for testing the interpreters and then assuring that they'd be tested and then certified. It would not require the payment of the fees. The fees for the interpreters are already provided for through the different

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counties throughout the state."

Piel: "The... My volume's up, but I'm afraid that they didn't turn your volume up enough. But you're talking about a minimal cost. Are you talking... I mean, to certain people a minimal cost is a thousand dollars, to other people minimal cost is a million dollars. Can you give us a ballpark figure, because obviously what we're doing is, by this legislation, you know, putting the state into a position to where they're going to have to pay for this."

Soliz: "I'm... I am not able to provide you with the exact figure. I do know that fiscal notes were asked of and were provided for, and they should be part of the record. But... Well, the cost has not been the factor for, as far as I can tell, for either the veto or..."

Piel: "You don't have a copy of the fiscal note then, I take it."

Soliz: "There were several requests for fiscal notes which were on file."

Piel: "But... But you don't have a copy of it. You can't tell us what it cost. The reason I'm bringing this question up is because obviously there's nothing in the '86 budget for this. And my next question would be where they money's going to come from. Unfortunately certain people, at times, think that we have a... that we have a, you know, a never ending tree full of money, but with it not in the budget I'm wondering where this is going to be paid. Have you made... Have you made an appropriation request for this?"

Soliz: "There wasn't no appropriation specifically requested, but there has been... there's ample precedent for passing Bills without specific appropriation."

Piel: "One final question, what is your answer to the opponents of this type of legislation where they say it's more of a county's responsibility in... because the counties are the

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ones that have the jurisdiction over their own courts more than the state's responsibility to sit here and start dictating exactly how... what counties are supposed to do in their own court system."

Soliz: "I am not trying to abridge the responsibility of the counties with this particular piece of legislation. In fact, the counties will continue to provide and pay for the services of interpreters. All that we are concerned about is that these interpreters be competent, that they be able to adequately translate from English to Spanish or from... to Greek or to Italian or for the deaf or in the sign languages. We are just concerned that there be some uniform procedure such that they will be uniformly tested for competency throughout the state."

Piel: "Do we have this major problem... Do we have this major problem right now to where these... these interpreters are not qualified, that counties are just willy-nilly hiring anybody and giving them the title of interpreter?"

Soliz: "Absolutely. And I've experienced... There was... A lot of testimony was provided by interpreters, as well as the Chief Interpreter for the Cook County court system. And as a lawyer, I've seen many times where lawyers as well as Judges and defendants just bring anyone off the street to provide interpreter services for them in judicial proceedings, and I think that this can lead to a real travesty in justice on many occasions."

Piel: "What do you do when you get to a situation like in southern parts of the state where they would not have as great a need as they would, let's say, in the Cook County area? Are they going to have to, you know, hire people, you know, bring people in from out of the area to act as court ordered interpreters?"

Soliz: "No, there is a provision in the statute which provides

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for discretion upon the court to provide for alternatives. If there's not a certified interpreter, then the court can... can proceed with a viable alternative at its discretion."

Piel: "Thank you very much. No further questions, Madam Speaker."

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

Kubik: "Thank you, Madam Speaker. Representative Soliz, a question, from one who is not an attorney. How does this work? I mean, for example, in a trial, how would an interpreter be brought forth? Could you... Could you explain the practical nature of what you're trying to do here?"

Soliz: "Yes, I'd be glad to. At the present time the law provides that if a person is not able to speak in the English language, then an interpreter can be provided, as well as if the person is a deaf mute and cannot... requires a sign language interpreter. If the court determines that an interpreter needs to be provided, then the county would provide for the payment fees for such an interpreter. Now that... none of that will change. That's presently the law. What we would do with this new law is just basically require that the interpreters that are utilized in these court proceedings, I'm talking about criminal judicial proceedings, that these interpreters be competent and that they be able to perform the translation or the interpreter services that they're charged with the responsibility of performing. That's all that this law would change, that the interpreters actually be competent to do what they are being asked to do."

Kubik: "So basically what you're saying is that the state is going to determine whether these interpreters are... are

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able to speak the language and communicate correctly."

Soliz: "That's correct. It's... The state would be responsible for doing that."

Kubik: "Is there any..."

Soliz: "Just like they do for doctors, and lawyers, and stenographers and court reporters and other professions."

Kubik: "Okay. But Representative Soliz, is there any existing structure that would allow them to easily do this, I mean, or are we... let's face it, United States and this state is a conglomeration of... of many different nationalities and ethnic background. We could be talking about virtually, you know, hundreds of different dialects of languages. The Indian language alone has... has a hundred different dialects. The question I'm asking is, who's going to... who's going to be able to determine that... that these people are competent in providing this service?"

Soliz: "Well, there are just basically certain principal languages that are... that are really the issue with this kind of legislation, and there are languages that... that are somewhat more... they're not so common in the State of Illinois. I would anticipate that the state, through the Department of Registration and Education, would provide some uniform test to determine the competency of interpreters in those basic languages such as Spanish, Polish, Italian, and Greek and perhaps others that I don't... they don't come to mind readily. However, as the need... as the need progresses, Vietnamese, for example, can... Laotian, there has to be some way in which we can determine that that particular translator or interpreter is competent to translate in those... in those languages in order to ensure that the communication has taken place in the judicial proceeding in order to ensure that justice is being dispensed in the judicial proceeding. It doesn't

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help the Judge any or the jury any or the defendant or the accuser if they don't understand what is transpiring in a criminal proceeding. And this is simply a mechanism to insure that there's justice at every level, including for... including those that don't speak the English language fluently."

Kubik: "Well, I can appreciate that. And my last question is, in the past, for example, you come from, I assume, a heavily Hispanic district, I come from a district that is heavily Eastern European. I guess my question is, if somebody who is Czech, or Polish or Lithuanian had had this problem in the past, how... how is it that they would... how would the law have affected them in the past, and how would they have gotten around this in the past?"

Soliz: "Well, there are a number of people that profess to be interpreters for all of those languages. All that we want to do is to pass or take some very simple examination to ensure that they know the language sufficiently well enough to be able to translate in a judicial proceeding. There are interpreters available for all of those languages that you mentioned and many more. All that we want to do is make sure that they're competent."

Kubik: "Thank you, Representative Soliz."

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

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

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

Soliz: "I would just like to ask for a favorable vote on this question. Thank you."

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Speaker Breslin: "The question is, 'Shall the House override the Governor's total veto of House Bill 312?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Alexander, one minute to explain your vote."

Alexander: "Thank you, Madam Speaker. I rise in support of House Bill 312. As many of you know, I worked in the court system for some 34 years, and the need for qualified court interpreters is a must. It's very sad in some of the court systems when you've had to use persons over the counter, just personnel, anybody that's coming in the building to try to secure them, bring them up, qualify them to interpret for persons who are standing before the bar, sometimes fighting for their life. So I would urge an 'aye' vote on this override."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there 65 voting 'aye', 46 voting 'no' and 1 voting 'present'. The Motion fails. House Bill 320, Representative Young. Out of the record. House Bill 623, Representative Wolf."

Wolf: "Thank you, Madam Speaker. Members of the House, I move for passage of House Bill 623, the veto of the Governor notwithstanding. This is the Bill, as some of you know, provides for the inclusion of the Supreme Court clerk and the five Appellate Court clerks in the judicial retirement system. I believe that the Governor is in error in his veto message when he says that there is no precedent for this legislation. We have a very prominent piece of legislation as a precedent in the General Assembly Retirement System. As to his remarks about a question of whether these individuals are a part of the judicial system, I would submit to you that a mandate was handed

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down a few years ago which provided that the Appellate Court clerks and the Supreme Court clerk could not hold office in any political party because they were considered part of the judicial system. This being the case, I think this legislation is... very much improper. I would move for adoption of the Motion."

Speaker Breslin: "There being no further discussion... Is there any further discussion on whether or not we should override this veto of House Bill 623? Hearing none, the question is, 'Shall the House override the Governor's veto of House Bill 623?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 63 voting 'aye', 52 voting 'no' and none voting 'present', and the Motion fails. House Bill 691, Representative Cullerton. Out of the record. House Bill 693, Representative Cullerton."

Cullerton: "Yes, Madam Speaker, I wonder if I could take that out of the record too."

Speaker Breslin: "Out of the record. House Bill 694, Representative Cullerton."

Cullerton: "Yes."

Speaker Breslin: "Out of the record."

Cullerton: "No."

Speaker Breslin: "Oh, you want to proceed with this Bill?"

Cullerton: "Yes, and I'd like you to stay in the Chair."

Speaker Breslin: "House Bill 694, Representative Cullerton, proceed."

Cullerton: "Yes, I move to override the Governor's veto on House Bill 694. This Bill amends the State's Attorney's Appellate Service Commission Act to provide for a reimbursement to Cook County for monies totalling two million dollars. The two million dollar figure is

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contained in House Bill 693. Throughout the state, in 101 counties, we have State's Attorney's Appellate Service Commission which provides for the appeals for the State's Attorney's Office. And that is reimbursed two-thirds by the state and one-third by the counties. This service is not provided for Cook County. Cook County pays for the entire appellate section of the State's Attorney's Office. Their budget is in excess of three million dollars in Cook County. What this Bill was intended to do would be to reimburse Cook County for two-thirds of the cost of that... that service. It's just like the state two-thirds grant to the other counties. This Bill passed on July 5th, along with some other Bills of interest to the Legislature. I would be happy to answer any questions. I feel it's a fair Bill. I would... I would think that people from throughout the state can support it because it... it really is... is simply giving to Cook County the funds which are comparable to the money that's given to all of the other counties that are participating in the Appellate Service Commission. For that reason, I would urge your support of the Motion."

Speaker Breslin: "The Gentleman has moved to override the Governor's total veto Motion of House bill 694. And on that question, is there any discussion? Hearing no discussion, the question is, 'Shall the House pass House Bill 694, notwithstanding the Governor's veto?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 65 voting 'aye', 50 voting 'no' and none voting 'present'. Representative Cullerton, for what reason do you rise?"

Cullerton: "I would ask for a Poll of the Absentees, please."

Speaker Breslin: "The Gentleman requests a Poll of the Absentees."

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Poll the absentees, Mr. Clerk."

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

Speaker Breslin: "Levin votes 'aye'."

Clerk O'Brien: "McAuliffe. And Saltsman. No further."

Speaker Breslin: "There are 66 voting 'aye', 50 voting 'no' and none voting 'present', and the Motion fails. The Chair would like to recognize the fact that we have a statewide office holder in our presence, present Attorney General Neil Hartigan. Welcome. House Bill 761, Representative Matijevich. Out of the record. House Bill 781, Representative Keane. Representative Keane. Out of the record. House Bill 856, Representative O'Connell. Representative O'Connell. Out of the record. House Bill 882, Representative Greiman. Out of the record. House Bill 899, Representative Woodyard."

Woodyard: "Thank you, Madam Speaker, Members of the House. I would move to override the Governor's veto on House Bill 899. This Bill started out early in the spring with meetings, Department of Revenue, the Township Assessors Association and the Supervisor of Assessments Association. And the Bill is the result of agreements reached by those three entities. It was posed primarily due to the fact many of the township assessors did not get their books, their assessment books, in a timely manner. And this resulted in inaccurate and incomplete assessing. I was... I was very disappointed that the Governor chose to veto this... this Bill in which certainly Department of Revenue had been a part of... of the agreement reached among all of these entities. There has been some indication, certainly in the Governor's veto message, that I disagree with in the fact that some say that this would slow the tax cycle down. Actually it would speed up the tax cycle. And the Bill itself, in its original form, would allow the township

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assessor to have his actual assessing books for 60 days. So I would ask that you join with me in overriding the Governor's veto of House Bill 899."

Speaker Breslin: "The Gentleman moves for the passage of House Bill 899, notwithstanding the Governor's veto. And on that question, the Gentleman from Madison, Representative Wolf."

Wolf: "Thank you, Madam Speaker and Members of the House. I rise in opposition to the Gentleman's Motion to override. I think that the Governor is right on track in vetoing this particular Bill. If this override would be successful, I think it would have the effect of setting the whole assessment process back some two and a half years. As many of you will recall, we did pass legislation some two and a half years ago which provided for the use of workbooks in the tax assessment process. That particular procedure, along with several others, I think have put the tax assessment process back on track. The net effect of this legislation, that the Sponsor has not indicated, would be to eliminate the use of workbooks by the supervisor of assessments. The workbooks have made it possible for the supervisor of assessments to pass the books on to the assessors on January the 1st of a calendar year if the work of the Board of Review was not completed. I would move that a proper vote in this case would either be 'no' or 'present'."

Speaker Breslin: "The Gentleman from Kendall, Representative Hastert."

Hastert: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand in agreement with the last speaker. We should not override the Governor's veto on this. We should accept the Governor's veto. The whole tax cycle, the whole tax process depends on a timeliness of getting the books in to keep the cycle tight, and the whole purpose of the

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workbook was to give assessors the workbook immediately so they could get going and get their jobs done. And the... It's my opinion the people who are against this are the people who want to drag out the cycle, that want to not bring the assessing process in a timely fashion. And I think is... this is the type of legislation that will cause us down the road to issue tax anticipation warrants to really start to put our local governments, especially school districts, in extra debt. And I ask you to oppose this legislation."

Speaker Breslin: "There being no further discussion, the Gentleman from Vermilion, Representative Woodyard, to close."

Woodyard: "Thank you, Madam Speaker. Naturally, I tend to agree with the two previous dissenters on this particular bill. Primarily... Well, in the case of the first speaker, we did address the workbook question and that was part of the discussion between Department of Revenue, SAs and the township assessors. And we did include it in this Bill that a township assessor, the SAs, may issue, may issue a workbook to the township assessor if the Board of Review's work is not done on time or by January 1st. So... The other question that I... I don't seem to be able to get across is that actually this will speed up the tax cycle. A township assessor is charged legally to make that assessment. How on earth can he do it when he only has his books for maybe seven days or he gets his books after the 15th of April? So this at least allows the township assessor to do his work in a timely and accurate manner. And so I urge your support for the override of House Bill 899."

Speaker Breslin: "The Gentleman moves for the passage of House Bill 899, notwithstanding the Governor's veto. All those

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in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 68 voting 'aye', 39 voting 'no' and 5 voting 'present', and the Motion fails. House Bill 903, Representative Bullock. Out of the record. On page seven on your Calendar appears House Bill 932, Representative Laurino."

Laurino: "Well, thank you, Madam Speaker, Ladies and Gentlemen of the House. I move for the passage of House Bill 932, notwithstanding the Governor's veto. The reason is being... is that this... I think this Act is a necessary Act due to the high concentration that people have today concerning their health. The Governor's veto on this, I'm sure, was a misunderstanding. I don't think that he intentionally vetoed this Bill. It's significant in the fact that there are some people that are practicing this particular profession without having the proper knowledge, and I do believe that what we did was in the best interest of the public. And for that reason, for those reasons, I suggest that we pass House Bill 932 and ask for your support."

Speaker Breslin: "The Gentleman has moved to override the Governor's veto of House Bill 932. And on that question, the Gentleman from Lake, Representative Churchill."

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

Speaker Breslin: "He indicates he will."

Churchill: "Representative, would you explain exactly what this Bill does?"

Laurino: "The Bill licensures people that are practicing dietetics in the State of Illinois. Right at this particular moment there is no licensure. There is no regulation whatsoever. Anybody can practice dietetics."

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And I think due to the fact that you're... you're dealing with people's health, which is basically our most present... biggest commodity that we have today, I think they should be regulated and licensed."

Churchill: "And if I remember correctly the conversation we had on this Bill when you originally brought it up, does this extend to people who sell health foods too?"

Laurino: "They have been asked for their input into this piece of legislation... have done so and are satisfied with the intent of the legislation."

Churchill: "And what this does is it licenses people to analyze the eating habits, the nutritional habits of an individual and tell whether or not changing those habits will produce good health or not."

Laurino: "Yes."

Churchill: "Okay. So they make a diagnosis as to physical health."

Laurino: "Correct."

Churchill: "Okay. I think I remember we went through this Bill quite at length when you originally had it. I stood up to oppose it at that time. I stand up now to oppose it and ask that we sustain the Governor's veto as to the Bill. I don't think that we need to license the dietitians at this point. I think that it's an additional thing that the Department of Registration and Regulation will have to follow. There's an immense cost to going into new licensing procedures, and I don't... if I remember correctly, there were insufficient numbers of people who would be licensed under this Act to warrant the cost."

Laurino: "There are presently 2,500 people that are practicing dietetics, and I think that is a significant amount and should be looked after and regulated. For that reason, I suggest that we override the Governor's veto."

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

Friedrich: "Mr. Speaker and Members of the House, my daughter happens to be a registered dietitian, and I can tell you it's a long, hard road to get there. And you don't... No fly-by-nights ever get to be a registered dietitian. So I don't know why we want this dietetic Act. They control themselves better than any group I know."

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

Dunn: "In follow-up to the previous speaker, it's a strange thing to me. We seem to be hearing that the Dietetic Association does a wonderful job of controlling itself and so why do we need this? And my answer to that question is, they are the ones who are telling us we need this. They are the professionals. They are the ones who know themselves the best. They are saying that to... to encourage and promote their professional status, they feel they need this... this status in the Illinois statutes so that their profession will be properly recognized. There were some opponents earlier. I don't know of any opponents now. We do things for many, many groups in this General Assembly. These are good people who have spent their... and devoted their entire professional lives, their vocations to nutrition and diet. They do not want to be lumped in with... with people who have not undergone the rigorous training to which the previous speaker referred. These are professionals. They're professionals in the same way as lawyers, doctors, accountants, others who are recognized in Illinois statutes. We have a Department of Registration and Education set up. The machinery is in place to license everybody from barbers to morticians, and to say that we are going to find ourselves obligated with the tremendous cost to license this small group of professionals is

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absolutely ludicrous. There must be an undercurrent here somewhere of people who... who have some reason that they don't want to come forward with in opposition to the licensing of this group. These are professionals. They're good people. They're the people who want to tell us how we should eat to protect and preserve our health. That's a very important concern all across this Nation now and especially in the State of Illinois. And I would certainly urge everyone in this chamber to support this legislation sponsored by the Illinois Dietetic Association, a wonderful group of professionals who deserve the recognition that they're asking for. I ask for an 'aye' vote."

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

Ropp: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, there are entirely too many people who are giving counsel and advice on nutrition and good health habits. As a result, we're having a lot of people who get misinformation, and unfortunately a number of industries are affected by it. It is hoped by this particular Bill and the passage and the overriding of it that we can establish credibility in those individuals who know what nutrition is and how to so direct it. And I support this Bill so that we can begin to get credibility back into that profession that will give honest information to people who need honest information dealing with their health, food and nutrition and dietary care. So I urge support of this override Motion."

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

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

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

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Klemm: "Just one question that I have, Representative. I... Every time I go to the book store, I see 14,000 new books on new diets and everything else. Would authors have to be registered if they're going to give counsel on dietary programs and diets? I... I'll repeat my question. Perhaps... Did you understand it? Would you turn him on? Would you... Madam Speaker, would you turn on the Representative to answer the question?"

Speaker Breslin: "Representative Laurino."

Klemm: "Thank you."

Laurino: "Madam Speaker, I don't know if you can possibly turn up his mic or... I can't hear him."

Speaker Breslin: "Well, try to do that. Representative Klemm, repeat your question, please."

Klemm: "Alright. The question is, every time I walk into a book store, I see all types of books on diets and new diet programs and dietetic type of advice. Would authors have to be registered in order to give this type of advice to Illinois residents?"

Laurino: "Let me say this. The Bill doesn't address a situation with that. What this does is addresses the nutritional services relating only to therapeutic, curative or restorative care... restorative care, not to just a general blend of what's possibly good for you and bad for you. That would be a generalization. And it doesn't address that. It's addressing the profession itself."

Klemm: "Alright, thank you."

Speaker Breslin: "There being no further discussion, Representative Laurino to close."

Laurino: "Well, I just think, Madam Speaker and Ladies and Gentlemen of the House, that this type of legislation is necessary only in and because everyone is concerned about their health. The longer that and the more care we give

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each other, the better off we'll be, the longer we'll live. I mean, it's a simple fact of life. And, my God, I can't imagine anybody being against something that is good for you. At least once in this General Assembly maybe we could do something that's good for you, and it doesn't cost anything. The startup cost of the fee for the examination will cover the entire procedure. It won't cost the State of Illinois a dime. I think this is a necessary piece of legislation and should be passed, and I would move for the override of the Governor's veto. Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall House Bill 932 pass, notwithstanding the Governor's veto?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Gentleman from Cook, Representative Piel, to explain his vote."

Piel: "Thank you, Madam Speaker. Very briefly, I tried getting over to my desk to, you know, ask a question beforehand. The problem that I see with the... with the Bill the way it is is that the Gentleman has included in the Bill exemptions. He mentioned, I think the figure was 2,500 in the State of Illinois. But the exemptions stated in the Bill cover 80% of these people. So basically what we're doing is licensing only 20%. Now if the Gentleman really wanted to have the wealth or the health and welfare of the people of the State of Illinois in mind, he wouldn't have had any exemptions. It would have covered every single person under this Act and not excluding 80% percent of the people who would be licensed under the Act. And so I think that is one very good reason that you should support the Governor on this and vote 'no'."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 77 voting 'aye',

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33 voting 'no' and 1 voting 'present', and the House does pass House Bill 932, notwithstanding the Governor's veto. House Bill 1020, Representative Sutker. Out of the record. House Bill 1034, Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House, I move to override the Governor's veto of House Bill 1034. In the Spring Session, we worked very hard in a bipartisan fashion with the House Higher Education Committee to come up with a scholarship Bill to encourage our top students to go into teacher education programs. In that effort, we emerged with the details of House Bill 1034, as they went to the Governor. And in order to refresh your memory, I want to emphasize that we had targeted as recipients of this program, students who graduate in the top fourth of their high school class. We did that because there is evidence that a lower and lower segment of our high school graduates have been choosing to go into teacher education programs, and we have a great deal of concern that we may end up with a less viable teacher in the classroom as a result of that process. You will also recall that as a part of the program of educational reform, we have put in a number of additional hurdles for teachers to go into that field. And so it seems to me that the educational reform Bill will, in fact, accelerate the move away from the teaching profession if we impose additional standards and restrictions on the profession without any additional incentives for the top quality students to go into those programs. And so it seems to me that the Governor, in his veto of this program, has really overlooked what the intent of the Bill is and that is to give an incentive to those people who are graduating in the top quarter of their class to have a good scholarship... excuse me, a good scholarship program available to them to encourage them to go into the teaching

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field. The Bill also requires that they teach at least four out of the first seven years after their graduation in order to cancel any debt to the state as a result of the scholarship that they have received. I would be happy to respond to questions and otherwise urge your support for an override of the Governor's veto."

Speaker Breslin: "The Lady has moved to override the Governor's veto of House Bill 1034. And on that question, the Lady from Cook, Representative Didrickson."

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

Speaker Breslin: "She will."

Didrickson: "Yes, Representative, do we... does this Bill specifically designate certain scholarships in areas, for example, math and science?"

Satterthwaite: "No, it does not. There was another program that talked about areas of shortage, and that was provided for in Senate Bill 730. This would be for any area of teaching. But what we have found is that the students are most likely to choose to go in the areas where they feel it will be easiest for them to find employment. And so, if there are areas of shortage that are apparent by the regular self-selection process, the students are more likely to go into those areas. It seems to me that particularly in the areas of math and sciences, what we have found is that people are going into the direct scientific areas rather than into the teaching areas. And so for a student to stay in the teaching realm, rather than to go into private industry, we need an even greater incentive for them. They certainly could use this program to go into math and science, but it would not be limited to those areas."

Didrickson: "I'm not certain what the need is right now with regards to math and science teachers or teachers period."

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The information that I've received over the last three years has been that there is no shortage. But what I am aware of is that there has been a shortage with regards to seasoned, experienced math teachers, for example, who are leaving and going to the private sector. And perhaps my concern is greater there to retain those teachers versus encouraging new in. Could you care to respond to that?"

Satterthwaite: "The statistics that we have seen are somewhat misleading, I think, because some of the surveys of certified teachers indicate that we may have a total number of teachers available that seems to be sufficient. And yet we are very much aware that there is a problem in distribution so that we may not be able to find the teachers in the particular area of the state where we need to have them most, and we also find that we have a number of certified teachers who are not choosing to actively teach. And so that, combined with the fact that many of our teachers are approaching retirement age, is a clear indication, it seems to me, that we will very soon have shortages of teachers in our schools at the very time when the number of students coming in at the lower grade levels, in particular, will be increasing."

Didrickson: "Would you care to respond to a further comment that I hear with regards to, let's say, math teachers, with regards to the certification process as a whole? Why not use some individuals who are looking for a second or a third career from the private sector to be able to come in and teach, for example, math or science, if we find that we have a shortage in certain areas?"

Satterthwaite: "There are... other efforts directed toward that end; however, I think that we will find that in the long term we are also going to need to have a program to encourage those students who are coming out of high school

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to go into the teaching realm. And so the combination of the two seems to me to put us in a strong position for assuring that we have appropriate teachers ready and willing to teach in our classrooms. I don't deny that other kinds of methods may also be used. I am simply saying that I think this route is also very necessary."

Didrickson: "Okay. Other methods may be used, but they are not available today to be used, citing that one example that I just mentioned."

Satterthwaite: "Through... Through Senate Bill 730, there were funds provided for either new teachers or retraining of teachers in shortage areas. That I think, however, is not going to address the total problem, and so this bill is necessary in order to capture the high student from the current high school classes coming out and choosing what their profession will be in the future."

Didrickson: "Further question with regards to the high student, as you mentioned, with regards to academic ranking. Do we have a cut off line? What are the qualifications with regards to class rank? We also have the financial need in there too, but I'm interested in the class rank."

Satterthwaite: "The Bill calls for the student to graduate in the top quarter of their class, the top 25%."

Didrickson: "The top 25%. Okay. One further comment. With regards to what we did in Senate Bill 730, you do not feel that this is in excess of what is needed right now since we do not have firm statistics citing the fact of a shortage of teachers?"

Satterthwaite: "I'm sorry, I did not get your question."

Didrickson: "Okay. In the Governor's veto message or amendatory... his veto message, he sights the fact that we've already made a provision in Senate Bill 730 for 400,000 dollars for scholarships."

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Satterthwaite: "That... That is somewhat inaccurate. Part of that money was directed specifically at administrative training and getting minority and women into administrative positions. And so that portion of it certainly would not overlap with what I'm attempting to do with this scholarship Bill."

Didrickson: "Okay. I appreciate that comment, and I guess I have a problem - if I could be convinced with regards to the need of shortages of teachers. Why, right now, if the statistics are not supporting, you mentioned the fact that..."

Satterthwaite: "It is... It is going to take us..."

Didrickson: "...the data isn't..."

Satterthwaite: "It is going to take us at least four years for a high school graduate, coming out of high school, getting teacher training and being ready to go into the classroom. Statistics show that the numbers of students coming into our classrooms at the lower grade levels are increasing by the second baby boomlet, after the boom after the Second World War. Those couples are now bearing children who are school age, and we anticipate that there will be growing numbers of students coming into our classrooms at the same time as we have an aging population of teachers currently on board who will be retiring, not in a uniform fashion, but a large number of teachers retiring within a very short period. And so at the very time that we need more teachers, because we will have more students in our classrooms, we will also be faced with the heavy retirement that takes teachers out of the classroom. And the combination of those two effects means that we will have a much higher demand for teachers than we are currently able to service through the students opting to go into teacher education on their own. And for that reason, we're in the

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same situation that we had 10 or 15 years ago with regard to special education students, where we, in fact, set up a program almost identical to this to encourage people to go into special education."

Didrickson: "Representative, just so I can get a final grasp on this also, and I'm just simply questioning and trying to decide myself. What about the cost on this program?"

Satterthwaite: "The exact cost would depend on which schools the students choose to go to for their program, but we estimated last spring, when we passed the Bill with a large majority, that it would cost about 1.5 million dollars for the first year to implement the program. That would not have any effect during this budget year. It would go into effect in the following budget year."

Didrickson: "You've been very patient with me. One final question. I, as a graduating high school senior in the top quarter of my class, demonstrating some financial need would be able to qualify either, for example, going to Northwestern University, or Northeastern, or Western, or Bradley, or private or public? Would they both qualify?"

Satterthwaite: "They could choose to go to either a private or public institution, but there is a cap placed on the amount that they would be qualified to receive, so that if they chose to go to a private institution, they would not get the full cost of their tuition and fees."

Didrickson: "Thank you."

Speaker Greiman: "Representative Greiman in the Chair. Further discussion? The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Would the Sponsor yield?"

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

Friedrich: "Would you recite to us again the provision about teaching four years out of seven? That is a provision?"

Satterthwaite: "The program qualifies a student to have up to

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four years of study under the program."

Friedrich: "Okay. What about teaching, the requirement that they teach once they've done it?"

Satterthwaite: "They... After they receive their teaching degree, they would be required to teach for four years out of the first seven after they were certified in order to relieve them of any obligation to repay the state. If they did not get their teacher's certificate, if they dropped out somewhere in the middle, it would mean that they could not teach and so they would be obligated to repay the state for what they had received."

Friedrich: "Are they required to teach in Illinois schools?"

Satterthwaite: "I'm sorry. I didn't get the question."

Friedrich: "Are they required to teach in Illinois schools?"

Satterthwaite: "Yes, they are required to teach in Illinois schools."

Friedrich: "And what's the penalty if they don't? Suppose they..."

Satterthwaite: "They would then... They would then owe the state whatever benefits they had received."

Friedrich: "Well, I... to the... to the question here, Mr. Speaker. Our record on this is not very good..."

Speaker Greiman: "Proceed."

Friedrich: "...in other areas. One time the Scholarship Commission had a number of debts. They couldn't find the people who owed the debts, but the problem was, two of them worked for the Scholarship Commission, so our record of recovery in this type of thing is not very good."

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

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. With all due respect to the Sponsor of this Motion, I rise in opposition to the Motion, not only for

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the reasons that had been cited before, and the fact that we have included \$400,000 in the... in the appropriation Bill which matches what was in Senate Bill 730, but I think we also have to realize that we're talking about an expenditure of money which is above the level that we included in Senate Bill 730, and there's some doubt, now, whether the Legislature is prepared to put up the kind of money that is necessary to support the program that we already have on the books, and that the Governor is... has signed, so I think that's one issue. Some of you have been here long enough to remember when we passed a scholarship Bill that gave \$1,000 for academic... per scholar for academic scholarships, had nothing to do with need, it had to do whether they met the academic requirements. We did that, as I remember, for one year, left it on the books and never funded it, and I had one constituent who wrote me and said the state owed them \$3,000 because we paid for the first year, but we didn't give them the other \$1,000 for each of their other three years. So, I think we have to be careful about making commitments on which there is, in fact, no cutoff date at all. And the problem that you'll run into was addressed to... partially by... by Representative Friedrich, and that is that, what happens when there are no jobs available? For example, I have one of my election judge's daughters was on a teaching scholarship when we had the old teachers' scholarships, and she graduated. There were... and she said that she couldn't find a job. She got married and moved to Wisconsin, and now we're writing her letters saying that she owes us \$1,600, and she is saying there is... there was no job available for me. Well, it's... it's... You know, it's her word against the rest of us, and we say, well, you know, we can't prove that, so give us... give us the money.

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I just think that this is an extremely well-intentioned Bill, one that the Sponsor has thought out, I think, well, and I think she feels strongly about. However, I just think, given the givens where we are right now in the reform program as we look at our past history, as we look at our experience, that I think, on the face of it, we have to accept the Governor's rationale, and that we support, we support his veto, and therefore are not in support of the Lady's Motion to override the veto."

Speaker Greiman: "Further discussion? Ms. Satterthwaite, to close."

Satterthwaite: "Mr. Speaker and Members of the House, a major portion of what we considered last spring in regard to education reform, talked about the need for high quality people in the classroom to teach our children, and yet we see, by evidence of what has happened in enrollment in the teacher education programs, that we are having people come into those programs from a lower segment of their high school classes, and therefore, we run the risk of having teachers in the classroom who do not understand their subject matter well enough to be able to master it and pass along those abilities to their students. In order to give some incentive for the good students to go into teacher education, I have talked with many of the people involved with the teacher education programs who feel that a good scholarship program would, in fact, entice many of those top students to go into the classroom rather than going into private industry or into private employment. This program would, in fact, help us to assure that we improve the quality of our teachers and that we assure that our students of the future will have good teachers in their classrooms. It is not the only program available, but it is one that is unique in that it is focusing on the high

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quality students. For that reason, I would urge the Members to support my Motion to override the Governor's veto on House Bill 1034."

Speaker Greiman: "The question is, 'Shall this Bill pass, the Governor of the veto (sic) notwithstanding?' 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? Representative Satterthwaite, one minute to explain your vote."

Satterthwaite: "Mr. Speaker and Members of the House, the Governor's message indicated that this was a duplicative program, but I assure you that it is not duplicative. The money that he speaks of, that, within the education reform package, is for specific purposes but it does not address the issue of encouraging the top quality students to come into the teacher education program. I believe that this scholarship program will provide that incentive and will result in a higher quality of teacher in our classroom and a higher quality of education for our children."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. The Lady from Champaign, Ms. Satterthwaite, requests a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Berrios and Krska."

Speaker Greiman: "Excuse me. For what purpose does the Gentleman from Kendall, Mr. Hastert, seek recognition?"

Hastert: "Was there a verification?"

Speaker Greiman: "Pardon?" Hastert: "She asked for... I want to be verified... have a verification."

Speaker Greiman: "Alright. I... No one has asked for that, but I'll try to remember that, Denny. Proceed, Mr. Clerk."

Clerk O'Brien: "No further."

Speaker Greiman: "Yes, Ms. Satterthwaite. For what purpose do

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you seek recognition? On this question, there are 70 voting 'aye'... "

Satterthwaite: "Speaker?"

Speaker Greiman: "Yes. Mr. Berrios. Berrios votes 'aye'. On this question, there are 71 voting 'aye', 46 voting 'no'. The Gentleman from DuPage, Mr. McCracken, for what purpose do you seek recognition?"

McCracken: "Seek a verification."

Speaker Greiman: "And Mr. McCracken asks for a verification of the Affirmative Roll. So, there are 71 voting 'aye', 46 voting... voting 'no', and none voting 'present'. Mr. Clerk, verify the Affirmative Roll."

Clerk O'Brien: "Verification of the Affirmative. Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Bullock. Capparelli. Christensen. Cowlishaw. Cullerton. Curran. Currie. Daley. DeJaegher. DeLeo. Deuchler. Dunn. Farley. Flinn. Flowers. Virginia Frederick. Giglio. Giorgi. Greiman. Hannig. Hartke. Hicks. Homer. Huff. Keane. Kirkland. Kulas. Laurino. LeFlore. Leverenz. Levin. Matijevich. Mautino. McGann. McNamara. McPike. Mulcahey. Nash. Oblinger. O'Connell. Panayotovich. Pangle. Phelps. Preston. Rea. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Soliz. Steczo. Stern. Sutker. Terzich. Turner. Van Duynes. Washington. White. Wolf. Anthony Young. Wyvetter Younge. Mr. Speaker."

Speaker Greiman: "Mr. Giglio, for what purpose do you seek recognition? Mr. Giglio asks leave to be verified, Mr. McCracken. Mr. McCracken, do you have questions of the Affirmative Roll?"

McCracken: "Yes. Representative Huff."

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

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

Speaker Greiman: "Remove the Gentleman from the Roll Call."

McCracken: "Representative Laurino."

Speaker Greiman: "Mr. Laurino. Representative Laurino is at the rear of the chamber."

McCracken: "Representative McGann."

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

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

Speaker Greiman: "Remove Mr. McGann."

McCracken: "Representative Panayotovich."

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

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

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

McCracken: "Representative Curran."

Speaker Greiman: "Mr. Curran. Representative Curran. Is he in the chamber? Mr. Curran is at the door. Mr. Panayotovich has returned to the chamber. Add Mr. Panayotovich back to the Roll Call."

McCracken: "Representative Leverenz."

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

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

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

McCracken: "Representative Bullock."

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

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

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

McCracken: "Representative Berrios."

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

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McCracken: "I'm sorry. Representative Soliz."

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

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

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

McCracken: "Representative Keane."

Speaker Greiman: "Representative... "

McCracken: "Keane."

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

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

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

McCracken: "Representative Terzich."

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

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

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

McCracken: "Representative Farley."

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

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

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

McCracken: "Nothing further."

Speaker Greiman: "Mr. Huff has returned to the chamber. Restore Mr. Huff to the Roll Call."

McCracken: "Nothing further."

Speaker Greiman: "On this question, there are 64 voting 'aye', 46 voting 'no', none voting 'present', and the Motion to override fails. On the Order of Total Veto Motions appears House Bill 1072. And on that, the Lady from Sangamon, Ms. Oblinger."

Oblinger: "Thank you, Mr. Speaker and Members of the House. This is the language project. The wording up there under

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'Motions' is entirely misleading. It says 'International Studies Academy'. This is not an academy. This is one reason I resent the... the Governor's veto calling it an 'academy'. We did not ask for \$8,000,000, we asked for \$42,000 to make a study plan on how to work with language study teachers, what was the best way to do it. We were told that there is a program being developed over in the State Board of Education on Japanese language, but if they're moving as slowly as this as they have on the other ones, we would like to have this on in abeyance in case that one does not work, that we can go back to the language project. It is not an academy. It would be in all parts of the state. We would decide... the committee or board would decide on whether we should have weekend seminars, whether we ought to have additional hours that would be offered. There would be a number of options that would be developed, and this is what the language project is. It is not an academy. I would appreciate your vote to override the Governor's veto. I will admit that in the Conference Report, the money was left out. We know there's no money for it. We want this as a backup if the Japanese academy does not work."

Speaker Greiman: "The Lady from Sangamon has moved that this Bill pass, the Governor's... the veto of the Governor notwithstanding. And on that, is there any discussion? Being none, the question is, 'Shall this Bill pass, the veto of the Governor notwithstanding?' All those in favor signify by voting 'aye', those opposed '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 53 voting 'aye', 45 voting 'no', 6 voting 'present', and the Motion to override the Governor's veto fails. Alright. Alright. The Chair

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will change the Order of Business. We will go to the Order of Amendatory Veto Motions, and we will pick up where we left off, on page 16 of the Calendar, House Bill 2475. And on that, the Lady from Lake, Ms. Stern."

Stern: "Mr. Speaker and Members of the House, I rise to make a Motion to override the Governor's amendatory veto of House Bill 2475. Let me give you a little bit of history, at the risk of... stiffening your sleeping responses. This Bill was a... a Bill that purported to reform the election procedure in certain respects. The Governor's amendatory veto has totally reversed the thing that this House and the Senate chose to do. In the first place, it dealt with some changes in the manner in which the voter registration canvass was conducted in Cook County. This is a very controversial Bill, and I hope that somebody will be listening to the debate. Forgive me. I think this is an important Bill, and I hope you will be listening. This is a Bill that dealt with a change in the canvass system in Cook County. Before the Bill was passed, and at the present time, canvassing is done by an in-person visit, presumably to every voter in the precinct, paid by one Republican and one Democratic election judge or individual. The Bill changed that to a mail canvass - letters written non-forwardable to the individual at the address on the voter's list. This is a system used by the 101 other counties in the State of Illinois, and in Lake County where I was Clerk, we had a delivery accuracy of between... we only had a delivery problem of between five and seven percent. You will hear from others, I'm sure, who will claim that it was much larger. The secondary aspect of this Bill dealt with permitting voters who had been erroneously stricken from the rolls to vote on election day. It required the election authority to put into the

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polling place the original records of any voters who had been stricken from the rolls over the past four years. This enabled the voter who was... who came to the polling place and found that he had been removed from the polls by error, to vote there by establishing the fact that he was, indeed, a registered voter, showing identification or having the signature of another voter in the precinct on his affidavit. When the Governor amended... amendatorily vetoed - if such a verb exists - this Bill, he struck the provision for the mail canvass and reinstated the provision for the in-precinct canvass, he struck the suspense file and removed it altogether from the Bill. In other words, he totally reversed the will of this Body. In addition, he has inadvertently required every one of the 101 other counties of the State of Illinois to institute an in-person precinct canvass prior to elections. This is going to be a big expense and a big hassle to the 101 other counties. It is going to deny Cook County the good government, clean election aspect of the Bill as it was originally intended. I stand ready to answer questions, and I strongly urge you to override this veto."

Speaker Greiman: "The Lady from Lake, Ms. Stern, has moved that this Bill pass, the... the veto of the Governor notwithstanding. And on that, is there any debate? The Gentleman from Cook, Mr. Nash."

Nash: "Thank you, Mr. Speaker. A question of the Sponsor of the Motion."

Speaker Greiman: "She indicates that she will yield for a question."

Nash: "She mentioned Cook County in her debate. Representative Stern, are you a resident of Cook County?"

Stern: "No, Sir. I am not."

Nash: "Thank you. No further questions. I ask for a 'no' vote

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on this Motion."

Speaker Greiman: "The Gentleman from Lee, Mr. Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As a Cosponsor of this override Motion, I would like to address a few remarks to the Bill. You will take your memories back a few months to June, the original version of this Bill 2412 flew out of this House extremely comfortably."

Speaker Greiman: "No coaching, Ms. Stern. Proceed, Mr. Olson."

Olson: "That Bill was never called on Third Reading. House Bill 2412 ultimately became a part of House Bill 2475, which had many aspects which Representative Stern has described. Let's just lay some numbers on the table before you. 88 to 23 in the House. 45 to 7 in the Senate. That's 133 out of 177, 75 percent of the total Members of the General Assembly voted for this measure. It is very reasonable to assume that people of good faith and good will would disagree on the elements of the Bill, and that includes the Governor's staff. I agree with Representative Stern that this reform measure which has come to our attention deserves the full consideration and support notwithstanding of the Governor's Amendatory Veto Message. It is extremely high profile, has attracted a lot of media attention, has attracted the attention of many groups, including the League of Women Voters, the Urban League and many other people who have no political axe to grind. Therefore, I would support the Motion of Representative Stern to override."

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

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'm not yet rising in support or in opposition to this Bill, but I just want to bring out some aspects of the Bill as I see them. The Bill in its original form and in

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its amended form, either variety, does not solve the problem of registered voters who have moved out of a precinct remaining on poll sheet rolls, and people erroneously being left for years and years and years on those election poll sheets. This Bill would, if we override the Governor's veto, we would have a mail canvass. It was pointed out to me yesterday by County Clerk 'Kusper' of Cook County that a mail canvass is, in itself, inadequate, because a mail canvass in many areas of the City of Chicago, for instance, have... there are many mailboxes that have the names ripped off of the mailbox, so that the mailman could not possibly find the people to whom a letter was addressed. Similarly, if we go with the version of the Bill that calls for a door-to-door canvass, if the mailman can't find the people, neither can the individuals who set out upon a door-to-door canvass. And the reason for that is, the individuals who opt to get a job at the magnanimous sum of \$35 a day for a 14 hour day are typically not the aggressive, hard-working canvassers that an ideal situation would suggest that we have. These are people who, if a mailman won't go door-to-door in some bad neighborhoods and darkened areas, neither would the door-to-door canvasser. So, in either version of the Bill, we're going to still have people remaining on the poll sheets who are ineligible to vote because they no longer live at those addresses. The answer would be a simple one. Instead of paying \$35 a day to canvass a precinct, if we pay \$90 a day to canvass a precinct, perhaps we would be able to have someone who is more aggressive, who needs the work, who is more physically able to go out and perform the job that is required. Right now, the job that is required to do as a canvasser is impossible, and to add to the impossibility is to compensate these people at the paltry

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sum of \$35 a day, it's ridiculous, so that you don't get an honest canvass, and you won't get an honest mail canvass either."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. It is with some reluctance that I rise to speak on this issue, and that I rise to oppose the Motion to override the veto. I think it's a mistake, of course, to override this veto, because it would demonstrate a failure for us to understand the difference in the electoral process between downstate Illinois and the City of Chicago. There is an enormous difference between the effectiveness of a mail canvass in downstate Illinois where the mail is protected, where the mail system has integrity, where individuals have individual mailboxes and where you can rely on the fact that a piece of mail is going to go to the person that it's directed to go to. I think if you examine the situation in Chicago, and if you take the time to carefully familiarize yourself with the mail system in Chicago, you will find that, in Chicago, that mail system simply does not work in large sections of the city. What happens in large sections of the city is that the individual occupants of multi-family residences - apartment buildings - do not have individual mailboxes. Those mailboxes are regularly ransacked... ransacked when they exist, and what happens is that the mail is simply carried in the door by the postman and thrown on the floor of that apartment building, in the lobby, and anybody that wants to can walk downstairs and pick up a copy of anybody else's letter and do with it what they will. That kind of mail system does not lend itself to an honest and reliable mail canvass to protect the vote. What you're going to have is a precinct captain walk in, pick up one of those letters,

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pick them up all, and you're not going to get any return mails. You're not going to have any canvass, in effect. You're going to have a canvass in Chicago, at least in widespread sections of the city, the only effective way to canvass is a door-to-door canvass. Now, admittedly, that has been hard for people who are not in the majority political party in Chicago to do door-to-door canvass, but for the first time, you're beginning to get an effective, honest vote operation in Chicago, because for the first time, a variety of groups have come together to effectuate a meaningful door-to-door canvass. If you want honest elections in Chicago, you've got to have a door-to-door canvass. You cannot rely on a mail canvass. And as a result, and most unfortunately, and after learning the realities and the facts of in large sections of the City of Chicago, I think the Governor's veto is absolutely appropriate, and I don't see how anybody who cares about an honest election and having people honestly qualified to vote, vote in Chicago, can conceivably vote for the Motion to Override. A vote for the Motion to Override is a vote for dishonest elections, and I would urge a vote 'no' on this Motion."

Speaker Greiman: "Further discussion? The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. Will the Lady yield for questions?"

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

Mautino: "Representative Stern, in the Governor's Veto Message, did he eliminate the canvass method by mail in downstate counties outside the County of Cook?"

Stern: "No, Sir, he did not, but he did add to their burden the requirement that they have an in-person canvass, an individual door-to-door canvass, in every county in the

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state."

Mautino: "Yes. Relax, you're answering the second question before I posed it. Okay?"

Stern: "I'm sorry, Sir."

Mautino: "So... So that everyone understands in downstate Illinois that one of the mandates in this Veto Message is that we canvass door-to-door. I don't know about the situation in Lake County, but there are rural areas which encompass about 360 to 380 miles in some areas of downstate Illinois, and those happen to be one precinct. I'm assuming that under his Veto Message, we would have to go and hit all those farmhouses personally to canvass those voters. Is that correct?"

Stern: "That is correct, Sir."

Mautino: "May I then speak to the Motion, Mr. Speaker?"

Speaker Greiman: "Proceed, Sir."

Mautino: "I would like to stand in support of Representative Stern's Motion to override the Governor's veto. For the life of me, I don't understand why the Governor would provide, in a Veto Message with the amendatory veto change that, in my estimation, was ridiculous, propose that in downstate precincts, specifically rural areas, that we must canvass doo-to-door. I'm not certain whether or not the United States mail service provides excellent service in Cook County. I'm assuming it does, because in downstate Illinois, whether it's rural or urban, people happen to get their mail. I don't believe that the people who receive mail from their children in the city or from government agencies such as social security or other income areas that they are in receipt of, such as welfare checks, etcetera, that they have a problem receiving that mail. I think it's a hardship that should not be proposed and propounded to those downstate precincts, and I stand in support of this

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good legislation in overriding the Governor's veto. If, in fact, the Governor's veto isn't overridden and the amendatory provisions are provided, we're going to find that most of the people in the downstate rolls, if challenged, based upon his recommendation for door-to-door canvass, we will have less and less people who will be eligible for the polls, and we're going to have no mechanism for allowing those same individuals who may have been on the rolls correctly to get back on, and I support the Motion to override."

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

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There are at least four reasons we should vote for this legislation. Number one, much has been said about the efficacy of in-person canvasses. Well, let me tell you, they don't work all that well in Chicago. I had dinner last night with someone who has not moved from her address for years, and yet, she's knocked off the poll list three times - three times, Ladies and Gentlemen - because in her precinct, the judges don't bother to go out to make a personal inspection. They simply take the word of the local precinct captain, who in this case, by the way, lives next door to her, but just happens to have different political views from her. And so, the precinct captain, every election, turns in her name as someone who has moved, even though she's still living there, and the judges dutifully knock her off the poll list and don't bother to go around and verify. So, I think you have there, ample evidence in the City of Chicago where the in-person canvass not only does not work, but is biased against those certain voters who may have differing views from the persons who are responsible for conducting the canvass. Number two, I think we really ought to vote a little more attention to

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another piece of the Bill which has only been mentioned, I think, by Representative Stern. The other item is when you come into a polling place on election day and find that you're knocked off the... the poll list, your name is not in the binder, under present law, you've got to go to the seat of the election authority to get a certificate to permit you to vote. You have to travel, perhaps in some cases, many miles, perhaps late in the day. Perhaps it's so late in the day that you don't have time to get to the seat of the election authority and back to exercise your franchise. This would bring the suspense file into the polling place so you could go in, and if you're not in the regular binder, you could say... you could sign an affidavit that you still live where you used to live, and they would consult the suspense file right there in the precinct and permit you to vote right there on the spot if they had your card in the suspense file. Number three, we ought to override this veto because it's an unconstitutional use of the veto authority. The Governor has way overstretched his bounds unamendatorily vetoing this Bill. And number four, when he did use his authority in an unconstitutional way, he screwed it up. The Bill was amended in such a way as to require a door-to-door canvass downstate where none now exists. And as Representative Mautino and others have pointed out, in large counties, in sparsely populated counties downstate, that would be an onerous burden, very costly, probably impossible to implement, and so, because the Governor improperly used his veto authority and screwed it up in the process, those are the third and fourth reasons that we should override this veto."

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

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

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House. I rise in support of the Lady's Motion, because 2475 in its original version enhances the election process. The Governor's amendatory veto diminishes it. I don't think the Governor or anyone else should be playing three-card molly with the constitutional... basic constitutional rights of the people. Is this the country of US of A, and I don't mean the Union of South Africa, but this vote would tell the difference. I move in... for the Motion."

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

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

Speaker Greiman: "The Gentleman from St. Clair has moved the previous question, and all those in favor of the previous question being put, say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Lady from Lake, Ms. Stern, to close."

Stern: "Am I on?"

Speaker Greiman: "Yes."

Stern: "First of all, I would like to add one thing that I didn't put into that long preamble, which is that even though the mail canvass is mandated in Cook County with the Bill as it was originally passed, there is an option there for the clerk of the board of elections to institute a by-person door-to-door canvass in areas, if they choose do to so. And I would suggest to allay the fears of those of you who consider that the U.S. mail is not a reliable conveyor of messages, that we should urge the election authorities in the City of Chicago or the County of Cook or wherever, to implement the mail canvass everywhere, and in the areas where they are concerned about delivery, that they should send in a team of in-person registrars - not registrars - canvassers, to check. That is an option available to them. I am willing to allow that mail canvass is not 100 percent,

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but we have had an experience with in-precinct canvass, and we know that it does not work either. I suggest and urge that we give this good government method a try, that we follow the wishes of this Body and the Senate of the State of Illinois in giving a... an effort to try canvassing by mail and suspense file in the precinct. I urge you strongly to vote 'aye' on the override Motion. Thank you."

Speaker Greiman: "The question is, 'Shall this Bill 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. The Gentleman from Cook, Mr. Young, one minute to explain your vote."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The biggest argument against this Bill is the delivery of mail in Chicago, and I'd like to point out to everyone that there has never been any allegations in the worst of neighborhoods that the welfare checks don't get delivered to their proper recipients. So, I would suggest that with the same accuracy that welfare checks get where they go, the mail canvass would also get where it should go. The other thing I'd like to point out is that 'Dan Webb' in his grand jury investigation on mail fraud pointed out that it was the door-to-door canvass that was the biggest source of fraud in Cook County, not the mail canvass, not lack of delivery of mail, but the door-to-door canvass. Mail works in 102 counties in this state. We feel it would work in Cook County also. We feel it deserves a chance. And on the other aspect of the Bill I'd like to point out, tradition... "

Speaker Greiman: "Mr. Young, the equipment works. Mr. Young, that was your minute."

Young: "Besides defending against mail fraud, we have to protect the right of voters in this state to execute their absolute

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constitutional right to vote. This Bill has a affidavit suspense file which would allow for people who have been unduly purged from the rolls by the door-to-door or mail canvass to vote on election day. I think ensuring the right of legitimate registered voters to vote is much more important than worrying about extra fraud slipping through when, in fact, there's no proof that that will happen."

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

Alexander: "I would... Thank you, Mr. Speaker. To my learned colleague, Representative Young. To my best knowledge, and I think bears out, all welfare recipient checks now are left at currency exchanges where the recipients must go in and sign their names and not personally delivered to the doors of the apartments because of the rash of thefts in our neighborhoods."

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

Brookins: "Thank you. Thank you, Mr. Speaker. I originally opposed this Bill because of the inaccuracies and the... and the U.S. mails today. I've since changed my vote knowing that if the affidavit system in the polling precinct place would far outweigh that inaccuracy. And therefore, I vote 'yes' with this Bill."

Speaker Greiman: "Mr. Countryman, did you wish to explain your vote?"

Countryman: "Thank you, Mr. Speaker. I'll be as short as I can. This Bill is a matter of principle, not party. For those of us who stood in support of it last spring, I believe now is the time to call upon you to vote in favor of this Bill. A lot of politics have come down in this Bill and a lot's working on this floor right at this moment. But what we know is that the... in downstate Illinois, this works. It

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works in my district, it works in Representative Stern's district, it works in East St. Louis, it works in some very difficult areas of the state. There's no reason why this Bill cannot work in Cook County. The Governor appointed a task force some years ago to review the system of voter registration in the state. One recommendation they made was that it be uniform throughout the state. And I think that that's a valid point, and that the people of this state ought to have the same system, whether they live in the City of Chicago or they live in the City of DeKalb. They ought to be familiar with that system, and it shouldn't change if they move one way or the other. This Bill does that. It makes it uniform. Up till now, I don't believe the system in Cook County has worked, and if it doesn't work, let's fix it. This Bill does it, and I urge you to vote 'aye'."

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

Flowers: "Mr. Speaker and Ladies and Gentlemen of the House, I, too, when this Bill first came before me, voted 'present' on this particular Bill because of some erroneous information that I had received, but just like the previous speaker just spoke on how the City of Chicago should be given the opportunity to have the fair voters' registration. And I would urge an 'aye' vote on this, please."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 52 voting 'aye', 61 voting 'no', 2 voting 'present', and the Motion fails. On the Order of Amendatory Veto Motions appears House Bill 2475. Mr. Olson, did you... You didn't. No, no. You did not want to, so your Motion's withdrawn. Alright. On the Order of Amendatory Veto

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Motions appears House Bill 2475, a Motion by Representative Ropp to accept the amendatory veto of the Governor. And on that, the Gentleman from MacLean, Mr. Ropp."

Ropp: "Thank you, Mr. Speaker. I think this Bill has been discussed at some length just previously. I think I am in certain support of the Governor's changes to make some necessary corrections in this Bill, and I would urge the acceptance of his amendatory veto."

Speaker Greiman: "The Gentleman from MacLean, Mr. Ropp, has moved that the House accept the specific recommendations of the Governor with respect to House Bill 2475. And on that, is there any discussion? The Gentleman from Lee, Mr. Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to oppose the amendatory veto. I direct your attention to what it incorporates, primarily the mandating of a door-to-door canvass in 101 counties outside of the County of Cook. The State Board of Election in its wisdom over the years has promulgated rules which provide for the type of canvass or alternative methods which may be selected. All of you downstate Republicans and Democrats, I hope you're prepared to go home and explain to your county clerks how they are now going to have to put in place a door-to-door canvass, and if you don't explain it, ask them to call the Governor."

Speaker Greiman: "Further discussion? The Lady from Lake, Ms. Stern."

Stern: "Mr. Olson has told you like it is. Your county clerks are going to skin you alive if you accept this amendatory veto. It is not only going to cost a fortune, but I don't have to tell those of you who vote that the folks who man polling places are, in general, octagenarians and up. They work very hard, and they put in a long day, but they are... election judges are not able to go door-to-door canvassing,

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and that is just the kind of thing that is going to be required of them in this instance."

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 2475?' 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 23 voting 'aye', 84 voting 'no', 1 voting 'present', and the House fails... and the Motion fails. The Clerk, for an announcement."

Clerk O'Brien: "Supplemental Calendar #1 is being distributed."

Speaker Greiman: "Ladies and Gentlemen, we will go to Total Veto Motions and the... I am advised by the Clerk that when the House considered the Total Veto Motion on House Bill 62, sponsored by Representative Pangle, the machine did not record the vote. Accordingly, we will have to have a vote again on that. Perhaps Representative Pangle would like to just spend a moment or so telling us about the Bill so that we may again... on this Bill. Mr. Pangle, the Gentleman from Kankakee."

Pangle: "Thank you much, Mr. Speaker. Bloopers. I... certainly... House Bill 62 deals with prostitution and sets a mandatory sentence of anyone convicted three times of prostitution. I'd appreciate an 'aye' vote again. Male or female."

Speaker Greiman: "Yes. Alright. The Gentleman from Kankakee has moved that this Bill pass, the veto of the Governor notwithstanding. And on that, Ms. Stern."

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

Speaker Greiman: "Indicates he will."

Pangle: "No."

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Speaker Greiman: "Actually, we... Hs. Stern, we voted on this Bill already."

Stern: "I understand that, Sir."

Speaker Greiman: "And we're really just taking the vote, but I... I certainly would not preclude any Member from making an appropriate and brief inquiry."

Stern: "Forgive me, Sir. I intended to ask this question before, but I was going around getting votes for the Bill that didn't pass a moment ago. I would like to find out if, included in this Bill, is a mandatory sentence for the solicitee?"

Pangle: "No, I don't... I don't believe it is. I would want to add, though, that the Bill did pass 87, 26 to 1, so I would that everyone would remember which button they pushed for themselves."

Speaker Greiman: "The question is, 'Shall this Bill pass, the veto of the Governor notwithstanding?' All those in favor signify by voting 'aye', those opposed vote 'nay'. This is final action. Mr. Mulcahey, the Gentleman from Winnebago."

Mulcahey: "Thank you, Mr. Speaker. I would ask leave of the House to be recorded as voting the same way I did last time."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 90 voting 'aye', 17 voting 'no', none voting 'present', and this Bill is hereby declared passed, the veto of the Governor notwithstanding. I'm advised that on the Order of Amendatory Veto Motions, House Bill 231 was called earlier this morning, and that leave of the House was given to return to that Bill at a later time. Accordingly, on House Bill 231 on the Order of Amendatory Veto Motions, page 15 of the Calendar, the Gentleman from Cook, Mr. Cullerton, on the Motion to Override."

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Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 231 contained a number of provisions, including increasing criminal penalties for inmates found guilty of weapons violation and expanding the definition of 'weapons' to include 'shanks' or inmate manufactured weapons. It also included a Section that provided for reimbursement to the counties of the state by the state to reimburse the counties for housing prisoners up to \$30 a day for the time when the prisoners were sentenced to the state penitentiary but still housed in the county jail. Now, the Governor in his amendatory veto took that last portion out, dealing with the reimbursements to the counties. The appropriation for this Bill was also vetoed. The total is 2.15 million dollars, which would be distributed to the counties in varying degrees, depending upon how many inmates were housed in the county jails before they were shipped to the state penitentiary. Now, the... I think most people here are aware of the problems that the county jails have. We've even considered tax increases for, I know, DuPage County to try to get a new county jail for DuPage County. There's been numerous problems with other county jails where the courts have come in and even shut them down. This Bill is an attempt to reimburse those counties for the cost of housing these prisoners who really should be housed in the state penitentiary. There is a delay between the time they are sentenced and the time they are actually sent there. This just recognizes the fact that the counties should be the ones to get reimbursed. They should not be the ones to pay for the state prisoners. The counties are not in as good a position to come up with the funds as the state is, and for that reason, I've decided to move to override the Governor's veto. I would point out that this subject

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matter was the subject matter of House Bill 691, which passed 111 to 3. It was an overwhelming support for the Bill. I would highly recommend that we override the Governor's veto. Incidentally, when we override the veto in both the House and the Senate, we will also be able to pass the other criminal penalties for inmates found guilty of weapons violation and expanding the definition of weapons to include 'shanks'. This Bill is... This Motion is supported by AFSCME, because they represent people who work in the prisons who are very concerned about these criminal penalties. I'll be happy to answer any questions. I would urge your support for the Motion."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, has moved that this Bill pass, the veto of the Governor notwithstanding. And on that, is there any discussion? The Gentleman from Will, Mr. Davis."

Davis: "Well, thank you, Mr. Speaker and Members of the House. There are some very good provisions that I think are strong law and order provisions that relate to correctional facilities in this Bill, and while this override would keep those intact if it were successful, this override would still cost the state treasury an estimated 2.1 million dollars to reimburse counties for the time a state prisoner is spending in that institution, that local institution, until they're transported. Unfortunately, the state has no control over when that prisoner is going to be transported to the state facility. When the Judge sentences, the sheriff can transport as soon as a bed is available, and under current conditions, beds are available virtually every day. They can be transported immediately. There shouldn't be any cost to the local government. Therefore, it would seem that the provisions are hollow that are involved in Mr. Cullerton's language that the Governor has

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struck. My recommendation to you is that we cast a 'no' vote on the override, and then hopefully, we can accept the Governor's amendatory veto, striking this language in a subsequent Motion by me, and put into law the law and order provisions that relate to weapons and contraband within prisons. So, I would recommend a 'no' vote. It's a laudable idea, but it's one that just won't work, because there is no control mechanism over the amount of time that a sheriff can hold a prisoner before he transports. That's up to him, and not to the state, so why should the state have to pay for something they have no control over, and it is 2.1 million dollars."

Speaker Greiman: "Representative Breslin in the Chair."

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

Nash: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of Representative Cullerton's override Motion. As Chief Sponsor of House Bill 231, I urge an 'aye' vote on this Motion. Thank you."

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

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

Speaker Breslin: "He will."

Ropp: "I was a little bit interested, Representative Cullerton, in the arguments that you had for those people who are in support of this override, because they were concerned about the provisions that dealt with weapons that would occur in the institution. Does this amendatory veto in any way change their concern?"

Cullerton: "I don't know if I understand the question. I'll just tell you this. If this Motion passes, it goes over to the Senate, and those increased criminal penalties will become law, if the Senate passes."

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Ropp: "No, as I understand it, you said that the Bill, in part, deals with penalties for prisoners who get involved with weapons that they make or some other kinds of items that they develop within the institution, and that AFSCME was in support of it and wanted to override the veto."

Cullerton: "That's right."

Ropp: "I don't think... I don't think that the amendatory veto changes that portion of the Bill at all."

Cullerton: "No, it doesn't, but... "

Ropp: "Well, why are they interested in it, because it doesn't change?"

Cullerton: "Well, because they know that the best way of guaranteeing that those provisions will be enacted into law is to support the override, the total override of the amendatory veto, and I have in front of me a sheet of paper distributed by AFSCME indicating their support for my Motion."

Ropp: "Well, I know that, but I guess the other point, then, how many dollars, just offhand, might the County of Cook receive as a result of the overriding of this amendatory veto?"

Cullerton: "I amended the Bill so that there would be a cap put on. Otherwise, Cook County would get something like three million dollars. I put a cap on of approximately one million fifty thousand. Now, the appropriation, however, is for only 2.15, so as a result, I would expect Cook County to get two-thirds of that, approximately six hundred thousand dollars. Your county, which is... Which county is that?"

Ropp: "MacLean. MacLean, where the Mitsubishi plant is."

Cullerton: "MacLean County? Right. MacLean County will get 65... two-thirds of 65,640, so probably... "

Ropp: "40,000."

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Cullerton: "Forty thousand dollars for your county if you support this Motion."

Ropp: "I guess one other point is, what is your response to the fact that these prisoners may, by some reason or another, be encouraged to stay there so that the counties could acquire additional funds? As Representative Davis mentioned, if in fact, they would move within a day after a Judge sentenced them, why, we really wouldn't need too many dollars. Is that correct?"

Cullerton: "The... I didn't quite understand his point, there. He said that the state has no control over when these prisoners are sent. The state pays for them when the prisoners are sent. It seems to me that if the state wants to send buses every day to the county jail to pick up the people, that they could do that, and as a result, there wouldn't be any money spent under the provisions of this Bill. But to answer your point, the county jails are the ones that are overcrowded, even more so than the state. The county jails in most cases are in worse condition than the state prisons. And so, the prisoners want to get out of the county jails to the state prisons, in most cases. I know it's specifically the case in Cook County."

Ropp: "Yeah, well, in MacLean County, we have a rather new jail, and so they're interested. They like to stay there."

Cullerton: "The \$30 is merely to reimburse the county for their expense. That's how much it cost to house them. The counties aren't making any money on this deal. They're just being reimbursed for their own expenses."

Ropp: "Okay. Thank you."

Speaker Breslin: "There being no further discussion, Representative Cullerton to close."

Cullerton: "Yes, I would ask for a favorable vote for this Motion to override. It's a... embodies the support of the House

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supporting the concept which we passed overwhelmingly 111 to 3 back in May, and I would appreciate your support once again."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 231, notwithstanding the Governor's veto. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 70 voting 'aye', 44 voting 'no' and none voting 'present', and Representative Cullerton asks for a Poll of the Absentees."

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

Speaker Breslin: "Excuse me. Representative Levin votes 'aye'. The Gentleman withdraws his Poll of the Absentees. Representative Didrickson votes 'no'. Representative Barnes votes... changes her vote from 'aye' to 'no'. Proceed with the Poll of the Absentees, Mr. Clerk."

Clerk O'Brien: "Poll of the Absentees. McGann and Shaw. No further."

Speaker Breslin: "Representative McGann and Representative Shaw, do you wish to vote on this Bill? 70 voting 'aye', 46 voting 'no', and none voting 'present', the Motion fails. House Bill 231, Representative Davis, on a Motion to accept."

Davis: "Well, thank you, Madam Speaker and Ladies and Gentlemen of the House. The sentencing provisions are still included in the Bill, and the action we just took, of course, rejected the money provisions for the... the retention of prisoners which the Governor declared to be unnecessary in his judgment, and obviously, this House agreed with. However, the sentencing provisions and the contraband provisions still remain in the Bill and by accepting this amendatory veto that removed the language we just rejected

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in overriding. We will put into law the sentencing provisions that the Department of Corrections feels are absolute necessities in keeping order and in maintaining discipline within the walls of the... of the penitentiaries in Illinois. So, I would recommend to you that we... we do accept this amendatory veto and that a 'yes' vote is the proper vote."

Speaker Breslin: "The Gentleman has moved to accept the Governor's specific recommendations for change in House Bill 231. And on that question, is there any discussion? The Gentleman from Cook, Representative Cullerton, on the question."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. I think, given the fact that the last Motion received 70 votes, that I should be given another opportunity, due to some absences, to call that Motion again. So, as a result, I would ask that we not support this Gentleman's Motion at this time, and that we have another vote on the Motion to Override the Governor's veto. If that fails, then I would be happy to support this Motion. But at this time, I think that given the fact that 70 Representatives voted to override the Governor's Motion, it would be very fair if we were to, at this time, temporarily withhold our support for this Motion and come back to it if the... a second vote on the Motion to Override fails. So, I would ask for a 'present' vote on this particular Motion."

Speaker Breslin: "There being no further discussion, Representative Davis to close."

Davis: "Well, Madam Speaker, I would respectfully disagree with the prior speaker. It certainly is his right to have another vote on that particular issue. You can file as many Motions to override or to accept as you think your

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judgment that you can win the issue. We all understand that. However, it is my judgment, and I have informed those who voted on this side for that particular issue in the last Roll Call, that it is my judgment that if we override in this House on that question and it goes to the Senate, the Senate will sustain the Governor's amendatory veto and the Bill will fall through the cracks, and then these sentencing provisions for our prisons and for the guards and the one that AFSCME really supports, that language will be lost. So, I think at this point in time, we'd best get about the business of acceptance of this Amendatory Veto Motion, and yes, we do need 9 votes on the other side. So, I would recommend an 'aye' vote, and those of you that have prisons in your district will want to vote 'yes' on this particular Motion."

Speaker Breslin: "The Gentleman has moved to accept the Governor's specific recommendations for change by the adoption of House Bill 231 as amended by the Governor. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 50... there are 60 voting 'aye', 3 voting 'no', and 46 voting 'present'. And the Motion fails. Ladies and Gentlemen, we are going to go back now to the Order of Total Veto Motions appearing on page seven on your Calendar. The First Bill on that Order Call is Representative Mulcahey's Bill, House Bill 1086. Representative Mulcahey. It is a Motion to override a total veto... of the School Code."

Mulcahey: "Okay. Thank you, Madam Speaker. Madam Speaker, Members of the House, House Bill 1086 includes in the provisions... "

Speaker Breslin: "Excuse me. Excuse me, Representative Mulcahey.

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Representative Piel, for what reason do you rise?"

Piel: "Question of the Chair, Madam Speaker. Previous... You said the previous Motion failed, but it had 60 votes. It only takes 60 on an amendatory veto. Am I correct?"

Speaker Breslin: "I will... I will go back and see what the amount was. You are correct, Representative Piel. I said that it had... it did have 60 votes. That is House Bill 231. It had 60 votes 'yes', 3 voting 'no', and 46 voting 'present'."

Piel: "Motion would prevail, then, Madam Speaker."

Speaker Breslin: "I... I indicated that the Motion failed. The printout indicates that I... it should have been announced as passed. Representative Cullerton indicates that that is the case. He wishes to have a verification of the Roll Call. Representative Vinson, for what reason do you rise?"

Vinson: "What's the Order of Business?"

Speaker Breslin: "We are on the order of trying to correct an error of the Chair on the previous Bill."

Vinson: "Why doesn't the Chair just announce the error and say that the Motion prevailed?"

Speaker Breslin: "We will take your suggestion under advisement, Sir."

Vinson: "I suppose it's too simple and straightforward and honest for this Chair to give much attention to, huh?"

Speaker Breslin: "Ladies and Gentlemen, I would ask Representative Mulcahey to take his Bill out of the record so that we can go back to the previous Bill in order to correct an error of the Chair. Representative Mulcahey agrees. Representative Piel... for what reason do you rise?"

Piel: "Madam Speaker, if you'll check the rules, the Roll was taken. The copy of the Roll Call, which is probably the only one we have, Representative Cullerton has in his hands

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right now. The Roll is taken. All you need to do is say that it prevails."

Speaker Breslin: "Okay. Representative Piel, we are going to call House Bill 231 again so we can be back on that Order of Call. So, we'll put House Bill 231 up on the board, Mr. Clerk. This is what has happened, Ladies and Gentlemen. The Bill was announced. It was a Motion to accept amendatory veto... the amendatory veto of the Governor. The Chair, in error, it was a Motion that passed by only 1 vote, or rather, the exact number of votes required. That is 60 votes. The Chair was in error in noting that the Motion failed. The... The opponent to the Bill has indicated that, had the Bill been announced as failed, he would have requested a verification of that Roll Call. In fairness to that view, the Chair will now ask for a verification of the Roll Call on House bill 231. We have a printed copy of that Roll Call. The... And so, all that has to be done is the Clerk has agreed to call the affirmative votes, and those votes can be verified on House Bill 231. Are there any... any comments on this procedure? Representative Friedrich."

Friedrich: "Yes, Madam... Madam Speaker, your suggestion is not timely. We have a printed Roll Call which showed that the... amendatory veto is accepted. The only error was in your call. All you got to do is correct that, and it's all over."

Speaker Breslin: "Except that in the call, you know, the Bill has been declared... the Motion has been declared as failed. It hasn't been declared as passed. Representative Soliz?"

Friedrich: "But, that was your error, Madam Speaker. That was not the error of the machine or the people on the floor."

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

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Soliz: "To change my vote to 'present', please."

Speaker Breslin: "Representative Soliz, how did you vote in the first place? You were recorded as voting 'aye', I understand. So, you wish to change your vote to present."

Soliz: "I'd like to change it to 'present'."

Speaker Breslin: "So, Representative Soliz now wishes to change his vote to 'present'. It might be more orderly to ask for a reconsideration, if that is the case. Representative Soliz, why don't you move to reconsider the vote?"

Soliz: "Having voted on the prevailing side, I move to reconsider the vote."

Speaker Breslin: "Representative Soliz now moves to reconsider the vote by which House Bill 231 passed, since he has voted on the prevailing side. We are going to take a Roll Call on his Motion to reconsider the vote by which House Bill 231 passed. That Motion is open for debate. Representative Friedrich, on the Motion."

Friedrich: "The Motion has to be in writing, and it has to be put on the Order of Motions."

Speaker Breslin: "Representative Davis, for what reason to you rise?"

Davis: "Madam Speaker, I guess it appealed to the Majority, and in particular, the Majority's Floor Leader, who should have known 60 was a winner. We're in a peculiar position at this point in time, and I guess in the name of sweet reason to suggest to Representative Cullerton that there won't be a single Republican vote on the override Motion that he's going to file. If he wants this Bill to fall through the cracks, we should proceed. I think, at this point, he should proceed on the course that he's on. I think at this point he just ought to recognize there were 60 votes. The Chair made a mistake. Admit the mistake. Let's go on about the business. This is not the great, burning issue

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of anybody's life anyway, except the lives of those that are working inside the prisons."

Speaker Breslin: "The Gentleman from MacLean, Representative Ropp, for what reason do you rise?"

Ropp: "Thank you, Madam Speaker. A point of order."

Speaker Breslin: "State your point."

Ropp: "A question of the Chair. Does a Bill pass this chamber merely on the voice of the Speaker, or when you receive sufficient votes on the board which would provide a Majority... a Three-Fifths Majority? When does it actually become passed in this chamber?"

Speaker Breslin: "We're in the middle of deciding on a verification, Representative Ropp. When we get to that philosophical issue, we will get back to you. Representative Friedrich was correct in making the point of order that Representative Soliz' Motion was improperly put because it was not in writing and not on the desk. So, Representative Friedrich's point is well taken. As a consequence, we are back to the position where Representative Cullerton has asked for a verification of the House... of House Bill 231. Representative Soliz, during that verification, wishes to change his vote from 'aye' to 'present'. On... Representative Vinson, for what reason do you rise?"

Vinson: "Madam Speaker, first of all, I'd like to you to consider the posture you're putting the Assembly in. You're suggesting that we are in a situation where, when the Chair, which represents the Majority side, which is a Member of the Majority side, makes a mistake that works to the disadvantage of Mr. Cullerton, that you're going to rule... you're going to back and help him, to the disadvantage of the Minority. It's very clearly the posture you're putting the Assembly in. Technically, you

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can't put it in that position if you look at the rules, because after you've declared a new Order of Business, you cannot go back to that previous order of business. Now, I think Mr. Ropp's question is the pertinent point at issue. Very clearly, there were 60 votes up there. That's all it takes to accept an amendatory veto. There was not a timely request for a verification, and you moved to a new Order of Business. The only thing you can do appropriately and honestly is to admit the fact that you made a mistake, that you... that the Bill did receive the appropriate number of votes and that the amendatory veto Motion acceptance did pass. And you ought to do that, because we got to work together to make this Assembly work."

Speaker Breslin: "Representative Vinson, many of your points are well taken. We have weighed very carefully what the appropriate procedure is in this case. I admit completely, error in this case is solely mine. However, at the same point, it has to be noted that all Members have rights. If Representative Davis is to have his Bill declared passed by a very slim Majority, other Members who wish to verify should have that same right which they would have had, had the Chair not been in error. Secondly, we are appropriate in going back to House Bill 231, because Representative Mulcahey has taken his Bill out of the record, and the Chair was at liberty at that time to go back to that Bill, and it was so properly called. I regret very much having made this error but can see no fairer way to present the issue back in its original position. Representative Piel, for what reason do you now rise?"

Piel: "Madam... Excuse me, Madam Speaker. First of all, if you check Rule 58 (d), we had gone to the next Order of Business. If you ask for a verification, a request for verification is not timely. Time and time again on this

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House floor, because when we get to a Veto Session, terminology is different, it has been stated by the Chair that, in reference to House Bill or Senate Bill 1234, it had received a Constitutional Majority. You know, and this is going back just to bring the record up straight."

Speaker Breslin: "Representative Piel... "

Piel: "So, basically all the Chair would need to do, Madam Speaker, is to bring the record up straight and say that the Bill had passed, that it did not die, it had passed. And then, we can go on to the next Order of Business, Madam Speaker."

Speaker Breslin: "Representative Piel, your point is not well taken, because when you cite Rule 58, that is premised on the fact that Bills have been declared passed, and we don't go back to verifications when we have moved on to the next Order of Business. That did not happen in this case. Representative Matijevich, for what reason do you rise?"

Matijevich: "Madam Speaker, I would appeal to the Minority Party on this issue, because I don't think there's anyone here that isn't aware that an honest, legitimate mistake was made by the Chair. And that can happen to anybody in the Chair. And every Member here does have a right. This isn't a case of the Majority Party running roughshod over the Minority, and everybody knows that. Having made that mistake, which she has admitted, the... the Member, Representative Cullerton, could not observe his right for verification until the announcement was made that the Bill was passed. Then, he can proceed with his right. And that's all the Chair is trying to do is proceed in an orderly manner. And I would urge the Minority Party to understand that. The will of the Assembly in the end will prevail, and that's the way it always is. So, I would urge the Minority Party, don't make this an issue that it

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shouldn't be because an honest error was made, and she admitted it. Let us put it back on track where it belongs."

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

Vinson: "(Inaudible)... I think that, in many respects, Mr. Matijevich did accurately describe the situation under posture. He neglected one key point, and that was that after the Chair made the initial error and then moved to another Order of Business, Mr. Cullerton procured a Roll Call on the Motion that the Chair declared passed... failed, which it actually passed. And he took that Roll Call, as everybody would observe from the floor, and walked around to every Member of the floor to ask them to change their votes. Now, what you've done is, you've made an error. You then extended an extraordinary privilege to a Member of your Party, and you've done the whole thing to the detriment of another Member of this chamber, and that's inappropriate, and that's why you should not go on with the procedure you're going to."

Speaker Breslin: "Representative Vinson, you have to realize that the Gentleman is proceeding on a verification of the Roll Call when the Roll Call is not on the board. Only way for the Gentleman to know who to verify would be to give them a copy of the Roll Call. So that's the reason why that was done. I should not that the Republicans also have a copy of that Roll Call. Representative Friedrich, for what reason do you rise?"

Friedrich: "Madam Speaker, I don't think anyone suggests that the Chair could not make an honest mistake, and I think consider it that. But the only remedy for this at this point is for you to admit you made a mistake. Representative Soliz is exactly correct in asking for

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reconsideration, because he did vote in the Affirmative. If he'll make that Motion, and if... when we get on the Order of Motions, it'll be timely to do it. Be completely within the rules, and I think that's the way to do it, but to go back now and ask for a verification and a change of votes and all of this is completely a violation of the rules."

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

Klemm: "Forget it."

Speaker Breslin: "The Gentleman indicates he does not wish to speak. Representative Vinson, for what reason do you rise?"

Vinson: "Madam Speaker, it would seem to me that you have a unique opportunity on this occasion, and I'm sure that Mr. Cullerton would like to benefit himself of this opportunity. Why don't you appeal for an Attorney General's opinion on this particular matter, and we'll see how he rules on Mr. Cullerton's problems."

Speaker Breslin: "Is the Attorney General still with us?"

Vinson: "He's over here on this side of the aisle."

Speaker Breslin: "Ah, very good. Sir, would you come the podium?"

Vinson: "I'll be glad to give him... I'll be glad to give him my microphone so that he can rule on Mr. Cullerton's problem."

Attorney General Hartigan: "The Attorney General agrees with Mr. Cullerton."

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

Rice: "I would... We still in the verification? ... I would like to change my vote from 'present'... to 'present' from 'aye'."

Speaker Breslin: "When we get to that point, we will recognize

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you again, Representative. Ladies and Gentlemen, we have reread Rule 73. It indicates that a Member who voted on the prevailing side of a record on a matter still within the control of the House may, on the same day, move to reconsider the vote or may give written notice that he will move to reconsider no later than the next Legislative Day. There is no requirement that it be printed on another Calendar. Since Representative Soliz has made his Motion in writing and presented it to the Clerk, it has been done in writing, and the rule has been complied with. We will therefore recognize Representative Soliz to present a Motion to reconsider House Bill 231. Representative Soliz."

Soliz: "I move to reconsider this particular Bill."

Speaker Breslin: "The Gentleman has moved to reconsider the vote by which House Bill 231 passed. And on that question, there will be debate. The Gentleman from McHenry, Representative Klemm."

Klemm: "Would... I would like to ask in advance do we have a recorded Roll Call on that issue?"

Speaker Breslin: "I'm sorry. Excuse me."

Klemm: "I would like to ask in advance do we have a recorded Roll Call vote on that issue?"

Speaker Breslin: "It has to be a recorded vote, yes."

Klemm: "Thank you."

Speaker Breslin: "Does anybody else want to debate the question? Representative Friedrich."

Friedrich: "I'd just merely ask a question, Madam Speaker, if we're on the Order of Motions."

Speaker Breslin: "We're on the Order of Motions, yes, on this Bill."

Friedrich: "Well, we're on the Order of Motions generally. That's a... That's an Order of Business - Motions. You

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can't just jump around and take Motions anytime you want to. We have to be on the Order of Motions before you consider Motions."

Speaker Breslin: "... went to this Bill, Representative Friedrich, and a Motion has been placed on that Bill and that takes precedence. Representative Vinson."

Vinson: "First, Mr. (sic - Madam) Speaker, I'd ask that the Motion be reduced to writing pursuant to Rule 71(a)."

Speaker Breslin: "It has been reduced to writing, Sir. Do you have any further debate on this question?"

Vinson: "Good. Yes. How could you get to this Bill, when the Bill has already been... when the amendatory veto has already been passed?"

Speaker Breslin: "Representative, we went back to this Bill and called this Bill under the rules of the House."

Vinson: "Yeah, but the... the amendatory veto has already been accepted, as the Motion admits, so how could you conceivably get to this Bill?"

Speaker Breslin: "We would have to call the Bill..."

Vinson: "You would have to go to the Order of Motions."

Speaker Breslin: "We would have to call the Bill in order to get back to have it declared properly. Representative Ropp, on the question of the reconsideration of this Bill."

Ropp: "Yes, Madam Speaker, now, on the vote, whatever it gets, if it's 71, will, in fact, you have to declare that the vote has passed; or, if it gets less than that, will you have to declare that it had not passed for it actually to have passed or failed? Does the Speaker, herself or himself, have to declare that?"

Speaker Breslin: "I believe the rules require that it be declared. We will look it up, however, and quote the rule to you before we proceed to a vote."

Ropp: "Thank you."

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

Davis: "Well, you might also look at the Constitution, which I don't think speaks to our rules. The Bill was passed with an adequate Roll Call. However, let me just suggest... or ask another question. Are... Did you say... Did I just understand you to say that you have called House Bill 231 again?"

Speaker Breslin: "We are on a Motion to reconsider the vote by which House Bill 231 passed."

Davis: "So, we're on House Bill 231 and we're on a ..."

Speaker Breslin: "Yes."

Davis: "I can't take it out of the record now then, huh?"

Speaker Breslin: "No."

Davis: "No. You're not going to let me do that either. I mean, I don't understand what we're doing. We got a Roll Call. Now, we're reconsidering. What happens if the reconsideration Motion gets more than 60 votes?"

Speaker Breslin: "Once we deal with this Motion..."

Davis: "Has it failed then?"

Speaker Breslin: "Once we deal with the Motion, you can certainly take it out of the record. If you were the maker of the Motion, you could take the Motion out of the record, but you're not the maker of the Motion."

Davis: "I know that. I don't want to be."

Speaker Breslin: "And a Roll Call has already been taken on it. So..."

Davis: "Well, what was the result of that Roll Call?"

Speaker Breslin: "The board reflects the results... or it did reflect the results of the Roll Call. Okay."

Davis: "Right. Nobody knows what's going on, Madam Speaker, other than it got 60 votes and the distinguished..."

Speaker Breslin: "Does anyone want..."

Davis: "... floor leader on the other side should have known

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better, but he goofed."

Speaker Breslin: "Does anyone want to debate whether or not this Bill should be reconsidered? Representative Vinson, on the question."

Vinson: "Yes, Madam Speaker, it would seem to me that the Gentleman cannot make the Motion under the standing rules of the House because he did not vote on the side which was declared to have prevailed."

Speaker Breslin: "Interesting point, Sir. There being no further discussion, the question is, 'Shall the House reconsider the vote by which House Bill 231 passed?' All those in favor vote 'aye', all those opposed vote 'no'. Representative Vinson, you spoke in debate. For what reason do you now rise?"

Vinson: "A verification, should this Motion appear to have the requisite number of votes."

Speaker Breslin: "Very good."

Vinson: "Despite the fact that it's been made by an ineligible person."

Speaker Breslin: "On this question there are 64 voting 'aye', 50 voting 'no' and 1 voting 'present'. And Representative Vinson has asked for a verification of the Affirmative Roll. Representative Soliz has asked for a poll of the one absentee."

Clerk Leone: "Poll of the Absentees. Bullock. Johnson and Shaw."

Speaker Breslin: "Proceed with the poll of the affirmative."

Clerk Leone: "Poll of the affirmative. Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Capparelli. Christensen. Cullerton. Curran. Currie. Daley. DeJaegher. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Greiman. Hannig. Hartke. Hicks. Homer. Huff. Keane. Krska. Kulas. Laurino. LeFlore.

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Leverenz. Levin. Matijevich. Mautino. McGann.
McNamara. McPike. Mulcahey. Nash. O'Connell.
Panayotovitch. Pangle. Phelps. Preston. Rea. Rice.
Richmond. Ronan. Saltsman. Satterthwaite. Soliz.
Steczo. Stern. Sutker. Terzich. Turner. Van Duynes.
Washington. White. Wolf. Anthony Young. Wyvetter
Younge. And Mr. Speaker."

Speaker Breslin: "Representative Hartke asks leave to be
verified, Representative Vinson. The Gentleman has leave.
Do you have any questions of the Affirmative Roll?"

Vinson: "Representative Alexander."

Speaker Breslin: "Representative Alexander. Is the Lady in the
chamber? Representative Alexander is not in the chamber.
Remove her, please."

Vinson: "Representative Greiman."

Speaker Breslin: "Representative Greiman? Representative
Greiman? Is the Gentleman in the chamber? Remove him."

Vinson: "Representative Keane."

Speaker Breslin: "Representative Keane is in the chamber.
Representative Flowers is in the chamber and asks leave to
be verified, Sir. The Lady has leave."

Vinson: "Representative Krska."

Speaker Breslin: "Representative Krska. Representative Krska.
Is the Gentleman in the chamber? He is not. Remove him."

Vinson: "Representative Laurino."

Speaker Breslin: "Representative Laurino. Representative
Laurino. Is the Gentleman in the chamber? Remove him.
Representative Leverenz, for what reason do you rise?"

Leverenz: "Please change my vote to 'present'."

Speaker Breslin: "Representative Leverenz changes his vote from
'aye' to 'present'."

Vinson: "Representative McGann."

Speaker Breslin: "Representative McGann is in the chamber."

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Vinson: "Representative Panayotovich."

Speaker Breslin: "Representative Panayotovich. Representative Panayotovich. Is the Gentleman in the chamber? Remove him."

Vinson: "Representative..."

Speaker Breslin: "Representative Alexander is back in the chamber. Add her to the Roll Call."

Vinson: "Representative Ronan."

Speaker Breslin: "Representative Ronan. Representative Ronan. Is the Gentleman in the chamber? He is. Representative Greiman has also returned to the roll... to the chamber. Add him to the Roll Call. Representative Laurino has returned to the chamber. Add him to the Roll Call. Representative Panayotovich has returned to the chamber. Add him to the Roll Call."

Vinson: "Representative Satterthwaite."

Speaker Breslin: "Excuse me. Representative Brookins asks leave to be verified, Sir. Does he have leave?"

Vinson: "Yes."

Speaker Breslin: "He does. Representative Satterthwaite is in the chamber."

Vinson: "Representative Anthony Young."

Speaker Breslin: "Representative Anthony Young. Representative Anthony Young. The Gentleman is not in the chamber. Remove ... He is in the chamber. Add him... Keep him on the Roll Call."

Vinson: "Representative Dunn."

Speaker Breslin: "Representative John Dunn. Is the Gentleman in the chamber? He is."

Vinson: "Representative Capparelli."

Speaker Breslin: "Representative Capparelli. Representative Capparelli. Is the Gentleman in the chamber? Remove him. Representative Braun asks leave to be verified, Sir. Does

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she have leave? She has leave."

Vinson: "Representative Kulas."

Speaker Breslin: "Representative Kulas. Representative Kulas.

The Gentleman is in the chamber."

Vinson: "Representative Christensen."

Speaker Breslin: "Representative Christensen is in the chamber."

Vinson: "No further questions."

Speaker Breslin: "On this Motion there are 61 voting 'aye', 50 voting 'no' and 2 voting 'present', and the Motion carries. The Motion was to reconsider. Representative Ropp, in answer to your question... Representative Ropp, before we go to the reconsideration of the Bill, I want to answer your question. Rule 55(e) requires that the Speaker declare the result. So, it is in compliance with the rules that the Speaker is required to declare the result and that was the reason for having gone back and having to correct the error of the Chair in the previous Motion. I realize that doesn't answer your question as to what causes passage or not. My personal opinion is that passage is determined by the number of votes on the Bill, but we must declare that result according to the rules of the House. And now, Representative Davis, what is your pleasure on consideration of your Motion to accept the Governor's amendatory veto on House Bill 231? And I apologize to you, Sir, for all of this."

Davis: "Well, you were right, obviously, the vote total. The Constitution only cares about that. It doesn't care what the temporary or the real Speaker says. Apparently, we'll just take it out of the record. John, you go play your games with the Governor, whatever, but there won't be a single Republican vote on the override. So, you go get your game done.... No, there won't either. And you get your game done, John. You get your game done, and you get the

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dough or whatever it is and then you can give us the acceptance. I don't want to make you mad, because there's a lot of guards that want this Bill and you know it and I know it. But you go ahead and play your game. Get it over with. Out of the record."

Speaker Breslin: "We are now going to Total Veto Motions appearing on page seven on your Calendar, House Bill 1086, Representative Mulcahey. Thank you, Representative Mulcahey, for indulging us on this previous matter."

Mulcahey: "Thank you, Madam Speaker, Members of the House. House Bill 1086, what the Bill originally did was it included supervisors' salaries, the building and maintenance costs as a liable, direct cost for state reimbursement for public transportation for schools that own their... their own school buses. The current law, it states that school districts that own their own buses are limited to five percent of the total allowable cost for maintenance and building and so on. But, yet, school districts throughout the state that contract, do not own their own buses, and contract for pupil transportation are able to include supervisors' salaries and related building and maintenance costs in their total cost and; therefore, they're not really limited to that... that five percent cap. House Bill 1086 simply removes that current and very much a disadvantage to... that are placed on school districts that own and operate their own school buses, and I would move for an override of House... the veto on House Bill 1086."

Speaker Breslin: "The Gentleman moves to pass House Bill 1086, notwithstanding the veto of the Governor. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House pass House Bill 1086, notwithstanding the veto of the Governor?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is

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open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 92 voting 'aye', 21 voting 'no' and none voting 'present', and the House does adopt House Bill 1086, the veto of the Governor notwithstanding. House Bill 1232, Representative Wyvetter Younge."

Younge: "Thank you, Madam Speaker. I move to override the Governor's veto on House Bill 1236 (sic - 1232). This Bill would call for the establishment of an enterprise high school and incubator in my district, District 113. The Governor's reasons for vetoing the Bill were, first of all, he said that this is something that the districts and the community college could do already and, secondly, that there was no money for this program. As a result of a six month process, the school district 188 and 189 and the community college and the regional school districts and many of the business leadership in my district got together and came up with this program. The point is that the regional plan, which could include this, already has... the entities that would make this regional plan, they have already agreed to this concept and they want the concept. School district 188 wishes to join with a junior college district to set up a small pilot program of some 25 students. And I think that, therefore, the argument that this is something that the school district could do already is not persuasive or relevant in that the passage of this Bill and the override of the veto would give them the right to proceed immediately. Secondly, and I suppose it's a more basic thing, the Governor said that there were no funds for this Bill. House Bill 1232 could be funded by average daily attendance. In other words, when a dropout student would go back to school and for one half a day learn how to establish a business or make a product or

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provide a service, that would give the school the right to a daily average attendance amount. In addition to that, the Joint Partnership Training Act funds are available for school districts for this type of program. In the State of Michigan there are ten high schools and they are totally paid for under Joint Partnership Training Act funds. So, in a very real sense, these funds have been already provided for under the regular school funding. In addition to that, the reform package that this General Assembly passed and has signed into law provided ten million dollars for alternative high schools. An enterprise high school is an alternative high school. And for these reasons, the reason that the school district 188 and SCC and the people in my district very enthusiastically want this program and there are funds available, as I have explained, I ask that you join with me in support and override of this veto."

Speaker Breslin: "The Lady has moved to override the Governor's veto on House Bill 1232. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House adopt House Bill 1232, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House, in our reform package, we realized that we need to use innovative means of reaching many of the children who otherwise become dropouts to our educational programs. There is funds... There are funds available through those alternative education programs to provide the necessary startup funds for the program in Mrs. Younge's Bill. It seems inconsistent for us to say on the one hand that we encourage school districts to provide innovative programs to keep their children in school and, at the same time,

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veto the very measure that this Legislator has seen as a solution for the problems in her district. I see no reason why we should not give this legislation a chance, see whether or not it is helpful in keeping students in school and helping them to be productive citizens of our society. And I would urge your 'yes' vote."

Speaker Breslin: "Is there any further discussion? Representative Younge, one minute to explain your vote".

Younge: "The dropout rate in my district is out of every two students that enter the high school curriculum or high school, 1.3 students drops out. The dropout rate is very high. I believe that a program to teach students how to operate businesses and try to help them be autonomous adults would help to keep them out of prison, help to keep them from crime and dope and the other adverse effects in a situation where the youth of my district have a 60 percent unemployment rate. It is appropriate that we have an educational program that teaches young people how to manage their lives through the operation of businesses. There are very, very few jobs in my district and a way of providing jobs would be to have an expanded growth in business opportunity. And I think that the young people from my district come from homes in which it is not a usual thing for them to learn how to operate business. So, therefore, I think it is appropriate for the General Assembly to take leadership in... in making this program successful. In Mount Clemens, Michigan, where the program is currently operating, there is an 82 percent retention rate. Eighty-two percent of the young people who enter into this program either go on to graduate from high school or go to private gainful employment. It works. And, therefore, I ask you to support my Motion to override this veto."

Speaker Breslin: "The question is, 'Shall the House adopt House

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Bill 1232, notwithstanding the veto of the Governor?' All those in favor... Oh, we're already... Excuse me. Have all voted who wish? The Clerk will take the record. On this question there are 63 voting 'aye', 43 voting 'no' and 4 voting 'present', and the Motion fails. Representative Younge, I have already declared the vote. I'm sorry. We cannot poll the absentees. House Bill 1335, Representative Flowers. Is the Lady in the chamber? Out of the record. House Bill 1539, Representative Curran."

Curran: "Madam Speaker... Madam Speaker?"

Speaker Breslin: "Proceed."

Curran: "My voice is giving out on me. Representative Saltsman has agreed to..."

Speaker Breslin: "Present the Motion."

Curran: "Present this Motion."

Speaker Breslin: "Very good. Representative Saltsman."

Saltsman: "Thank you, Madam Speaker. House Bill 1539 would have granted full political rights and privileges to those employees covered under the civil service, police and fire commission and fire protection district statutes. The U.S. Supreme Court has ruled that in the absence of the state statute granting full political rights to employees, all mini-hatch acts will be in place at various local levels, they would prevail. The action subjects employees to immediate discharge sometimes if they engage in political activity. Currently, state statutes already provide for a method of punishing those individuals who currently use their employment for political purposes. In some cases, our own sisters, brothers, mothers and fathers can't even put bumperstickers or a political sign in their front yard because of some of these mini-hatch acts that are set up by these smaller municipalities. We urge you to vote 'yes' on this Motion to override the Governor's veto on House Bill

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1539."

Speaker Breslin: "The Gentleman has moved to adopt House Bill 1539, the veto of the Governor notwithstanding. And on that question, the Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Mr. (sic - Madam) Speaker and Ladies and Gentlemen of the House, I would rise to ask for an override vote also. I see no reason why policemen or firemen should be excluded from running for public office and being active in politics. We don't bar teachers from doing it. We don't bar doctors, or lawyers or anybody else. So, I see no reason in the world to say that policemen and firemen shouldn't have the same constitutional rights to exercise their freedom of choice when they're not on duty to go out and work for the political party or political candidates of their choice. I would urge all my Republican friends to join in this override Motion."

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

Oblinger: "Will the Sponsor yield to a question?"

Speaker Breslin: "He will."

Oblinger: "Mr. Saltsman, does this apply also to volunteer firemen, or are they already allowed to participate in political activities?"

Saltsman: "If they were covered by one of these three Acts, then they would not be allowed to provide that their municipality had a mini-hatch act at this time. This would also free them."

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

Matijevich: "Madam Speaker and Ladies and Gentlemen of the House, I would urge the Assembly to vote to support the override Motion. I... I had an override Motion on the state

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troopers which I haven't called yet; because, for some reason or other, some people like to put the state police at a different standard. I disagree with that. However, I didn't want to jeopardize this Bill, which deals with local people who serve responsibly for us and whom... those people whom we know and live with and work with. We shouldn't take that right away from them. It's an expression that all of us have. And we who serve in government, we who like to say that politics and politicians are honorary... are honored and it isn't a bad word, and it shouldn't be a bad word. We who put our necks on the line and serve, we ought to be the first to say that that right of expression, that right to serve in government ought to belong to these people who serve responsibly in public service for us. I would urge the Members to give an overwhelming vote on this Bill to show those local people that we believe in them, we believe that they ought to have full citizenship rights. And, therefore, I urge the override Motion."

Speaker Breslin: "The question is, 'Shall the House adopt House Bill 1539, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 104 voting 'aye', 10 voting 'no' and none voting 'present', and the House does override the Governor's veto of House Bill 1539 and the Bill is, therefore, adopted. House Bill 1567, Representative Steczo. Out of the record. House Bill 1568, Representative McNamara."

McNamara: "Thank you... Thank you, Madam Chairman. House Bill 1568 is a Bill that allows for the count of discouraged workers to be included in determining enterprise zones.

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Discouraged workers are those who have been out of a job for more than 26 weeks. Statistics are available from the Department of Labor. I think it's very important that we not allow the discouraged workers to fall through the cracks of our system and that we evaluate enterprise zones on the full criteria that all people should be afforded the equal chance in order to be counted to determine whether or not an enterprise zone is determined. And I ask for your 'aye' vote on overriding the Governor's veto."

Speaker Breslin: "The Gentleman has moved that the House adopt House Bill 1568, the veto of the Governor notwithstanding. On that question, is there any discussion?"

McNamara: "Could you change the board?"

Speaker Breslin: "Is there any discussion? Hearing none, the question is, 'Shall the House adopt House Bill 1568, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 77 voting 'aye', 38 voting 'no' and none voting 'present', and this Bill, having received the necessary Majority, is hereby declared adopted, the veto of the Governor notwithstanding. House Bill 1688, Representative Keane. Out of the record. House Bill 1688, Representative Young. Out of the record. House Bill 1714, Representative White. Representative White. Out of the record. House Bill 1780, Representative O'Connell. Representative O'Connell."

O'Connell: "Thank you, Madam Speaker. Senate... House Bill 1780 allowed the Department of Transportation to make loans to municipally owned municipalities who are required to move their utilities in order to accommodate a state directed project. For example, if a municipality owns a water line and the DOT is requiring an expansion of the road, the

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municipality was required to expend a substantial amount of money in order to move its water line. These are expenditures that were unanticipated. And in light of that fact, it was my belief that perhaps there can be a loan arrangement made with the DOT to assist that municipality through funding which would be paid back at a low interest loan basis from the municipality to the DOT. It was also my belief that there was not statutory authority to do that, and I cited a report by the Auditor General some years ago indicating that there really wasn't a direct statutory authorization for the Department to make the necessary loans. In the Governor's veto message, he indicates that there is statutory authority, in that if a municipality refuses to move its utility, the DOT can then move it on its own and then bill the municipality. I would submit that that places a confrontation between the municipality and the state that is really not conducive to cooperative ventures. So, Senate Bill 1730 simply authorizes the DOT to make loans to municipalities to comply with DOT directed projects."

Speaker Breslin: "The Gentleman has moved to adopt House Bill 1780, the veto of the Governor notwithstanding. And on that question, the Gentleman from Adams, Representative Mays."

Mays: "Thank you. Would the Gentleman yield for a question, please?"

Speaker Breslin: "He indicates he will."

Mays: "On these loans that you would ask the Department of Transportation make to these local units of government for that relocation, is there any time limit on repayment of those loans specified in the Bill?"

O'Connell: "Nothing is specified in the Bill."

Mays: "Is there any interest at all that's carried with the

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Bill?"

O'Connell: "It's not specified in the Bill."

Mays: "Okay. Well then, to the Bill, Madam Speaker."

Speaker Breslin: "Proceed."

Mays: "It's my understanding, in response to another thing that was originally stated by the Sponsor of this Motion, indeed, the Auditor General did cite that there was no statutory authority for loans being made to municipal governments, but that was some time ago and the Department of Transportation, in response, did draft and indeed sign... got passed and signed into law Public Act 83-1363. Now... so, we do have a statutory basis for making loans at the discretion of the Department to local units of government already on the books, and I think that is the main reason that the Sponsor wanted to get this Bill through. That's already taken care of. And, indeed, under that Public Act, the loans can be made to... for any numbers of purposes, a pipeline relocation, rails, poles, wires; whereas, under this one it just applies to gas, water and electricity lines and so on. For that and any number of other reasons, it would appear to me that the... that we should oppose this Motion. We already have the statutory authority to do what the Gentleman would like to see accomplished and many of us would like to see accomplished also. So, I would oppose the override Motion and think that the amendatory veto should be accepted."

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

O'Connell: "Thank you, Madam Speaker. Most of the substance of what the Representative on the other side of the aisle has just said I can agree with. However, 83-1363, in effect, amounts to a back door loan, and I just don't think that that kind of concept, wherein the municipality has to

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refuse to cooperate with the DOT, is the proper way to prepare a loan arrangement. And I think that this is much more of an affirmative method to do it and can be developed in more sophisticated ways. I would ask for an override, notwithstanding the Governor's veto."

Speaker Breslin: "The question is, 'Shall the House adopt House Bill 1780, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 52 voting 'aye', 57 voting 'no' and 2 voting 'present', and the Motion fails. House Bill 1880, Representative Ronan. Representative Ronan. Out of the record. House Bill 2003, Representative Dunn. This is a Motion to override a total veto of the Governor on an Act relating to the Board of Higher Education. Excuse me. Representative Vinson, for what reason do you rise?"

Vinson: "I have reviewed some comments I made earlier today in reference to your initial ruling in regard to the Cullerton-Davis controversy. And I want to make it very clear that I do believe that your error initially was an honest error and any phrase that I might have used that would have suggested that it was not an honest error I would apologize to you for."

Speaker Breslin: "No apology necessary, Sir. Representative Dunn, on House Bill 2003."

Dunn: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise to move to override the veto of the Governor with regard to House Bill 2003. House Bill 2003 would create an 'inveteran' residence program at the various universities and institutions of higher education in the State of Illinois. The purpose of the legislation is to

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encourage those who have that special creative talent for inventions to come to Illinois, to locate here, to take up residence in our institutions of higher education and to apply their talents for the benefit of all of us in this state, not only in high tech, but in other areas that will improve our business climate. This legislation was passed overwhelmingly by this House. A similar Bill... the Governor was overridden on a similar Bill in the Senate today, and I would ask for an 'aye' vote."

Speaker Breslin: "The Gentleman has moved to adopt House Bill 2003, the veto of the Governor notwithstanding. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House override the Governor's veto on House Bill 2003?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? 71 votes are required for passage of this Motion. Have all voted who wish? The Clerk will take the record. On this question there are 69 voting 'aye', 46 voting 'no' and 1 voting 'present', and Representative Dunn asks for a Poll of the Absentees."

Clerk Leone: "Poll of the Absentees. Krska and Shaw."

Speaker Breslin: "Have all voted who wish? Representative... Representative Krska? Representative Krska votes 'aye'. Have all voted who wish? Have all voted who wish? 71 votes are required for adoption of this Motion. On this question there are 70 voting 'aye', 46 voting 'no' and 1 voting 'present', and the Motion fails. House Bill 2108, Representative DeLeo."

DeLeo: "Thank you, Madam Speaker. I move to override the Governor's veto on House Bill 2108. House Bill 2108 amends the School Code, requires that a principal of each attendance center exceeding the population of 500,000 would report incidence of intimidation to local law enforcement

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authorities. It only affects the City of Chicago schools."

Speaker Breslin: "The Gentleman has moved to adopt House Bill 2108, the veto of the Governor notwithstanding. And on that question, is there any discussion? Hearing none, the question is, 'Shall this House adopt House Bill 2108, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there are 34 voting 'aye', 30 voting 'no' and none voting 'present', and this Motion carries. Representative Mulcahey, for what reason do you rise?"

Mulcahey: "Would you record me as voting 'aye'? I was playing with the switches here."

Speaker Breslin: "The transcript will so record your desire to have been voted 'aye' on House Bill 2108. House Bill 2219, Representative Tony Young. Representative Young. Out of the record. House Bill 2259, Representative Greiman. Representative Greiman. Out of the record. House Bill 2384, Representative Steczo. Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. I move to override the Governor's veto of House Bill 2384. Currently, when corporations doing business in Illinois and other states pay corporate income tax to the State of Illinois, that income tax is assessed on a three factor formula. That factor consists of property, payroll and sales. When those three factors are considered as a formula, the income tax is determined. The way that this tax works in Illinois right now, this combined apportionment method makes it easy for corporations to settle outside the state borders, sell their products in Illinois and, thereby, not have to contend with the Illinois tax system. What House Bill 2384 does and hopes

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to do is to change that formula. That formula would be based on property at 25 percent, instead of the current one-third. It would be based on sales at 50 percent, instead of the current one-third, and it would be based on personnel at 25 percent, instead of the current one-third. Hopefully the net effect of this would be to encourage business expansion and business development in the State of Illinois. Presently, the State of Illinois is an island. All the other states surrounding Illinois, as well as other states in the union, have adopted an additional weighting factor as a means to collect corporate income taxes. When I read the Governor's veto message, I thought about it and I saw three different items and would like to respond to those. Number one, the Governor says that House Bill 2384 is contrary to uniformity among states. Well, the business community here in Illinois insists that surrounding states and their additional weighting of the sales factor offer to other states an advantage over Illinois. House Bill 2384 seeks to address that and redress that. The Governor also says that this Bill injects instability and unpredictability into business taxes; yet, we should know that every year this General Assembly undertakes and considers many changes in the Illinois tax system. The business community in Illinois, the large employers in Illinois, basically favor the concepts provided here in House Bill 2384. The other thing the Governor objected to was the fact that he insists that it endorses preferential tax treatment for certain taxpayers resulting in revenue losses. We all know that it's the policy of this General Assembly and the policy of the state to use tax policy as an incentive. The Governor, in his veto message, indicates that the Department of Revenue did a survey and that survey indicated that there was a loss in revenue or a potential

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loss in revenue to the state of about 22 million dollars. But it's ironic that after reading a memo from the Department of Commerce and Community Affairs, only 88 corporations in Illinois out of 130 were surveyed. And I would suspect that if all 130 were surveyed, the results might be different. In addition to that, in 1979, I should... in 1979, when we were considering a replacement for the corporate personal property tax, the Department of Revenue studied this exact same feature. The result they came up with at that time was that this provision was revenue neutral. So, I would suspect that the numbers that we have from the Department of Revenue may or may not be the numbers that would be the actual numbers. In addition to that, the State of Massachusetts, who currently has this type of... this type of a formula, indicated that in their first year of operation, there was a net gain in Massachusetts of about 40 million dollars. So, I think the numbers that are used by the Department of Revenue are highly suspect. The Governor also says in his veto message, and I find it very interesting, that the taxpayers that report significant percentage of property and payroll in Illinois and small percentage of in-state sales will benefit under this Bill. And he says that those are taxpayers with headquarters in Illinois or manufacturers oper... manufacturing operations in Illinois. Well, Ladies and Gentlemen of the House, I think that that's exactly what we try to do when we try to develop incentives to try to lure business and economic development into Illinois. The Governor basically is agreeing with what we are trying to do as an aim in this situation. But I also notice that this language was lifted from page two of that August 28th memorandum from the Department of Commerce and Community Affairs. And I wish that the Governor and his staff had

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gone two pages further; because, while using this information as part of his veto message, he missed the recommendation of DCCA to him on House Bill 2384 and that recommendation was for the Governor to sign this Bill because the business community was in favor of it. I should also mention to you that, in 1983, the Governor appointed a Business Advisory Committee, and that Advisory Committee issued a report called 'Building a Vital Economy', and that Business Advisory Committee recommended and made one of their chief recommendations the same provisions that we see here in House Bill 2384. So, I think for all the good reasons that we should... we should override the Governor's veto. And I should also mention that a couple of weeks ago we had read in the Chicago newspapers that the 'Libby, McNeal and Libby Company' was moving 655 jobs out of the City of Chicago to New York and as I find it ironic that they are moving jobs from Illinois to New York. New York has this same formula that they use, as do most of the other states that have vibrant economies and that have good business climates. And I don't think that Illinois should be in a posture of having to work with a formula which some people say is consistent, but most businesses who are based here think is unfair, and a Bill that could really do well to try to give us another powerful weapon in our arsenal of economic development. I think this is a good Bill for business. It's a good Bill for jobs. It's a good Bill for business expansion and it's a fair Bill for those people in the State of Illinois who are unemployed and hope to find jobs in the near future. And I would encourage that the House do override the Governor's veto on House Bill 2384."

Speaker Breslin: "The Gentleman has moved for the adoption of House Bill 2384, the veto of the Governor notwithstanding."

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And on that question, the Gentleman from Will,
Representative Davis. Representative Davis."

Davis: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I have seldom heard a better explanation of the Bill and of a reason for voting it. My Cosponsor, Representative Steczo, has said it more eloquently than anyone could. The Governor has erred on this Bill. He should not have vetoed it. We should override the veto and I think the Senate will agree. With that, I recommend to you an 'aye' vote."

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

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

Speaker Breslin: "He will."

Olson: "Representative Steczo, three years ago, as you recall, we dealt with unitary tax, 2588. Have most of the Illinois corporations that participated in that debate, both pro and con, come to the same conclusion that you're enunciating?"

Steczko: "Representative Olson, in response to your question, I recall that there was some debate in the Veto Session three years ago. It's my opinion, and I can't cite this for certain, that many of those on both sides now have come to the agreement that House Bill 2384 is something that the state should have. I should mention to you, though, that this is not a unitary tax question. That's a question on the base and how the tax will be determined. This is the formula question."

Olson: "Thank you very much."

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

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

Speaker Breslin: "He will."

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Bowman: "Representative Steczko, can you give us some examples of firms that would be advantaged by this proposal?"

Steczko: "Representative Bowman, the list that I have is incomplete, but generally the largest manufactures... among the largest manufacturers that we have here in the State of Illinois are people that have supported House Bill 2384 from people that 'Dark and Craft', Abbot Laboratories, Caterpillar, John Deere, 'Interlake', on and on and on. There's a large list."

Bowman: "Can you give me some examples of firms that would not be advantaged by this?"

Steczko: "Representative Bowman, the firms that generally would not be advantaged by this are firms that have their headquarters and their manufacturing operations located outside the State of Illinois and choose to locate there and to just sell their product here in the State of Illinois. The few that I have heard and the few that have contacted me were the Ford Motor Company, although they said that there was no revenue impact upon them. The General Motors... General Motors contacted me and said there would be a revenue loss; however, the revenue loss would have been more than overcome had they made a decision to locate the Saturn Plant here. And Emerson Electric from Missouri has indicated that they're opposed. Those are the few that I know of."

Bowman: "Okay. Well, can I presume that your intent in sponsoring this legislation was to improve the business climate in Illinois?"

Steczko: "Representative Bowman, that's exactly the case. We find that the other states that have adopted the... the additional weighting factors are states that have done very well economic climatewise; state's like Florida, state's like Colorado, state's like Connecticut, state's like

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Massachusetts. This is an attempt for us in Illinois to really be able to be on the same footing and improve our climate; and, in addition to that, as I mentioned, all the states surrounding us have, in one way, shape or form, dealt with the sales factor and have increased the weighting on the sales factor. And Illinois stands out like a sore thumb in the... if you would look at a map with various states and the schemes that they have."

Bowman: "One last question. Why did you then not choose to reduce the income tax rate for all businesses doing business in Illinois? Why simply, in effect, shift the tax burden on a different class of businesses and not just cut the business tax rate?"

Steczo: "Representative Bowman, I think that, as you know, generally the State of Illinois, as other states will do, attempt to try to use tax policy, and we've done it before, in order to improve the economic climate in the state. In this particular case, and we have taken actually a page out of the book of other states, have used this weapon well in order to do that."

Bowman: "Well, Madam Speaker, to the Bill. I think the unfortunate effect of this particular proposal is that it shifts the burden of taxation onto a different class of businesses and not all of these businesses necessarily are foreign to the State of Illinois. They, in fact, may be headquartered here. It's simply a question of the capital intensity of the business relative to the labor intensity of the business. And what we are doing by this proposal is giving capital intensive businesses breaks relative to labor intensive businesses. And I don't think that's the tax policy we want to foster. In fact, almost every study, certainly a majority of the studies on business location decisions indicate that the tax rate is not something that

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necessarily attracts people or businesses into a state or repells them from a state if the rates are too high. The practical effect of this is simply to shift the burden of taxation onto a different class of taxpayers, specifically labor intensive firms. And for that reason, I rise to oppose the override Motion."

Speaker Breslin: "Representative Steczko, to close."

Steczko: "Thank you, Madam Speaker, Members of the House. I think the Bill has been well explained. And I would just reiterate that since Illinois adopted this formula in 1969, there have been relatively few, if any, states that have followed suit. Yet, since 1971, since Florida became the first state to adopt the formula that we're seeking to adopt here in House Bill 2384, I think approximately 17 other states have followed suit and what we are trying to do in House Bill 2384 has become the trend in the United States. I think it makes sense. I think it's a provision and an attempt to try to really do well for the State of Illinois for its economy and for an expanded business community. I think that the Governor and the Department of Revenue are erroneous. The Governor and the Department of Revenue... the Department of Revenue in particular is very conservative about these kinds of things. And I would imagine if the Department of Revenue were around in 1900 and 60 or 70 years ago while Rome was burning, they'd be resining their bow ready to play the fiddle. I think we really are in a position now to do something good economically for the State of Illinois, and I would encourage an 'aye' vote."

Speaker Breslin: "The question is, 'Shall the House adopt House Bill 2384, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted

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who wish? The Clerk will take the record. On this question there are 89... 88 voting 'aye', 12 voting 'no' and 1 voting 'present', and this Motion carries. House Bill 2512, Representative Soliz. Representative Soliz. Out of the record. Ladies and Gentlemen, we are now going to page two on your Calendar under Senate Bills Second Reading. The first Bill is Senate Bill 216, Representative McNamara. Out of the record. Senate Bill 525, Representative Capparelli. Representative Greiman, for what reason do you rise?"

Greiman: "Thank you, Speaker. I have a Motion that I have filed with respect to Senate Bill 525."

Speaker Breslin: "Mr. Clerk, read the Motion, please."

Clerk Leone: "Motion. 'I move that consideration of Senate Bill 525 be postponed until Spring of 1986 Session and that the Bill be placed on the Calendar of First Day of such Session and thereafter.'"

Speaker Breslin: "Representative Greiman, on the Motion."

Greiman: "Thank you, Speaker. I think Senate Bill 525, which is a partial restructuring of the Illinois banking system, is an important Bill. I think that it requires a great deal of thought and time, and I had hoped that that thought and time would be addressed and directed toward that Bill when last I made a similar Motion. Let me tell you first, at the outset, that whether we pass the Bill this week or pass the Bill in March will make no difference on the effective date of that Bill. The Sponsor has indicated that the effective date of this Bill will be July 1st of 1986, so that, if we pass the Bill today, this very day, it will not be effective till July of '86. If we pass it in March, it will still not be effective until July of '86. The Governor of this state has asked and has put together a Task Force on Financial Services, a Task Force made up of

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men and women who are specialists in banking, from all sides of banking, from the big banks and the little banks, the consumer bank, the concept... the interstate bank concept, the local bank, the regional bank, the..."

Speaker Breslin: "Excuse me, Representative Greiman."

Greiman: "Yes."

Speaker Breslin: "Just for one moment. We would like to recognize a very special person. Representative Daniels, for the purposes of an introduction."

Daniels: "Ladies and Gentlemen of the House, I'm very sorry, Representative Greiman, to interrupt your debate on this, but I think it's a special moment that we have right now. A Gentleman is visiting us today. You all know who he is. One of the outstanding Governors of this state, Governor Richard Ogilvie. Governor Ogilvie. With leave of the Body, Madam Speaker, may he address the Assembly?"

Speaker Breslin: "Please do, Sir."

Danils: "Thank you."

Ogilvie: "Thank you, Lee. I have to say this is a first. Usually, when I've been talking to your predecessors and those of you who were here when I was here, I was up there, but it's a rare privilege to be back here and... on the floor of this House and to see so many old friends and make a few new ones. I appreciate the warm reception. Thank you."

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

Bullock: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. We certainly are proud to have Governor Ogilvie here. I would only say, Mr. Daniels, Governor Ogilvie... Representative Daniels, Governor Ogilvie really does not deserve to merely speak from that side of the aisle. He should be at the podium because I've said on many occasions

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before I came here that he is probably one of the finest Governors this state has had, and he really should have spoke from the Speaker's podium because he was a Governor of all of the state. Thank you."

Speaker Breslin: "Representative Daniels, in the Chair."

Daniels: "Ladies and Gentlemen, in accordance with the request from the other side of the aisle, I would like to present to you Governor Richard Ogilvie."

Ogilvie: "Thank you. This does feel a little more familiar. Again, I do appreciate the warm reception and I'm delighted to be here and, thank you. You've got business to do. Get back to work."

Speaker Breslin: "Representative Greiman is presenting a Motion to postpone consideration to a date certain on House... on Senate Bill 525. Proceed, Representative Greiman."

Greiman: "Well, just a personal antidote. It reminds me of one time I was trying a case and a lady of the street was my client and each time I'd get to the point of where I wanted to cross-examine the arresting officer who had been a decoy, the Judge would say, 'Mr. Clerk, would you raise the window a little bit? It's a little warm in here.' And then I'd go at him again, and they'd... just as I'd get to that crucial point, they'd say, 'Would you lower the window?' And after about four times I just lost my train of thought and my interest in the whole thing and said, 'Judge, I guess we're guilty.' So... but I'll continue here anyhow, despite the interruption and I didn't... you know, the reference to the lady of the street, of course, has nothing to do with here. So, I... So, I was saying that in banking, the banking Bill will not be passed... will not be part of the law of Illinois, effective in Illinois, until July 1st, 1986, whether or not you hear this Bill today. It will not. So that make no mistake

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about that. You are not increasing its... accelerating its time. The Governor of this state convened a Task Force of very credible and able people to deal with banking issues. They have only recently concluded their debate. They have spent a great deal of time. It would be presumptuous of us to turn our backs on the work of that without at least considering what the leading people in the economic field and the financial services field believe and to give respect to people who are business leaders. You know, we all do that. We ask volunteers to come. We ask people to come and serve on task forces and then we don't listen to them. We at least ought to hear what these people have to say. They are the leaders of our financial community. During the intervening days since July, I looked around and saw that there was no consumer piece. I said, over and over again, in the press, to the Illinois bankers, that unless there could be something for consumers, why should we change? Unless there could be something for economic development, why should we change? And the answer I got from the IBA, who is the sponsor of the Bill, in fact, was we will not move. We are intransigent. This is the Bill. We will not change anything. I sent 21 proposals to them. Not all proposals that I subscribe to, but proposals. I received no answer. Not one answer did I get from them. No response. Last night, last night, at 6:00, the bankers found that maybe the consumers of Illinois had a right to something in this piece, and they came in and they gave me a sheet and they... it was a sheet with four or five different items... no, I'm sorry, three, four... four items. I want to be exact on it. Four items that were for consumers. They're meager. In it they said they would go for an expedited check clearing system which would allow one day for checks

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in the bank, five days for checks in state, which is maybe twice what it takes to really clear a check and eight days for a check out of state. When they filed the Amendment though, it was six days for a check in state and nine days for out of state. A meager... not even good for the consumer. Bad for the consumer, because what it will do, all those banks that cash checks in two days and three days, which is most of the banks in this state, will bring it up and they'll hold the float. And what it is, it's sort of the response... it's the other side of E.F. Hutton. That's what it is. So, these are issues that are serious. There are big stakes. I suggested that we trigger interstate banking on economic development; that if a bank could give us 700 to 1000 new jobs and a half a billion dollars in new investment income, that that bank could come into Illinois."

Speaker Breslin: "Excuse me, Representative Greiman."

Greiman: "Yes."

Speaker Breslin: "Representative Bullock is recognized on a point of order."

Bullock: "Madam Speaker, the Gentleman should address his Motion. The proposed Amendments or suggested Amendments will appropriately be addressed at another time."

Speaker Breslin: "Your point is not well taken. Representative Greiman, proceed."

Greiman: "And to that, I received no answer. The linking of economic development and interstate banking makes sense. Now, you might be surprised to find the interstate banks don't like it. The big banks, when they heard about my proposal, didn't like it either. So, maybe it's a good proposal. Any proposal that can bring us three, four, five thousand new jobs in this state makes sense and ought to at least be addressed, but it was not addressed. And now we

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turn to the other issue. There are now about 90 Amendments to this Bill that are pending. There are Members who have not had their vetoes listened to, that have not had an opportunity to debate the Motions to override, the Motions to accept before this Body. There is, as we say, the hot issues which were.. which we have not gotten to. Everybody always goes to the easy ones. So, we have the hot issues and those issues will not be debated. And if tomorrow, when we shut down this joint, you have not had yours heard, it will be because tonight we will spend listening to 90 Amendments. I say to you that the bankers deserve a day in court. They deserve their moment, but they deserve it in a thoughtful way. I said before, last spring, restructuring banks in Illinois is like a religious experience. It's a revelation that comes only once in a while. If we miss the revelation, we will have to wait years and years to be sure. I believe I've come to know more about banking in the last three months than I ever, ever wanted to know. What I do know is that our banking system does need restructuring, but it needs the kind of thoughtful, sensible restructuring, not selfish restructuring, that we have before us. It needs meaningful restructuring. The states around us have rejected this Bill, have rejected it, except for Kentucky and Indiana. So, if your banker is lusting to go into Paducah, Kentucky and can't wait another minute till he gets to Evansville, Indiana, then I guess you should run and vote for... and vote against this. I'm asking merely to take this Bill, that we get all the parties in and that, in March, we decide on an informed way in the marketplace of ideas what is best for the Illinois bankers, for the Illinois industry, for the Illinois consumers. I would ask that you vote favorably on the Motion to put this over to the spring. And I thank you for

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your indulgence."

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

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. The Gentleman's Motion to postpone until next spring deliberation on this regional interstate banking Bill is a Motion that I don't believe today we should support. I did support his Motion last... last June, I believe it was, to postpone it until today. And I supported his Motion last spring because in the... the Bill was introduced on March 27th. The General Assembly was deluged with major questions of policy across a broad waterfront of issues last spring. It was clear, to my way of thinking, that we were unprepared to discuss and to debate this issue, that Members had not had an adequate time to make up their mind on the issue. We've now delayed this issue into the Fall Session for three months. Any Member who cares to has had the opportunity to thoroughly familiarize themselves with the arguments on the Bill. There are at least three issues, three fundamental philosophies of banking which have made themselves felt in this Assembly. There is a point of view that says that we should only have unit banking in Illinois. And there's a point of view that says that we should have national interstate banking with full competition and have it now. And there's a third point of view, the point of view embodied in this Bill, that we should have regional interstate banking as a transition to national interstate. Now, I personally disagree violently with the merits of this Bill. I think it's wrong. I think that it is the worst strategy Illinois could adopt for dealing with banking issues or for economic development of those three choices. But I think that a Member who introduces a Bill

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has a right to have that Bill heard and debated, and particularly, have it heard and debated when it is on a point as important and as fundamental as the structure of our financial system. I think Representative Capparelli has in good conscience and in good patience presented this Bill and has a right to have the subject debated. And I think that Illinois has the right to see this General Assembly, which adopts its laws, consider something of this moment and this importance to its economic growth. I personally intend to vote against the Bill. I personally intend to support many Amendments to the Bill, and I think the Bill is wrong. But I think it's time that we come to grips with the issue, that we debate the issue and that we crystalize where Illinois is going to go on how it structures its financial institutions. And to take a situation where a Member introduces a Bill on the 27th, where the Bill is on the Calendar on Second Reading in June, where it's delayed until October, to then delay it again until the next year is not something we should do. We should be willing to debate this issue, to consider it and to vote it up or down on its merits. I think it ought to go down on its merits, but I think we've got the obligation to our constituents to act on this legislation and debate it today. I would urge a 'no' vote on the Motion."

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

Brookins: "Thank you, Madam Speaker. I rise in support of Representative Greiman's Motion. I have attempted to meet, in my community, attempt to meet with the Association of Bankers to discuss this matter and to see if we could not add something or put into something that would help the consumers, that would give them an equal chance. I know

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that once this Bill go into place, the big banks will move us out. So, I have prepared Amendments for it, and I think that after careful study, after a careful proposal with more time, that we can come to a rational decision. I know that we owe it to our constituents... constituency that obligation and that to them. So, I support the Motion of Representative Greiman."

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

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We got to the tail end of June and Representative Greiman stood up and stated that we had a lot of Bills and we only had a short time to handle them and that there would be plenty of time in the Veto Session, knowing that there was going to be Bills to be acted on in the Veto Session. Now he comes up in the Veto Session and says, well, we've got to push it back to the spring because we don't have a lot of Bills and we've got so many hundred Amendments on the Bill and it's just going to take up too much time of the House. Now we pass this Motion, we're going to go to the spring and then we've got plenty of time in the spring, so let's just keep on pushing it off from week to week. What's going to happen, we're going to get to June of next year and, guess what? We're going to have a lot of Bills in the last week of June and we won't be able to handle it. So, let's push it off till next fall when we have a Veto Session next fall and on and on and on into the hori... or into the sunset. Unfortunately, we do have a lot of Bills on the Veto Calendar, but this has been an issue that we have been debating in this state for the last six months and its time has come. Whether you're for it or whether you're against it, now is the time to put the cards on the table and just vote it up or down. I think the Gentleman... I understand the Gentleman's Motion in the..."

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when we were in June, we were under a time constraint. But now is the time to vote this up... either up or down. Don't push it off till the spring. True - if you think we've got a lot of Amendments on the thing... on the Bill right now, we put it back to the spring, you're going to have twice as many Amendments. You're going to have Amendments that are on Amendments on Amendments. But what we've got to do is, whether you're for it or whether you're against it, vote on it today. Defeat this Motion. Let's get on with the Bill. Let it rise or fall and get on with the business of the House."

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

Daniels: "Ladies and Gentlemen of the House, last June I stood before you as an advocate of nationwide banking and consumer bank banks and opening the State of Illinois to competition from throughout the country. I believed, at that time, and I believe today that that is the course that we in Illinois should follow. I advocated that position in Committee and I advocated that position on the House floor. At that time, I was requested to support a Motion to postpone to a time certain the very important consideration of the modernization of Illinois banks to October 16th, 1985. I reluctantly agreed to support that Motion because I felt that we, as a House, did not have the opportunity to study in detail the very important questions of modernization of our very important banking laws. This was after a series of meetings at the Mansion and with the Governor's Office and a series of meetings with the Illinois Bankers' Association, the consumer banks and the other people of interest in this legislation. I supported that Motion in good faith and with the intention that this Body would take the necessary time and pay the necessary

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attention to the very important question of our state's banking laws. I am personally disappointed that this Motion is being presented to you today, and I am disappointed because I think it violates the principle that was set forth last June so that we had an opportunity to study the Bill. I know that many of you have discussed this legislation in detail, and I know that many of you have met with bankers, consumer banks, the Illinois Community Banking Association and studied in detail the question of modernization. And I know that many of you have very firm beliefs. I believe, for one, that this state ought to be prepared to engage in modern banking techniques and ought to move forward in that regard. But I believe bottom line that to delay the efforts to set aside consideration by some individuals in the Majority Party in this Body is a mistake and does not serve the citizenry of this state in a proper fashion. I oppose this Motion, and I oppose it because it is not a move forward. It is a move backward. It is not an effort to help the average consumer of this state. It is an effort to set back modernization. And, yes, although I am an advocate of open banking in this state, I feel that bottom line the proposal of the Illinois Bankers' Association is, in fact, a step forward and a step in the right direction. Although I, for one, would like to see it go further, I believe it is better than not moving at all, as this Motion would have us do. And make no mistake about it, a delay now will be a delay later. An effort now to postpone consideration when we have had several months, several meetings, several Committee actions and several discussions with all kinds of lobbyists on both sides of the issue would, in fact, be not in the best interest of your constituents. Therefore, when I talked to the Illinois Bankers' Association and advised them, one,

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that my position had not changed in support of nationwide banking or consumer banks, we discussed this very important question of whether or not that Bill in its form, as proposed, could pass this Body. It was my conclusion and my fear that it could not and that we, as an Assembly, might be paralyzed in our efforts to move forward on modern banking technology. And the fact of the matter is that I don't think that we can attach the Bills... the Amendments that I would like to see put on there. But should we stop the consideration by this Assembly? Should we tell the people of Illinois that we, as a General Assembly, will not devote the necessary time to think about banking, to bring us into the modern times? Should we tell the bankers of this state that have worked so hard, so diligently to try to serve your interests and the interest of your constituents that we, as an Assembly, in October, don't have the time but, miraculously, come next May or June we will find the time? You know we won't have the time then. You know there will be other Motions to continue at that point. I suggest to you that the banking proposal has, in fact, moved forward, has brought Illinois into modernization. And the recent proposal by the Illinois Bank Association that they will set up a foundation to invest in Illinois, to serve our municipalities, to serve our State Government, is, in fact, a proposal that shows their interest in moving ahead in modernization of our banking principles. Ladies and Gentlemen of the House, don't delay now. Delay today does not serve your interest, your constituents' interest or the state's interest. What it does is set back the modernization of our banking principles. Please oppose this Motion. Thank you."

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

Huff: "Thank you, Madam Speaker and Ladies and Gentlemen of the

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House. I rise to support Representative Greiman's Motion. The import of this Bill and its implications would affect, not only the finances of this state, but that of the world, Ladies and Gentlemen, in due time. I think it would be the better part of prudence to become a little bit more conversant with an issue of this import, and I would remind the Members that last year when we were confronted by the McCormick Place Board, none of us knew anything about trade shows, and we were stampeded into voting 260 million dollars for a sham and look at the mess that we're in now with McCormick Place. I think it is the better part of prudence, Ladies and Gentlemen, to become just a little bit more conversant with an issue so important that affects, not only the finances of this state, but that of the world. This could lead to one-world government, and I urge you to look before you leap; because, once you get into this pandora box, Ladies and Gentlemen, we'll never get out."

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

Bullock: "Madam Speaker and Ladies and Gentlemen of the House, Representative Daniels arrived at the right conclusion but for a couple of wrong reasons. First of all, there are many on both sides of the aisle, Representative Daniels, that are going to vote against this Motion, and I intend to be one of those people voting against Representative Greiman's Motion. And I'm voting against the Motion for the reasons that Representative Vinson and other enunciated and that is a commitment was given to have this Bill heard in this Session. More importantly, I believe that when you consider this Veto Session and its implications on education and its implications on economic development, we cannot possibly leave this Session of the General Assembly and not address the subject of regional interstate banking. For the last two days, we've had the airwaves deluged with

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comments about farmers in this state, and the plight of farmers in this state, and the bankruptcy rate of farmers in this state and the role that banks play in the bankruptcy and in those collapsed proceedings. But the real fact of the matter is, Representative Greiman and Members on this side of the aisle who support his Motion, the real fact of the matter is we can't give relief to the base of agriculture in this state unless our banks are in a position to work with the farmers. And those banks are not going to be in a position to work with the farmers if those banks are not financially solvent themselves and if those banks don't have access to capital and equity to help the farmers of the state. So, this issue, I say to you, Ladies and Gentlemen, transcends partisan politics. It is not a partisan issue, and I think the Roll Call will indicate that as we defeat this Motion. But it is, in fact, an issue of economic development and I believe the banks and the economy of this state deserve to be heard. I can think of no issue more important than the banks and the economy of this state, and certainly education is predicated on the soundness of the economy of this state. And for that reason, and for the economy and the banks and education in our state, we should vote 'no' on the Motion to deny Senate Bill 525 from being heard and support the Sponsors, Representative Capparelli, McAuliffe and yours truly on this Motion so that we can have the Bill heard at this time."

Speaker Breslin: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. Very precarious position we find ourselves in once again, and I stand in support of Representative Greiman's Motion to carry this over until

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the Spring Session. If my legislative office is similar to yours, and I believe it is, there are very few, if any, citizens, our constituents, that have contacted my office on the pressing need of this change. There have been those individuals in the financial community that have made their positions known. We find ourselves, as well, with many of those individuals who help provide leadership and direction in the Bank Holding Company Act in previous years not with us who were rather important to the process. I guess I wish that Repr... former Representative Larry Stuffle were here on the floor to provide his insight into exactly what the changes that are proposed will provide for the future. Since that's not the case and since I'm one of those individuals that has quite a few Amendments on the Senate Bill 525, I find myself in a position to want very distinctly to have those Amendments heard and use all of the parliamentary procedures available to me in order to provide for those financial institutions in my district, their voice in the General Assembly. And to do those... to do that would be, I'm sure, to upset many of the Members in this House because we'd end up being here until Saturday or Sunday. In that regard, I find it difficult to believe that everyone in this House has studied this issue at anytime after we left here in July. I've been trying to evaluate not only my Amendments but everything else that's been presented. And if you can truthfully say to yourself that you know exactly what we're doing in attempting to change the banking structure in this state with this legislation and 72 Amendments that I'm aware of, then you're all excellent angels. And I'm assured... at least I feel that we're all not cognizant of what the end result would be. In the small rural areas of the 74th District, there are only three entities that provide what I think is

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a common bond for a city; one is a post office, one is a school and the other is a financial institution. I can't honestly say to those small towns of 'Van Horne' and Nelson and Bradford if there will be an identity upon completion of this legislation, if, in fact, it's presented and opens everything up, including the consumer provisions when, in fact, we're not playing apples and apples. We're playing apples and oranges, having different rules and regulations for supposedly the same financial considerations. Therefore, I stand in support of Representative Greiman's Motion and I... and if that Motion is not successful and we do then go to Senate Bill 25 (sic - 525), I want everyone in the House to understand full well we will address all Amendments in total so that all voices could be heard from those financial institutions. Thank you."

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

Ropp: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, it is certainly not the time to delay action again on this particular issue. We have given our commitment earlier in June that we would deal with it and now is the time to deal with it. I guess I'm very much concerned. In the last seven years or so while being in the Legislature, every time a banking Bill comes up we hear the gloom and doom that will happen. Often times those Bills pass. I can't recall one time when the gloom and doom that was projected ever came to pass. Just the night before last, a farmer was telling me that he could not get money at his local bank because the interest was too high. He went to Chicago to get money because it was cheaper. If this is one of our big problems because small rural communities do not have adequate funds in order to provide him with the money, to seek it at lower interest rates so that he can

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stay in business, then it's time for a change. This is a possibility should this Bill be passed out. The banking businesses, like a lot of businesses, need changes and certainly this time has come so that we can move ahead, get out of the past century and into the twentieth century with our lending institutions in the banking profession. I urge you to vote 'no' on this Motion so that we can move ahead."

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

Flinn: "Madam Speaker, I oppose Representative Greiman's Motion to postpone until the fall for the simple reason that... last summer I opposed that, for the simple reason that the Bill had a long hearing in Financial Institutions. It was well thought out. There were people from all over the state, and some people from other parts of the country testified. We spent more time on this Bill than any other Bill. And for that reason I rise in opposition to this Motion, same reason. Regardless of how you feel about the issue of regional interstate banking, I think that the Bill needs to have its day in court. I understand Representative Capparelli has been promised that we will have a hearing this fall. To delay it is to break that promise, I believe. And this Motion simply breaks a promise he had to hear the Bill. Now, I know that it's a... one of the most important banking Bills since we've had the banking bill a few years ago which dealt with holding companies, and it may even be more important than that. But in spite of that, in all fairness to the Sponsor and in all fairness to the people who are asking to be heard on the issue of regional interstate banking and in all fairness to the people who have Amendments to offer, I would suggest that we hear it now and keep our promise to the Sponsor and to all those people. Thank you."

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

Kulas: "Thank you, Madam Speaker. It's time to vote on the matter, and I move the previous question."

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

Greiman: "Thank you, Speaker. I've heard some interesting things from people who believe we should vote against my Motion. One said it was the worst Bill on banking and the worst strategy that we could have, but he is going to support the Bill. Another one says he doesn't believe in the Bill at all, but somehow he's found a way to be with the bankers and against it, with the big bankers and the little bankers all at the same time. And that's an admirable political skill, but it may not be a thoughtful legislative skill. I was glad that the Gentleman from DuPage reminded me about the bankers response to economic development. You may recall I had a program where I thought we could maybe get a couple thousand... thousand jobs in Illinois. Maybe a couple billion dollars in new investment income, and the bankers said, well, this is not last night. This has been around for a while, but last night was the first time they came to discuss it. They said we have a way to do that. We have some economic development plans and here's what they are. We're going to establish a foundation, and we're going to fund it with 25,000 dollars. That's what the bankers of Illinois are going to fund an economic development foundation with. 25,000 dollars. Wow. Now, that's economic development. They're moving. The bankers of Illinois are moving. They're not in the twentieth century yet. They're not in the nineteenth, but they're

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moving. If you do it today, they're not ready for the twentieth century. But if we continue to talk about these issues, it will be moved. There will be some kind of understanding. There will be some kind of sensitivity about bringing Illinois into a modern banking system. I believe we should have one. I don't think we're prepared at this time to make those decisions. Bobby Piel said... said, 'Well, we ought to vote it up or down. That's our jobs.' Well, the truth of the matter is our job is to make thoughtful public policy for Illinois. The truth of the matter is that our job is to consider what the consumers need in Illinois. That's what the truth of the matter is. Banking restructuring is not banking technique. That's not a technique of banking. It's for the bankers. You know, this is really a battle of the millionaires versus the billionaires. We're just sort of onlookers. Well, if I'm a consumer, I want to do more than just watch the gladiators. So, I would suggest and recommend and urge that you vote 'aye' on this Motion. Thank you."

Speaker Breslin: "The question is, 'Shall the House postpone consideration on this Bill until the Spring Session?' And this Bill is Senate Bill 525. Representative Vinson, for what reason do you rise?"

Vinson: "Matter of parliamentary inquiry, Mr. Speaker (sic - Madam Speaker)."

Speaker Breslin: "State your inquiry."

Vinson: "It would appear to me that as the Chair ruled last spring, this particular Motion is tantamount to suspending the rules because it changes the deadline for this Bill and, as a consequence, requires 60 votes. Would the Chair rule that it still so requires 60 votes or have we had an epiphany?"

Speaker Breslin: "I don't know about an epiphany, Representative,

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but it is not the Chair's opinion that this Bill has the effect of suspending a deadline."

Vinson: "We have had an epiphany."

Speaker Breslin: "There... It did in June, but it there is no affect of that right now."

Vinson: "It did in June, but not in October?"

Speaker Breslin: "As a consequent, this is a simple Motion to postpone consideration on a Bill. That Motion requires a majority of all those voting on the question."

Vinson: "Well, why is it that it required 60 votes in June, but not in October?"

Speaker Breslin: "Because when we made... when the Motion was made in June, the substantial affect of the Motion was to delay the deadline on the Bill. We are not dealing under deadlines now."

Vinson: "Well, if we don't change the deadline on the Bill, then by operation of the House rules, the Bill is automatically tabled, Madam Speaker. And if the Bill is automatically tabled then the only way that... Tell him, Madam Speaker, because you're right, and he's wrong in this case."

Speaker Breslin: "I'm sorry, Representative Vinson, I believe your position is incorrect."

Vinson: "Why?"

Speaker Breslin: "Under Robert's, Robert's is very clear that if a matter has been postponed to a meeting and this is a quote, 'if a matter has been postponed to a meeting or to an hour during a meeting and is not disposed of before adjournment, it becomes a part of unfinished business.' And so the deadline does not apply. It would be carried as unfinished business and would be carried on our Calendar under Senate Bills Second Reading."

Vinson: "Well, Madam Speaker, let me suggest to you that it would be a terrible error to rule in that fashion because what

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that ruling would substantiate would then be a situation where on June 20, if we postponed a Bill until June 23, then that Bill would never have a deadline again. There'd never be a deadline on that Bill again. And you can't live with that kind of a ruling. Where we have specific rules in the rules that deal with a matter... a procedure in this chamber, we relegate Robert's to infinity. Robert's doesn't... no longer applies. And we're in a situation here where all Bills are tabled on a date certain unless the rule is suspended for that Bill. Now, we did suspend that Bill... that rule as it applied to this Bill for this date, but only this Bill for this date. We're now dealing with this Bill on a different date, and you certainly have to rule that that has to take the same number of votes as it did in June."

Speaker Breslin: "I disagree, Representative Vinson, in the..."

Vinson: "Would you explain why?"

Speaker Breslin: "In the case that you sight of a Motion being put for a Bill on June 21 until... to postpone consideration until June 23, while there is an extended deadline there, it is not into infinity. The deadline is the Spring Session, and that would be the case in this case. The deadline still applies but the deadline that is in operation is the Spring Session. The Gentleman is entitled to bring a Motion now to postpone consideration further on this Bill. But it is a simple Motion and the spring deadline is what will apply at that time."

Vinson: "Yes, but if he's going to change the way in which the spring deadline applies, and the spring deadline applies to Bills on the Interim Study Calendar and the Bills exempted by the Rules Committee, remember that, then he has got to suspend the rule that... for the spring deadlines."

Speaker Breslin: "Your point is not well taken, Representative

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Vinson. Representative Cullerton, on the question."

Cullerton: "No, it's not on the question."

Speaker Breslin: "Rep.... Do you wish to address this issue?"

Cullerton: "It's not on this issue. It's about the Cardinal game."

Speaker Breslin: "We're going to a vote on this question. And the question is, 'Shall the...' Representative Daniels, for what reason do you rise?"

Daniels: "Just for clarification for future action on legislation as important as this that the Minority Party may disagree with and may want to make Motions on. For instance, on the Calendar, page two, is a Bill, Senate Bill 216. Now, as I understand your ruling if we desired to have that or any Member of this House desired to have that continued to the Spring Session, they could make a Motion on that Bill which Motion then, if carried by a majority of those voting on the issue, would put it over to the Spring Session 1986. Is that correct? And while you're thinking, Madam Speaker, that would include House Bill 257, House bill 510, House Bill 1027, House Bill 1038, House Bill 1188, House Bill 200, House Bill... or Senate Bill 200, 217, 1091, and 1152. Ladies and Gentlemen of the House, this ruling tells you that any Member of this House can make a Motion to put over to the Spring Session any of those Bills sponsors of whom are Mr. Mautino, Mr. Dunn, Mr. Brunsvold, Mr. Johnson, Mr. McCracken, Senator Newhouse, Mrs. Braun."

Speaker Breslin: "Excuse me, Representative Daniels."

Daniels: "Yes."

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

Greiman: "I think that the Gentleman is making a point of order. A point of order should be stated succinctly so that the Chair may rule. If the Chair has not ruled, then the Chair

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should rule."

Speaker Breslin: "The Chair is ready to rule, Representative Greiman."

Greiman: "If the Member is unhappy with the rule, the Member has a remedy."

Speaker Breslin: "The Chair is ready to rule. Representative Daniels, your point is well taken. The same Motion can apply to other Bills on the Calendar. That is no change in the rules of this House. It has always been the rule of this House, and they will all be subject to the spring deadline. The point the Parliamentarian makes is that should the Sponsors of these Bills, for instance, wish not to have their Bills heard until the Spring Session, they can do so. They need not call their Bills today, and they will be subject only to the Spring Session deadline. And that is not a change in the rules of this House. Representative Daniels."

Daniels: "To clarify what you just said, that, of course, is in the case where the Sponsor wishes to put it over. In this case, the Sponsor does not wish that it be put over. Mr. Capparelli wishes that be heard. But just then to make sure that I am as succinct as possible on the point of order, I raised the point of order because I think your ruling is in error, but I want to make sure that we in the Minority Party understand what it is you're telling us. Because there may be cases when the Majority Party desires to have something heard; but, if we could get a majority of votes on the issue, a simple Motion with a simple majority, according to your ruling, would put those matters over to the Spring Session without a date. Is that correct?"

Speaker Breslin: "That is correct."

Daniels: "Thank you."

Speaker Breslin: "In addition to that, it makes no difference

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whether it's the Minority Party or the Majority Party. In this case, it is a Member of the Majority Party."

Daniels: "I think it tends to in this case. It's a Majority Party Leader that's making the Motion."

Speaker Breslin: "And... against a Majority Party Leader. So, it's all in House here. Let us vote on the question. The question is, 'Shall this House postpone consideration until the Spring Session on Senate Bill 525?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Capparelli, to explain his vote."

Capparelli: "Thank you, Madam Speaker. I rise in opposition to this Motion. We did have a hearing this summer, and we put the Bill off until now. I took it like a soldier. I stood up and let them do what they wanted to do. Now, I ask that the Bill be heard so that we can get on with the business. Thank you."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? Representative Zwick, to explain her vote."

Zwick: "Thank you, Madam Speaker. I'm rising in support of Representative Greiman's Motion to continue this Bill until a later time. I am the person who stood up and asked at the time when we postponed it earlier that we have a Committee of the Whole before we consider this Motion. I consider this a deliberative Body. We are looking at probably one of the most complex issues that this House is ever going to look at. I have been a part of the Governor's Task Force on Banking, on Financial Services, and I must say to you that almost on a daily basis now new information is coming to light. We learn everyday more about what the affects of interstate banking are, the regional compact, and nonbank banks. There's activity going on relative to those three issues. The IBA has been here lobbying their point of view for a couple of years

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now. . All of the other people who are interested in this Bill are now bringing a lot of new lights... facts to light that I think we all need to know. I think we need a Committee of the Whole so that we can sit down and have a back and forth dialogue on these issues even if those people who have been studying the issue have been studying the issue over the summer as I have been and have been part of the Governor's Task Force. A lot of you are probably more confused after hearing some of the things that are coming to light now than you were three or four months ago when we were going to consider this. I don't think that we need to vote on it today. I think that nobody in this House is really ready to vote on it today. I don't even know at this point exactly how we want to structure some of these Amendments. I'd like more time to work on those Amendments. I also believe that my six years of experience in this Body has shown me that it is like a religious experience, dealing with banking issues. If we pass this Bill today, if we debate it and come to a conclusion on how we are going to restructure financial services in Illinois, which I believe is absolutely necessary, we will not get back to the issue. And this is not the proper way to go... to go to such a major undertaking now in the Veto Session when everyone is anxious to get their vetoes heard. We've been discussing these issues. I don't think anyone here is in the right frame of mind, nor do they have sufficient information. The Governor's Task Force Report will be on your desks soon. We will be in more of a frame of mind to deal with hard core, substantive legislation when we come back to this Body. Please, you need to think about this legislation. The consequences of what we do on this issue are going to affect the State of Illinois and all of the consumers. I would urge you to support the Motion.□

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Speaker Breslin: "The Gentleman from Jackson, Representative Richmond."

Richmond: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I rise in complete support of this Motion. I think the Sponsor has explained his feeling. I think Representative Zwick gave you a very learned opinion of what she thought should be done. I feel very strongly that we should hold this legislation until we have more opportunity to find out what the affect of it will be. If we are to take the time this fall to go into this issue, we will be here into December. I think it's a very important issue. And, personally, I think that a 'yes' vote is a proper vote on this Motion."

Speaker Breslin: "There being no further discussion, take the record, Mr. Clerk. On this question, there are 48 voting 'aye', 65 voting 'no', and 2 voting 'present'. And the Motion fails. Representative Capparelli. Has the Bill been read a second time, Mr. Clerk?"

Clerk Leone: "Senate Bill 525, a Bill for an Act to amend the Illinois Bank Holding Company Act. Second Reading of the Bill. Amendment #1 lost in Committee."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Vinson, amends Senate Bill 525."

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

Vinson: "Madam Speaker, I believe that there is a better drafted Amendment to serve this purpose. And I would withdraw Amendment #2."

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

Clerk Leone: "Floor Amendment #3, McMaster - Mulcahey - Hartke."

Speaker Breslin: "Representative McMaster."

McMaster: "Thank you, Madam Speaker. I stand before you with

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Amendment #3, and I ask your support on this Amendment. As we heard speakers say in the debate on whether we should or should not postpone, there are new things coming to light on a daily basis in regard to interstate banking. For that reason, I would propose the appointment of a five Member Study Commission prior to us taking final action on Third Reading on Senate Bill 525. I strongly feel that we must, before we make a move as important as this, know what we are doing. I really ask for your support for a Study Commission in regard to this issue. Thank you."

Speaker Breslin: "The Gentleman has presented Amendment #2 (sic - Amendment #3). Is there any discussion? Representative Capparelli."

Capparelli: "I rise to oppose Amendment #3. This Amendment would merely postpone the Illinois entry into the regional interstate banking for at least two more years, and I would ask everybody to oppose this Amendment."

Speaker Breslin: "Representative McMaster, to close."

McMaster: "Thank you, Madam Speaker. I think it's only natural that I disagree with Representative Capparelli on this issue. As you all know, I come from a rural area. I bank at a small country bank. I do not believe that there is any case of a foreclosure in that bank. The belief that making our banks bigger I think is false. I think we need bankers at home that we know that we can sit down and talk to on a personal basis. And for that reason I urge the support of the Study Commission on Interstate Banking."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #3 to Senate Bill 525?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 43 voting 'aye', 63 voting 'no', and 3 voting 'present'. And

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the Amendment fails. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, Mautino."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. Amendment #4 to Senate Bill 525 is a protective measure. What this Amendment does is define the insured bank, and by definition it closes the nonbank bank loophole currently existing in the statute. It defines the term 'bank' as an FDIC insured bank, any institution eligible for FDIC insurance or an entity which accepts deposits and makes commercial loans, and it prohibits the acquisition of those limited function facilities and requires divestiture. Basically it's providing the same protections to the citizens who deposit money in those facilities knowing full well that they, being an insured bank, is that that is defined as given in Amendment #4, and I ask for your favorable support."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #4. And on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. I rise in opposition to the Gentleman's Amendment. What we would be saying if we were to prohibit nonbank banks in Illinois, is that we don't care about the consumer, we don't care about the farmer or the small businessman, we don't care about the availability of capital in Illinois, and we don't care about economic growth in Illinois. If we go to a regional banking system, what we're really saying is that big Chicago and northern Illinois banks are going to acquire banks in Indiana and Iowa and places like that. That's going to take capital out of Illinois. That is going to lead to a capital loss in Illinois, and to a loss of economic growth in Illinois."

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What this Amendment would do would be to further complicate the situation and make it worse, because it would deny our ability to offset that by letting institutions operate in Illinois that would bring capital into Illinois. This is the same thing as saying that we're against the Mitsubishi plant in Illinois because it would provide competition with other carmakers. That's a crazy approach to take. And the only conceivable debate where this could occur would be in the subject of banking where we're so interested in protecting a few institutions that we don't... we forget the interest of the consumer in this state. Now, what in the world is it that the banking institutions in this state are so afraid of from competition? Why won't they roll up their sleeves and go to work and compete? Why... I think there's only one reason. That is they don't care about Illinois. They're interested in developing markets out of Illinois, be it in the sunbelt, be it in Indiana or be it in Latin America. Let's at least create a favorable and a welcome environment for those financial institutions which do care about Illinois, and which want to develop Illinois and which want to loan money to Illinois consumers. That's the approach we ought to be taking in this debate. And for that reason, I would rise in opposition to Amendment #4. It's anti-consumer, and it's anti-Illinois."

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

Capparelli: "I rise in opposition to this Amendment. As I look at it, it is seriously flawed that it would prohibit a bank holding company from owning an FDIC bank and would require the Commissioner to commence divestiture proceedings against every bank in the State of Illinois. It's a very bad Amendment. I would urge you to vote against it."

Speaker Breslin: "Representative Hautino, to close."

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Mautino: "Thank you very much, Madam Speaker. I find it very interesting that my colleague on the other side of the aisle doesn't want to provide the definition of a bank in the State of Illinois that is currently the definition as defined in the Federal Deposit Insurance Act, that of any institution that is eligible to make application to become an insured bank pursuant to that Federal Act. I find that very difficult to understand. I think that if, in fact, you're going to be in the banking business, you should be a bank and you should also operate under the same rules and regulations as other financial institutions under the Federal Deposit Insurance Act, and I ask for support of Amendment #4."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #4?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 47 voting 'aye', 61 voting 'no', and 2 voting 'present'. And the Amendment fails. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #5, McMaster."

Speaker Breslin: "Representative McMaster."

McMaster: "I withdraw Amendment #5."

Speaker Breslin: "Withdraw Amendment #5. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #6, Mautino."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. Basically Amendment #6 to 525 provides that any bank holding company with a capital-to-asset ratio of less than seven percent may not acquire any Illinois bank or any bank holding company acquire any Illinois bank if the acquisition would cause the bank holding capital-to-asset ratio to fall below

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that seven percent."

Speaker Breslin: "Have you finished, Representative Mautino?"

Mautino: "It... This also includes, as well, once again, the definition of an insured bank as the... as defined by the Federal Deposit Insurance Act and addressing the activities. This Amendment also provides that certain minimum qualifications must be maintained to ensure the continued safety and the soundness of banking in the State of Illinois before the bank acquisitions are permitted. What we have is a situation where those of us that represent the areas where small rural banks are established are interested in providing that safety factor as it pertains to the financial responsibilities of a banking system; therefore, the necessity of the capital-to-asset ratio, which is the ratio measured pursuant to the Federal Reserve Board regulations, and I think it's very fair and responsible."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #6 to House Bill... Senate Bill 525. And on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Madam Speaker, Ladies and Gentlemen of the Assembly, this is the same issue that we defeated two Amendments ago. Again we're faced with the issue of whether we're going to so protect a particular industry that it is... it is denied any effective competition. It's a question of whether we want money in Illinois. Beyond that, it's a question of whether we're going to continue debating the same dilatory Amendment time after time. We ought to encourage competition. We ought to encourage investment in Illinois. And we ought to create a playing field that encourages that. To vote for this Amendment is to vote against growth in Illinois, and to vote for investment in Latin America.

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I would urge a 'no' vote on the Amendment."

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

Capparelli: "Yes. Thank you, Madam Speaker. The Gentleman was talking... Mautino was talking about two Amendments. He was talking about 6 and 9. 4... I mean 6 is the same as Amendment 4, and I don't know where he got #9 in there, but he was talking about 9 also. I would ask you to vote 'no' on this Amendment."

Speaker Breslin: "Representative Mautino, to close."

Mautino: "Excuse me, we have some new Amendments that I've got to get squared away. According to the record for clarification, are we speaking of Amendment #6 that I have in my hand that appears on the board, which is LRB8402294JS? Is that the one?"

Speaker Breslin: "Mr. Clerk, is that correct?"

Clerk Leone: "LRB number is 8402294JSJWAH30."

Mautino: "That is once again the definition of insured bank by the Federal Deposit... Take it out. Take... That one has to be a take-out since it was under 4 as well."

Speaker Breslin: "Withdraw Amendment #6. Are there any further Amendments?"

Clerk Leone: "Amendment #7, Ryder - Mulcahey."

Speaker Breslin: "Representative Ryder."

Ryder: "Thank you, Madam Speaker. Amendment 7 places limitations on the acquisition or the size of banks. It would limit an Illinois bank holding company which has an excess of 20 percent of the deposits held by all Illinois banks would be prohibited from further intrastate acquisition, and no bank holding company based in another state can obtain control of more than five percent of the deposits of an Illinois bank by acquisition. If an Illinois bank has more than 20 percent, they're allowed one bank... created one bank each

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year. The purpose of this is to legislate against the concentration and the acquisition of assets within the State of Illinois. It's simply putting a reasonable limitation on the acquisition, the merger mania that we're observing so that one or two bank holding companies do not come into the State of Illinois or grow in the State of Illinois and dominate it. We all lived through the Continental Bank problems. We've all lived through the problems of banks with large amounts of foreign debt, large amounts of other problems. We don't need, if we have indeed decided to do the banking changes that it appears that we are going to, we don't need to then invite these kinds of calamities to come in. I would urge an 'aye' vote on this Amendment."

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

DeLeo: "Thank you, Madam Speaker. To the Amendment. This Amendment would clearly defeat the reciprocity provisions of Senate Bill 525 since out-of-state banks would be subject to far more stringent conditions than Illinois banks. It would be five percent versus 20 percent. This Amendment would instantly prohibit the larger Illinois banks holding companies from making any further acquisitions in Illinois. I will ask for a 'no' vote."

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

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

Speaker Breslin: "He will."

Klemm: "Representative Ryder..."

Speaker Breslin: "Representative Mautino. Excuse me, Representative Ryder will yield to a question. Excuse me."

Klemm: "Representative Ryder, just a point of clarification. Are we saying that if we were to adopt your Amendment, that we would have six banks could... holding banks could possibly

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be all we would have in Illinois because they would then be under 20 percent of the total deposits of Illinois depositors?"

Ryder: "I'm having trouble hearing you. But if your question was that we have six banks, each of which have less than the 20 percent, that would meet the sense of the Amendment. The Amendment purpose quite obviously is to keep from having a single bank over 20. It does not limit the number of banks under 20 except, of course, by statistics which indicates that you could have six less than 20 and that would be all that there is."

Klemm: "Alright. So, in the effort of the protection of the consumer it's appropriate according to this Amendment to go down to six banks... or the holding companies in Illinois and that's who we would deal with, just those six if they... if we look at the most extreme situation."

Ryder: "I would submit that that would be a very extreme situation, but it is possible under that Amendment. That you could have a consolidation into six, but no more than six."

Klemm: "Is this an attempt for the protection and competition for the consumer, or is this to limit it to just a handful of chosen banks with high assets?"

Ryder: "It's certainly not my intent with this Amendment, nor is it my understanding that the Amendment would call for that kind of concentration. We believe that it is helpful for consumers to have smaller banks which are responsive to the needs of the communities. We further believe that the concentration, whether it be in excess of 20 percent or five percent, depending on which regulation you look at, but that concentration then builds up a giant in the industry. And since we've been through that problem with Continental, we have that other... we have that concern."

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Klemm: "For protecting the consumer why... wouldn't we be better off in having a few more banks than just six perhaps to meet your goal? I mean, I was just curious. That's my last question."

Ryder: "Yes, I think that the spirit of the Amendment is to limit it. And if at some point later on that someone wished to make that 10 percent rather than 20 percent, I would look upon that as a friendly addition."

Klemm: "Thank you."

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

Capparelli: "Thank you, Madam Speaker. I agree with Representative DeLeo that we must defeat this Amendment. It would ruin the reciprocity provision in Senate Bill 525, and ask for a 'no' vote."

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

Terzich: "I move the previous question."

Speaker Breslin: "That's not necessary. Representative Ryder, to close."

Ryder: "Thank you, Madam Speaker. I would ask for support for this Amendment. It is a common sense Amendment. It would prohibit the concentration of power in large amounts, a concentration that past experience has indicated may not be healthy for the environment, the banking environment of the State of Illinois and the consumers. I would ask for an affirmative vote."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #7 to Senate Bill 525?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 40 voting 'aye', 67 voting 'no', and 2 voting 'present'. And

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the Amendment fails. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #8, Ryder."

Speaker Breslin: "Representative Ryder. Representative Ryder."

Ryder: "I would ask to withdraw #8. It's no longer in order."

Speaker Breslin: "Withdraw Amendment #8. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #9, Ryder."

Speaker Breslin: "Representative Ryder, on Amendment #9."

Clerk Leone: "9, Mautino - Ryder."

Speaker Breslin: "Excuse me. Representative Mautino."

Mautino: "Thank you, Madam Speaker. Amendment #9 is the asset ratio that I presented erroneously in #6. This Amendment provides that a certain minimum qualifications must be maintained to assure the continued safety and soundness of banking in the State of Illinois before banking acquisitions are permitted. It also provides that any bank holding company with a capital-to-asset ratio of less than seven percent may not acquire any Illinois bank, nor any bank holding company acquire any Illinois bank if the acquisition would cause the bank holding company's capital-to-asset ratio to fall below seven percent. This ratio would be measured pursuant to the Federal Reserve Board regulations and have the protective measures for sound banking systems in Illinois. And I move for its adoption."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #9 to Senate Bill 525. And on that question, the Gentleman from Dekalb, Representative Countryman."

Countryman: "Thank you, Madam Speaker. I rise in support of this Amendment. I urge its adoption. When I first came into the General Assembly, we dealt with the Continental Illinois National Bank problem. I think this is a sort of Amendment that will prevent that problem from occurring."

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If, in fact, bank holding companies start out on acquisition programs, this Amendment will ensure and will ensure to all banks in Illinois and all depositors and, therefore, all consumers safety in banks. This is a good, solid fiscal principle for the State of Illinois to follow.

And I would urge the Members to vote 'aye' in favor of this Amendment. Thank you."

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

DeLeo: "Thank you, Madam Speaker. Amendment #9 prohibits any bank holding company with less than seven percent capital ratio from buying any bank in Illinois and also prohibits any bank holding company with greater than seven percent capital asset from buying any bank in Illinois if a purchase will result in a reduction below seven percent. This is an imposition that would require... may present the best bank holding companies from rescuing failing banks. There's no reason why these banks should be prevented from being participants in regional interstate acquisitions which may strengthen them. I urge a 'no' vote on Amendment #9. Thank you."

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

Capparelli: "Madam Speaker. Representative Mautino, this was the Amendment you were explaining as #6 before. And so we're... oppose this, of course, like we did #6."

Speaker Breslin: "Representative Mautino, to close."

Mautino: "I think everyone understands the soundness of this Amendment #9. I think it is probably the most important of Amendments 9 through 13, and I ask for your adoption for the protection of the citizens of this state in adopting Amendment #9."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #9 to Senate Bill 525?' All those in favor vote

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'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 53 voting 'aye', 57 voting 'no', and 1 voting 'present'. And Representative Mautino asks for a Poll of the Absentees."

Clerk Leone: "Poll of the Absentees. Cullerton. DeLeo. Farley. McPike. Shaw. White. And Wolf."

Speaker Breslin: "Representative Mautino asks for a verification of the negative votes. Representative DeLeo, for what reason do you rise?"

DeLeo: "Madam Speaker, I'd like to be recorded as 'no'."

Speaker Breslin: "Record Representative DeLeo as voting 'no'. Representative Cullerton, for what reason do you rise?"

Cullerton: "I'd like to vote 'aye'."

Speaker Breslin: "Record Cullerton as 'aye'. Representative Churchill."

Churchill: "Madam Speaker, should a verification of the negative votes produce a victory for the positive votes, then I would ask for a verification of the affirmative."

Speaker Breslin: "Very good. Proceed with the Poll of the Negative, Mr. Clerk."

Clerk Leone: "Poll of the Negative. Alexander. Barger. Barnes. Berrios. Braun. Brookins. Bullock. Capparelli. Churchill. Cowlshaw. Curran. Currie. Daley. Daniels. Davis. DeLeo. Didrickson. Flinn. Virginia Frederick. Dwight Friedrich. Correction. Giglio. Giorgi. Hallock. Hastert. Hensel. Hoffman. Keane. Kirkland. Krska. Kubik. Kulas. Laurino. Leverenz. Matijevich. Mays. McAuliffe. McGann. McNamara. Nash. O'Connell. Panayotovich. Parke. Bernard Pedersen. William Peterson. Piel. Preston. Pullen. Rice. Ronan. Soliz. Steczko. Stephens. Stern. Terzich. Turner. Washington."

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Williamson. Wojcik. And Zwick."

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

Zwick: "Would you change my vote to 'aye', please."

Speaker Breslin: "Change Representative Zwick to 'aye'. Representative Brookins, for what reason do you rise? Representative Brookins changes his vote from 'no' to 'aye'. Representative Leverenz changes his vote from 'no' to 'aye'. There are, therefore, 57 voting 'aye', 55 voting 'no', and 1 voting 'present'. And Representative Mulcahey obviously does not need to verify the negative, but Representative Churchill wishes to verify the positive. Representative Keane, for what reason do you rise? Representative Keane goes from 'no' to 'aye'. Representative Braun goes from 'no' to 'aye'. Representative McNamara and Representative Alexander go from 'no' to 'aye'. Representative Rice changes his vote from 'no' to 'aye'. There are, therefore, 62 voting 'aye', 50 voting 'no', and 1 voting 'present'. Representative Churchill, do you pursue your request for a verification of the positive?"

Churchill: "Yes, please."

Speaker Breslin: "He does. Poll the affirmative, Mr. Clerk."

Clerk Leone: "Poll of the Affirmative. Alexander. Bowman. Braun. Breslin. Brookins. Brunsvold. Christensen. Countryman. Cullerton. DeJaegher. Deuchler. Dunn. Ewing. Flowers. Dwight Friedrich. Goforth. Greiman. Hannig. Harris. Hartke. Hawkinson. Hicks. Homer. Huff. Johnson. Keane. Klemm. Koehler. LeFlore. Leverenz. Levin. Mautino. McCracken. McMaster. McNamara. Mulcahey. Oblinger. Olson. Pangle. Parcels. Phelps. Rea. Regan. Rice. Richmond. Ropp. Ryder. Saltsman. Satterthwaite. Slater. Stange. Sutker. Tate.

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Tuerk. Van Duyne. Vinson. Waite. Weaver. Woodyard.
Anthony Young. Hyvetter Younge. And Zwick."

Speaker Breslin: "Representative Churchill. Representative Levin
asks leave to be verified. Does he have leave? He does.
Do you have any questions of the Affirmative Roll?"

Churchill: "Representative Greiman?"

Speaker Breslin: "Representative Greiman. Representative
Greiman. Is the Gentleman in the chamber?"

Churchill: "Did he postpone his vote?"

Speaker Breslin: "He is not in the chamber. Remove him. Any
further questions?"

Churchill: "Representative Flowers."

Speaker Breslin: "Representative Flowers. Representative
Flowers. Is the Lady in the chamber? Remove her."

Churchill: "Representative DeJaegher."

Speaker Breslin: "Excuse me."

Churchill: "Representative DeJaegher."

Speaker Breslin: "Representative DeJaegher. The Gentleman is in
the chamber listening to the ballgame."

Churchill: "Representative Christensen."

Speaker Breslin: "Representative Christensen. Representative
Christensen. The Gentleman is not in the chamber. Remove
him. Representative Greiman has returned to the chamber.
Add him to the Roll Call."

Churchill: "Representative Bowman."

Speaker Breslin: "Okay. Add Representative Greiman as voting
'aye'. Representative Churchill, proceed."

Churchill: "Representative Bowman."

Speaker Breslin: "Representative Bowman. Representative Bowman.
Is the Gentleman in the chamber? He is not. Remove him."

Churchill: "Representative Rea."

Speaker Breslin: "Representative Rea is in the chamber."

Churchill: "Representative Anthony Young."

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Speaker Breslin: "Representative Anthony Young. Is the Gentleman in the chamber? Anthony Young. He is not. Remove him."

Churchill: "Representative Homer."

Speaker Breslin: "Representative Homer. Representative Homer. Is the Gentleman in the chamber? He is not. Remove him. Excuse me, Mr. Clerk, can you tell me how Representative Bowman and how Representative Flowers were recorded since neither of them have their lights on on my board, and we removed them as..."

Clerk Leone: "Representative Bowman is not recorded as voting."

Speaker Breslin: "Okay. The other one was Representative Flowers. They were both removed and my board has them not recorded as voting."

Clerk Leone: "Representative Flowers is not recorded as voting either."

Speaker Breslin: "Okay. However, they were recorded at the time that they were removed. Is that correct?"

Clerk Leone: "That is correct."

Speaker Breslin: "Representative Anthony Young has returned to the chamber. Add him to the Roll Call. Representative... Add him as voting 'aye' to the Roll Call. Representative Parcells."

Parcells: "Madam Speaker, would you please change my vote from 'aye' to 'no'?"

Speaker Breslin: "Representative Parcells changes her vote from 'aye' to 'no'. Representative Harris."

Harris: "Madam Speaker, thank you. Would you please change my 'yes' vote to a 'no' vote?"

Speaker Breslin: "Representative Harris changes his 'aye' vote to 'no'. Proceed, Representative Churchill."

Churchill: "Representative Huff."

Speaker Breslin: "Representative Huff. Representative Huff. Is the Gentleman in the chamber? He is not. Remove him."

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Churchill: "Representative White."

Speaker Breslin: "Representative Jesse White. Is the Gentleman in the chamber? Representative White. He's not recorded as voting."

Churchill: "Representative Johnson."

Speaker Breslin: "Representative Johnson. Representative Johnson. Is the Gentleman in the chamber? Remove him."

Churchill: "Representative Stange."

Speaker Breslin: "Representative Stange. Representative Jim Stange. Is the Gentleman in the chamber? He is not. Remove him."

Churchill: "Representative Sutker."

Speaker Breslin: "Representative Sutker is in the chamber."

Churchill: "Representative Steczo."

Speaker Breslin: "Representative Steczo is in his chair."

Churchill: "Representative Van Duyn."

Speaker Breslin: "The Gentleman is in his chair or near it. Representative Bowman has returned to the chamber. Add him as voting 'aye' to the Roll Call. Representative Johnson has returned to the chamber. Add him as voting 'aye' to the Roll Call."

Churchill: "Representative Slater."

Speaker Breslin: "Representative Slater is in the chamber."

Churchill: "Representative Brunsvold."

Speaker Breslin: "Representative Brunsvold is in the chamber."

Churchill: "Representative Tuerk."

Speaker Breslin: "Representative Tuerk is in the chamber."

Churchill: "Representative Wait."

Speaker Breslin: "Representative Wait. Representative Wait is in the chamber."

Churchill: "Representative Cullerton."

Speaker Breslin: "Representative Cullerton. Representative John Cullerton. Is the Gentleman in the chamber? He is not."

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Remove him."

Churchill: "Representative Ropp."

Speaker Breslin: "Representative Ropp. The Gentleman is in the chamber."

Churchill: "Representative Zwick."

Speaker Breslin: "Representative Zwick. Representative Zwick is in the chamber. Do you have any further questions, Sir?"

Churchill: "No, I do not believe I have anybody else that I can question."

Speaker Breslin: "On this question, there are 54 voting 'aye', 52 voting 'no', and 1 voting 'present'. And the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #10, Mautino."

Speaker Breslin: "Representative Mautino."

Mautino: "Since #9 has been adopted, I will table Amendment #10..."

Speaker Breslin: "Withdraw Amendment #10. Are there any..."

Mautino: "11, 12, and 13."

Speaker Breslin: "Withdraw Amendments #10, 11, 12, and 13. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #14, Woodyard."

Speaker Breslin: "Representative Woodyard. Proceed."

Woodyard: "Thank you, Madam Speaker. Amendment #14 is an Amendment that's certainly all of us in this chamber can and should support. It's a very simple, straightforward issue. It would simply limit the acquisition if interstate banking is to be adopted to an acquisition of three banks in any one given year. Our intent with this Amendment is to at least hold down the acquisitions until we have a longer period of time to see how these acquisitions are going to interreact. In other words, certainly I think all of us in this chamber do not want to be a part of creating monopolistic banking areas. And without this Amendment,

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that certainly is a very distinct possibility. So, I do encourage your support for this Amendment. Again, in very simple words, if we are to be gobbled up, our small rural banks are to be gobbled up, at least let's take some smaller bites. Now, that's exactly what the Amendment does, and I encourage your support."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #14 to House Bill 525. And on that question, the Gentleman from Cook, Representative DeLeo."

DeLeo: "Thank you, Madam Speaker. I rise in opposition to Amendment #14. Amendment #14 prohibits a bank holding company from acquiring more than three banks per year and prohibits a bank holding company from merging or consolidating with another bank holding company which already owns three banks. Any Illinois bank holding company would be permitted to purchase up to six Illinois banks, or merge with a bank holding company having ownership up to six Illinois banks that has not used its quota for three... it's not used its quota of three for the proceeding two years. I urge a 'no' vote on Amendment #14."

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

Churchill: "Thank you, Madam Speaker. I rise in opposition to Amendment #14. I think that this Amendment is anti-competitive, that it stops the free market from determining what banks are to be purchased and what banks are not to be purchased. I think it goes to the heart of what we're trying to do in this Bill and that is create a reciprocal arrangement with other states. If we limit what banks can be purchased and the number of banks that can be purchased, we destroy the reciprocity, which means that other states would either have to be the same as us or else

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if they were different that perhaps they could not purchase banks here and we could not purchase banks in those states. I think it goes to the heart of the matter. I think it's very crucial, and I think we should oppose it."

Speaker Breslin: "Representative Woodyard, to close."

Woodyard: "Thank you, Madam Speaker. Well, this Amendment certainly does not ruin the reciprocity. It simply limits for a period of time that acquisition to at least three per year. And here again let's use some very simple phraseology, it will at least keep the foxes out the chicken house a little longer. I urge your support."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #14 to Senate Bill 525?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 44 voting 'aye', 60 voting 'no', and 2 voting 'present'. And the Amendment fails. Are there any further Amendments?"

Clerk Leone: "Amendment #15, Woodyard."

Speaker Breslin: "Representative Woodyard. Withdraw Amendment #15. Are there any further Amendments?"

Clerk Leone: "Amendment #16, Woodyard."

Speaker Breslin: "Representative Woodyard withdraws Amendment #16 also. Are there any further Amendments?"

Clerk Leone: "Amendment #17, Woodyard."

Speaker Breslin: "Representative Woodyard withdraws Amendment #17. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #18, Woodyard."

Speaker Breslin: "Representative Woodyard withdraws Amendment #18. Are there any further Amendments? 17 rather. That was Amendment #17. Are there any further Amendments? It was 18? Excuse me. The board was wrong then."

Clerk Leone: "Floor Amendment #19, Woodyard."

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Woodyard: "Representative Woodyard, on Amendment #19. Withdraw Amendment #19. Are there any further Amendments? He wants to proceed with Amendment #19? Could... Representative Woodyard."

Woodyard: "Thank you, Madam Speaker. I do wish to withdraw through Amendment #21. So, maybe we can speed this up just a little."

Speaker Breslin: "Good. Withdraw Amendments #19, 20, and 21, Mr. Clerk. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #22, Mautino."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. Amendment #22 to Senate Bill 525 provides that a bank holding company which has more than 50 percent of its deposits in foreign offices according to the immediately preceding year end statement of condition cannot acquire any Illinois banks. The rationale for the Amendment was based upon the information provided by two MIT professors estimating that 70 percent of the private sector jobs existing in 1970 were gone by 1980 largely because many banks turned down meritorious domestic powers with the simple unanswerable question, why should I lend money to you as a businessperson when I can make much more money lending those financial resources to Mexico or to other foreign nations? For that rationale and because of that rationale, we have provided this Amendment for the 50 percent provision. And I move for its adoption."

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

Terzich: "Yes, Madam Speaker, I oppose this Amendment. This Amendment would prevent several Illinois bank holding companies from making any further intrastate bank acquisitions, and would raise serious reciprocity obstacles for those banks if they tried to take regional interstate

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bank acquisitions. This is a terrible Amendment. I would vote 'no'."

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

Churchill: "Thank you, Madam Speaker. I also rise in opposition to this Amendment. The Amendment doesn't even really define what a foreign office is. Technically, that could mean Indiana or one of the states that are around us that we're trying to enter into a reciprocal agreement with. There's some indication that this Bill may even prohibit some of our banks within the State of Illinois from purchasing other banks, some of our larger banks. And certainly, that's one of the reasons we want to put this Bill into effect is to try and give our own banks a chance to become stronger financial centers and; therefore, I would ask for 'no' votes on this Amendment."

Speaker Breslin: "The Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand in support of this Amendment. It's a good Amendment. For those of you who represent agricultural communities as I, you'll find that many of the agricultural economies are having problems finding dollar resources, particularly in this tough economy, in which to finance their operations. This Amendment would serve to keep at least a portion of the depositors' money in the same state. It's good for economic development. It's good for jobs. It's good for us back in our districts. It's good for the constituencies and most of all, it's good for the business and consumers of Illinois. And I urge you to vote an 'aye' on this Amendment. Thank you."

Speaker Breslin: "The Gentleman from Peoria, Representative Saltsman."

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Saltsman: "Thank you, Madam Speaker. I rise to request a 'yes' vote on this important Amendment. This Amendment will prohibit bank acquisitions in cases where large banks seeking to acquire our banks in Illinois have more than 50 percent of the deposits in foreign offices. I know that many of these large banks with major foreign investments as loans claim that they raise their funds to make foreign loans from foreign investment sources. The sad fact, however, is that when hundreds of millions of bad foreign loans have come due, it is the American banks in Illinois and elsewhere that have been left holding the bag. These banks have been forced to write off these bad foreign loans and to create reserves to meet losses. We need look no farther than the problem at Continental Illinois and First Chicago to realize that this is a very real issue. We should not be authorizing any form of untested or unproven bank merger changes, but if such does pass, we certainly ought not to allow those who have already placed the safety and soundness of banking at the mercy of foreign investments to have a foothold in Illinois. This Amendment should be supported by the Members of this House. I strongly support... urge your 'yea' vote."

Speaker Breslin: "Representative Mautino is recognized to close."

Mautino: "This Amendment, I believe, exemplifies the concerns of many of the individuals who came before the Committees, specifically Financial Institution Committee, with the fear that the foreign cartels, whether that be oil or whatever, would then be in a posture to accomplish, I guess, the mergering consolidation or the acquiring of local facilities. I don't know why this would upset anyone to provide that 50 percent - 50 percent be the bench mark as it pertains to deposits in foreign offices. That's what Representative Countryman alluded to, and he was exactly

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correct. If, in fact, the financial institutions are providing loans, they should be providing them in the area in which those deposits occur; therefore, the reason for the 50 percent provision, and this is another excellent Amendment. I move for its adoption."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #22 to Senate Bill 525?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 47 voting 'aye', 58 voting 'no', and 3 voting 'present'. And the Amendment fails. Are there any further Amendments?"

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

Mautino: "Representative Mautino."

Mautino: "Ladies and Gentlemen, Amendments 23, 24, and 25, 26 as well address the same provisions of the 50 percent deposits which I feel are... is an important Amendment; but, since we did not adopt it with the original #22, I would then request that Amendments 23 through 30, addressing that same question, be withdrawn."

Speaker Breslin: "The Gentleman withdraws Amendments #23, 24, 25, 26, 27, 28, 29, and 30. Are there any further Amendments?"

Clerk O'Brien: "Amendment #31, offered by Representative Mautino."

Speaker Breslin: "Representative Mautino."

Mautino: "That was a technical cleanup language Amendment. I will withdraw 31."

Speaker Breslin: "Withdraw Amendment #31. Are there any further Amendments?"

Mautino: "As well as 32 which is technical cleanup as well."

Speaker Breslin: "Withdraw Amendment #32. Are there any further Amendments?"

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Clerk O'Brien: "Floor Amendment #33, offered by Representative Daniels."

Speaker Breslin: "Representative Daniels. Representative Daniels. Representative Vinson. Proceed."

Vinson: "Thank you, Madam Speaker, Ladies..."

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

Cullerton: "Inquiry of the Chair. Who was the Sponsor of the Amendment?"

Speaker Breslin: "Representative Daniels - hyphenated - Vinson."

Cullerton: "Alright. Thank you."

Speaker Breslin: "Representative Vinson, proceed."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. This Amendment does basically three things. It implements a five year trigger for national interstate banking within a state which has a reciprocity provision in its law. It authorizes and regulates consumer banks in Illinois. Consumer banks are things we've discussed previously today under the name of nonbank banks. However, this does not just authorize them to operate in Illinois. It places them on a level playing field so that they have no inherent advantage over a bank which seeks to operate in Illinois. It requires for the protection of their customers that the consumer bank be insured by a federal institution. It requires that the consumer bank have in reserves at least as much for reserves as banks do. And it ensures through anti-discrimination language that no consumer bank owned by an entity doing business in some other field can discriminate against his competitors in that other field. Finally, what this Bill does is to permit an exception to the five year trigger in the event and only in the event that the..."

Speaker Breslin: "The House will come to order. Gentlemen,

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please. Representative Vinson, would you mind being interrupted for a moment?"

Vinson: "Not at all."

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

Cullerton: "I apologize on behalf of my colleagues to Representative Vinson. Jack Clark just hit a three run homer in the bottom of ninth with two outs. The score is 7 to 5, Cardinals."

Speaker Breslin: "Proceed, Representative Vinson."

Vinson: "Thank you, Madam Speaker. In short and in summary, this is the pro-Cardinal Amendment to the banking Bill, and I would move for its adoption."

Speaker Breslin: "Are there any further Amendments? Excuse me. Is there any further discussion on this Amendment? Yes, the Gentleman from Cook, Representative DeLeo."

DeLeo: "Thank you, Madam Speaker. I rise in opposition of Amendment #33. Amendment #33 is the same as Amendment #2 which we defeated earlier. I ask for a 'no' vote."

Speaker Breslin: "The Lady from Kane, Representative Zwick."

Zwick: "Thank you, Madam Speaker. Members of the House, this is more or less the concept that I have often referred to when we talk about what the concept of this Bill is suppose to embody. We're often told by the Sponsors and those who are pro Senate Bill 525 that what this is going to do is bring us out of the dark ages, and bring Illinois into a more forward position and be a financial center of the United States. Well, what's necessary in order for that to happen is to go with all three measures. We're doing this in a very piecemeal basis. In fact, you will see when you get your report from the Governor's Task Force on Financial Services that what we tried to do was establish a kind of a time frame, a transition period so that everyone would know

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what was happening in the future, would be able to make adjustments for that and would move forward out of the dark ages with a time table in front of them. Regional banking, the midwest regional compact, is only one element of this transition period. It is a beginning, but it goes nowhere near far enough. You're seeing movement all over, and many people who are coming to realize this. I might read to you from today's Peoria Journal Star. Their editorial says, 'Interstate banks and consumer banks it seems to us are logical extensions of the healthy trend toward competition among savings and lending institutions. As long as the safety of banks would be assured, which it would be under these measures, competition would certainly produce benefits for the consumer. The lowest possible lending rates of interest and the highest possible interest paid on deposits.' Now, isn't that part of what we're suppose to be talking about here today? Regional banking in and of itself is a protectionist measure for the Illinois banks. It allows them to expand to the five states around us, which are all states that have smaller banks, and allows them to expand to a point where hopefully in two years they will be able to compete with those that might come in with a national interstate trigger. Now, I might explain to you what might happen under a national interstate trigger. For example, in the states that have passed it, Delaware, the State of Delaware, their capital doubled in one year with national interstate banking. Maine, experienced a 700,000,000 dollar increase in loans because of national interstate banking. And this story is being repeated nationwide. Look at some of the maps and some of the information that you are getting from some of those bigger banks outside of this state who are anxious to come in. Now, I sat at home all summer, and I listened to our

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Governor go out and court the Saturn Plant and offer millions of dollars in incentives. I heard him win the Mitsubishi Plant. Located here in Illinois. It's going to cost us over a 100,000,000 dollars from what I've seen of the incentives that we have offered in order to bring jobs and building and economic development to the State of Illinois. Well, here we have large banks, Citicorp, a large corporation, national corporation, international corporation - Citicorp, City Bank, Chemical Bank, some other banks all over the nation who don't want any incentives. They're not Arlington Park saying to us, 'Reduce the paramutual tax or we won't even rebuild,' which is literally giving away millions of dollars out of our State Treasury. They don't want any of those incentives. They want to come here. They want to build buildings. They want to employ people. They want to bring capital in. A regional compact doesn't bring capital in. Chances are it's going to take some capital out to those other states where our banks are going to be buying banks. Those banks from the other states in the compact are not going to be coming here. That's why you don't have states like, Ohio, in the compact, because those banks might come here and buy banks. And it's right that we should give our banks a chance to grow. However, we should also give our banks time, a specified date. We should say, 'Look, you have two years under midwest regional banking. After two years... Within that two years, you better build up and be ready for national interstate banking; because, in two years, that's when the other banks are going to be able to come in, or in three years, or four years.' But let them know. Give them notice. We have to plan ahead. Nonbank banks are another element of this whole advancement into what consumers are demanding. General Motors is already giving loans. They

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are for all purposes a nonbank bank. And for all purposes we have nationwide banking right now. What we don't have is nationwide ownership of banks. And what we're doing with only 525 without this Amendment is continuing those archaic practices. Because as I said, you know as well as I do, we are not going to be back here seriously considering an interstate trigger or the issue of nonbank banks which will serve our public the way we should be serving them if we pass this Bill here today. If we pass this Bill, it should be passed as an entire restructuring package, looking at the entire financial services network of the State of Illinois, saying what we can do to help bring more money here that we can give in loans to small businesses, to farmers. Let's set up a time table. Let's put everyone on notice. Let's bring money in by allowing nationwide interstate, by creating nonbank banks which will make consumer loans. They will make loans to farmers, to people who want cars. We have a chance of bringing interest rates down with competition. Don't shelter the marketplace. All this Bill says is open, free competition with safety and soundness absolutely assured with the provisions in this Bill. This is the Bill that we need. Please adopt Amendment #33."

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

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

Speaker Breslin: "I'm sure he will if I can remember who it is. Yes, Representative Vinson. Will you yield..."

Bullock: "Representative Vinson... Representative Vinson, did you present this Bill and represent it that the Amendment itself primarily dealt with the trigger? Is that your presentation of this Amendment?"

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Vinson: "I'm sorry, Representative, I did not hear the question."

Bullock: "In your presentation of Amendment 33, was it my understanding... did I understand correctly that you indicated in your opening remarks that this Amendment dealt primarily with the trigger?"

Vinson: "Representative, I don't believe that this Bill was... that this Amendment was presented in Committee if that was the question."

Bullock: "No. My question is, as you presented this Amendment to the House a short while ago, was it your representation that this Amendment, in fact, dealt with the trigger provision?"

Vinson: "Yes. Yes."

Bullock: "And did you explain to the House the other provisions of this Amendment separate and apart from the trigger..."

Vinson: "Yes."

Bullock: "... that makes it different from Amendment #2? And if that is the case, it would, in fact, be dilatory and out of order. But you did explain it is different than #2."

Vinson: "What I explained was that this Amendment contains a five year trigger. It contains authorization for consumer banks which would be regulated on a level playing field with banks, regulations as to their requirements for insurance and reserves and antidiscrimination language. And in addition, it contains an exception to the trigger which would permit banks which wish to invest in Illinois substantial amounts of money and jobs in Illinois to come in before the elapse of the five year trigger."

Bullock: "Okay. Now that's the point that I wanted to discuss, Madam Speaker and Ladies and Gentlemen of the House. Representative Vinson has now finally brought to the Assembly the reason for this Amendment that makes it different from #2, and #2 was bad and this is equally as

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bad. Representative, you represent to the House that the promise of increased employment is the basis upon which you offer this Amendment, correct?"

Vinson: "Increased employment and increased capital for Illinois."

Bullock: "Okay. And the definition in the Bill on employment deals with a threshold of a thousand employees out of state. Is that correct?"

Vinson: "Well... No, Sir. There are two thresholds. There is a threshold for those bank holding companies which employed more than a thousand people in Illinois as of January 1, '85. It makes a commitment in its application to the Commissioner that it will employ an additional 1,000 employees within two years of the date of acquisition. And then there is a second threshold. I believe that was the one you were describing. There is a second threshold that if a bank holding company employed less than a thousand employees in Illinois as of January 1, '85, it would have to increase employment by 100 percent within two years of the date of the acquisition."

Bullock: "Madam Speaker and Ladies and Gentlemen of the House, Representative Vinson has just explained why this Amendment is really not necessary, and to the Amendment. What he's telling us, Ladies and Gentlemen, is that you can, in fact, have one employee in the State of Illinois if you're an out-of-state holding company and you promise that at the end of 1986 you'll increase your employment to 100 percent, which means you'd have two employees in the State of Illinois, if you have less than a thousand employees. And that is, in fact, what he's telling this Assembly; that if we increase employment by 100 percent, that that's a good deal for Illinois which means we now have two employees. Right, Sam? The other problem that he presents to us... He

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didn't really come clean and say that the thousand employee threshold issue is only intended to benefit several special interest banks outside of the State of Illinois, not the least of which would be 'Cidcorp', Chemical Bank, and some of those other institutions, but it's only a handful. He also neglected to tell you that only the states of Alaska and Maine have such a dubious provision in the legislation, and it has questionable results. So, the fact of the matter is, this won't create but one new job, Sam. One new job in Illinois, and we open up our door to a regional holding company. It's a bad Amendment. The only thing that makes it different from Amendment #2 is that we're promised two jobs with the Vinson Amendment, and I urge a 'no' vote."

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

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

Speaker Breslin: "He will, I believe. Representative Vinson, will you yield for a question? He will."

Churchill: "Representative Vinson, does this Amendment contain a definition of banks that would include consumer or nonbank banks?"

Vinson: "Yes, Representative. This would authorize the operation of consumer banks in Illinois if they complied with the regulations comparable to those that banks are regulated by."

Churchill: "Madam Speaker, to the Amendment. I rise in opposition to this Amendment. First of all, we're talking about nonbank banks, banks that are not within our regular banking regulations as we have them now. We're talking about expanding our banking business to a series of banks that, for this point, are unregulated. We're talking about

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in this Amendment the right of a bank to apply for... to come into the State of Illinois, but not to have to apply to the Commissioner, to go under the Commissioner's conditions, to have the Commissioner check the safety and soundness of that bank. The applicants can come in under this Bill without those checks, without those safeguards for the people of the State of Illinois. We're also talking about an ability of a bank to get a two year trigger, which would mean that we could expand beyond the limits of the regional concept that we have in the original Bill 525 with no reciprocity. If they meet the requirements of this Amendment, that means that banks from all over the United States could come into the State of Illinois and purchase banks. And we might not have that same ability to go in those states and purchase banks. This Bill is also a Bill that talks about a trigger. It's something that those of us who have followed the Bill during its course through this legislative process have argued the nonbank banks and the trigger mechanism... mechanisms. What we are trying to do in 525 is to create a regional concept to give our banks in the State of Illinois the ability to expand into banks in surrounding states, to give those banks the ability to come into the State of Illinois and to give us a period of time to digest the changes which we suggest in the Bill without having to be forced to go into national competition. The safeguards that are built into Senate Bill 525 would be abrogated by this Amendment. The safeguards as to nonbank banks would be abrogated by this Amendment. I think this Amendment does all the things that we have been fighting against in our efforts to keep 525 a clean Bill. I rise in opposition."

Speaker Breslin: "There being no further discussion,

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Representative Vinson, to close."

Vinson: "Thank you, Madam Speaker, Members of the Assembly. What this Bill does is to say that Illinois is as good and as modern and progressive a state as South Dakota. What this Amendment does is to say that Illinois cares as much about economic growth as Delaware. What this Bill says is that we need modern financial institutions as much as Maine. Now, those states... those states are the states that are in the vanguard of the country. Those states are the kind of states that have adopted legislation like this, and what's happened when those states have adopted this kind of legislation is that they've had remarkable economic growth. Make no mistake. If you vote against this Amendment, you're voting against jobs, you're voting against growth, you're voting against a renewal of Illinois, you're voting against the possibility of making Chicago a great financial center again. I urge an 'aye' vote on this Amendment."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #33 to Senate Bill 525?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 21 voting 'aye', 79 voting 'no', and 4 voting 'present' and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #34, offered by Representative McMaster."

Speaker Breslin: "Out of the record. Withdraw, rather, Amendment #34. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #35, offered by Representative Mautino."

Speaker Breslin: "Representative Mautino."

Mautino: "35, I would like to withdraw. That was the definition provisions."

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Speaker Breslin: "Withdraw Amendment #35. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #36, offered by Representative Ryder."

Speaker Breslin: "Representative Ryder."

Ryder: "Withdraw."

Speaker Breslin: "Withdraw Amendment #36. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #37, offered by Representative Mautino."

Speaker Breslin: "Representative Mautino."

Mautino: "37, 38 are the capital asset ratio and I would like to withdraw 37 and 38."

Speaker Breslin: "Withdraw Amendments #37 and 38. Are there any further Amendments?"

Mautino: "I would like to give the General Assembly the opportunity, one more time, to evaluate the 50 percent provision as it pertains to the deposits..."

Speaker Breslin: "Excuse me, Representative Mautino. We are on the order of finding out if there are any other Amendments filed and the Clerk has not notified us of that."

Clerk O'Brien: "Floor Amendment #39, offered by Representative Woodyard."

Speaker Breslin: "Representative Woodyard."

Woodyard: "Thank you, Madam Speaker. Withdraw 39, 40 and 41."

Speaker Breslin: "The Gentleman withdraws Amendment #39, 40 and 41. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #42, offered by Representative Mautino."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you, Madam Speaker. I would like to, once again, and just in case the Membership did not understand Amendment #22, this Amendment 42 does exactly what 22

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presented itself to do, and I think that almost, if not all, of the banking interests in this state feel it's a pretty good Amendment. I know of no real opposition and maybe Mr. DeLeo could provide me with that, but I believe that the 50 percent provision, as it pertains to deposits and where that money will be invested as it pertains to the foreign offices and how much is maintained there, I think, is an important provision for Illinois banks. I would like, once again, to have this called. It's the same provision that was in 22, mandating that 50 percent of its deposits... must have had more than 50 percent of its deposits... would not... excuse me, let me get this Amendment squared away. That would provide that any bank holding company which had more than 50 percent of its deposits in foreign offices as of the statement of condition of such bank holding company in 1984 would not be allowed to acquire ownership of an Illinois financial institution. I think that 50 percent provision is an important one and I'd move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #42. And on that question, is there any discussion? Hearing no... The Gentleman from Cook, Representative DeLeo, on the question. Representative DeLeo."

DeLeo: "Thank you, Madam Speaker. I rise opposed to Amendment 42. As we stated back, it is identical to Amendment 22 and I'll just refresh the Members of this House's memory for one second. It makes it unlawful for any bank holding company with more than 50 percent of its deposits in foreign offices to directly or indirectly acquire an Illinois bank. Therefore, that's why I stand in opposed to this Amendment."

Speaker Breslin: "There being no further discussion,

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Representative Mautino, to close."

Mautino: "The crux of the issue is investing in the area in which you obtain the direct deposit financial assistance. I think it's important that 50 percent of the funding be in that area and not in foreign investments. I think it's an excellent Amendment."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #42 to Senate Bill 525?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 49 voting 'aye', 58 voting 'no', and 3 voting 'present' and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #43, offered by Representative Mautino."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you, Madam Speaker. I would like to withdraw 43, which is almost identical to 42. I would also like to withdraw 44 and 45."

Speaker Breslin: "The Gentleman withdraws Amendments #43, 44 and 45. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #46, offered by Representative Mautino."

Speaker Breslin: "Representative Mautino."

Mautino: "This is also a technical cleanup. I'll withdraw 46."

Speaker Breslin: "Withdraw Amendment #46. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #47, offered by Representative Greiman."

Speaker Breslin: "Representative Greiman, out of the record. Withdraw? Withdraw Amendment #47. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #48, offered by Representative

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O'Connell."

Speaker Breslin: "Representative O'Connell."

O'Connell: "Thank you, Madam Speaker. Senate... House Amendment #48 addresses the issue of nonbank banks. This Amendment is different than Amendment 33 in that it only addresses nonbank banks. Recently, there was a Federal Court of Appeals case in the State of Florida which indicated that in order to... for the Comptroller of the State of Florida issue a charter that the state had to have affirmative language authorizing nonbank banks. That is precisely what this Amendment does. It authorizes the issuance of charters for nonbank banks. Specifically, a nonbank bank is an institution that can..."

Speaker Breslin: "Excuse me, Representative O'Connell. Representative Bullock is recognized on a point of order."

Bullock: "Madam... Thank you, Madam Speaker. I question the... this Amendment is in order. I think it's out of order."

Speaker Breslin: "What... On what purpose, Sir? On what basis?"

Bullock: "That the Amendment #48 can only be adopted if no previous Amendments were adopted and there were Amendments adopted and it's technically deficient."

Speaker Breslin: "We'll look at the Bill. Meanwhile, would you present your... continue to present the Amendment, Representative O'Connell."

O'Connell: "Madam Speaker, for the record, there was a previous Amendment, #9, that was adopted."

Speaker Breslin: "Representative Bullock, the Chair has looked at the Amendment and believes that the Amendment is in order, as it deletes everything after the enacting clause, so regardless of what has been adopted previously, the Bill is in order. So, proceed, Representative O'Connell."

O'Connell: "Thank you, Madam Speaker. The definition of a nonbank bank is an institution that can either take

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deposits and make consumer loans or take no deposits and make commercial loans. It has been discussed previously the number of institutions that are prepared to institute nonbank banks. I think it's common knowledge that the creation of this concept has been opposed vigorously by the existing financial institutions of this state. I think what should be underscored is that there has been no opposition from the thousands of people that we represent, our constituents, because what this provides is a healthy form of competition that has been the trademark of our free enterprise system since this country was created, and competition is designed to help those people that we represent, our constituents, the citizens of this state. True, this may not help the number of existing financial institutions that represent this state. It is not designed to protect any particular financial institution. It is designed to protect the citizens of this state. They should have an opportunity to go to an institution that is capable of protecting its assets, that is capable of providing for loans at a most competitive interest rate. And in this economy, every element of assistance that we can provide to the consumer, we should do so. It also will provide for jobs. Representative Vinson, in an earlier Bill, said that his Bill would have been designed to put us on the same level as the State of South Dakota and the State of Delaware. Those states have instituted nonbank banking and those states have benefitted by placement of corporate entities that situated their headquarters in the State of South Dakota, for one, and provided that with a headquarter for its credit card system which has afforded thousands of jobs for the State of South Dakota. It's no secret to anyone that Sears and Roebuck Company, which has been a Illinois institution since its inception at the turn

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of the century, has its headquarters here in the State of Illinois. It is probably the foremost entity interested in the institution of nonbank banks. I can tell you that if the nonbank banking is to be provided in the State of Illinois, that one institution alone will be creating hundreds of jobs for Illinois residents. There is nothing in the regulatory scheme of things that prevents nonbank banks from being instituted... from being initiated in this state that addresses the question of the soundness and the safety of a nonbank bank. We have provided for safeguards. No entity will be jeopardizing the deposits of our citizens. Now is the time for us to be serious about protecting our citizens and not protecting our existing financial institutions. I'd ask for a favorable vote."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #48 to Senate Bill 525. And on that question, is there any discussion? Yes, the Gentleman from Cook, Representative Bullock."

Bullock: "Well, Madam Speaker and Ladies and Gentlemen of the House, I have the highest of respect for Representative O'Connell and I consider him a friend. Representative O'Connell, this Amendment is just as bad as Amendment #2 and 33 and the one that was withdrawn, 47. This is not the vehicle to debate the issue of consumer banks. We know this is not the vehicle for that. I'm sure if you introduce a Bill in the next Session on consumer banks, dealing with the issue of consumer banks, you'll probably get some of us to support it. This Amendment has been defeated before. The only difference is... in this Amendment, between 2, 33 and 47 is that in this provision, there is no containing of a trigger. I urge a 'no' vote as we voted 'no' on 2, 33 and 47 was withdrawn."

Speaker Breslin: "There being no further discussion,

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Representative O'Connell, to close. Representative O'Connell."

O'Connell: "Thank you, Madam Speaker. I'd simply ask for its favorable adoption."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #48 to Senate Bill 525?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 22 voting 'aye', 79 voting 'no' and 6 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #49, offered by Representative Daniels."

Speaker Breslin: "Representative Daniels."

Daniels: "Would you withdraw that? I don't know if the other Sponsor..."

Speaker Breslin: "Withdraw Amendment #49. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #50, offered by Representative Daniels."

Speaker Breslin: "Representative Daniels."

Daniels: "Would you withdraw #50, 51, 52?"

Speaker Breslin: "Withdraw Amendments #50, 51 and 52. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #53, offered by Representative Vinson."

Speaker Breslin: "Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. It would appear that there is not at this time in Illinois, in this chamber at least, sentiment to go to full nationwide banking. That should not preclude us from drawing a reasonable region for Illinois, a region that would provide us with the broadest possible banking

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network, that would create a region that included states that were quite similar. What this Amendment does is to include the State of Ohio in the proposed region. I think it is a little bit foolish for us to exclude Ohio when it is a midwestern state with the same kind of agriculture and manufacturing industry as Illinois. It's a very similarly structured state and we ought to include Ohio in the region we are talking about. I would move for adoption of Floor Amendment #53 to include Ohio in the midwestern banking region."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #53 to Senate Bill 525. And on that question, the Gentleman from Cook, Representative Bullock."

Bullock: "Madam Speaker, will the Sponsor yield for a question?"

Speaker Breslin: "Representative Vinson will yield for a question."

Bullock: "Representative Vinson, why Ohio?"

Vinson: "Part of the Big Ten. If the Fighting Illini can beat Ohio State, I figure the Chicago banks ought to be able to compete with Columbus banks."

Bullock: "Why not Minnesota?"

Vinson: "Well, I... You know, I'll offer an Amendment for Minnesota too, if you'd like. I think that... I think that those big Chicago banks ought to be able to compete with banks from Minnesota and Ohio, don't you?"

Bullock: "Madam Speaker and Ladies and Gentlemen of the House, Representative Vinson is a very fine cartographer, but he's out of place and misplaced on this one. This is not a reapportionment map you are drawing, Representative Vinson. You are trying to develop homogeneity among banks, not to increase your political strength in the region for reelection in 1988 to the Oval Office of the White House. On a serious note, it's a bad Amendment. We've defeated it

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before. When we decide in this chamber that the time is now for full, open national banking, we'll address that. This Amendment should be taken in the manner in which it's offered and that's as a joke and we should vote 'no'."

Speaker Breslin: "Representative Vinson, to close."

Vinson: "Madam Speaker, Members of the House, what this Amendment simply does is to say that if we are going to have a midwest region, let's have a midwest region. This Amendment simply says that the First National Bank in Chicago and the Continental Bank, the Harris Bank, which is owned by a Connecticut... a Canadian bank, those kinds of banks, those huge banking institutions which are bigger than any bank in Ohio ought to have the opportunity to compete with Ohio banks. If they can't compete with Ohio banks, who could they compete with? I simply say this is a pro-competition, pro-midwest Amendment which creates a reasonably structured midwestern region and I would move for adoption of Amendment #53 to include Ohio."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #53 to Senate Bill 525?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 14 voting 'aye', 85 voting 'no', and 4 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #54, offered by Representative Vinson."

Speaker Breslin: "Representative Vinson."

Vinson: "Yes, Madam Speaker, in deference to Representative Bullock's suggestion, I now offer an Amendment to include Minnesota in the proposed midwestern region. I understand, I guess, that we are not willing to let Illinois banks compete with Ohio banks. Ohio is a big city state and

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those Chicago banks just can't seem to go up against Ohio banks, but Minnesota, gee whiz, a tiny state. It's an 'ah shucks' sort of thing. We... We ought to be able to compete with the Golden Gophers. I mean, Lou 'Holts' hasn't been there that long. I would move for adoption of Amendment #54 to include Minnesota in the region."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #54 to Senate Bill 525. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House adopt Amendment #54 to Senate Bill 525?' All those in favor say 'aye', all those... Roll Call is requested. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 24 voting 'aye', 30 voting 'no' and 4 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #55, offered by Representative Vinson."

Speaker Breslin: "Representative Vinson."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. It's clear from the outcome of the previous two Amendments that those big Chicago banks are unwilling to compete with Ohio banks and Minnesota banks. What my Amendment simply does on 55 is to say that if we are going to extend that extraordinary protection from this General Assembly to Chicago banks, we ought to protect downstate banks from those rapacious Chicago banks. Why create a situation where Chicago can cherry pick, but Chicago is protected from Ohio and Minnesota? So, all I'm doing in this case is reinstating the banking regions downstate and I would move for adoption of Amendment #55."

Speaker Breslin: "The Gentleman moves for the adoption of

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Amendment #55 to Senate Bill 525. And on that question,
the Gentleman from Cook, Representative Bullock."

Bullock: "Representative Vinson, will you answer two questions?"

Speaker Breslin: "The Gentleman will yield to a question."

Vinson: "And more, if you have them."

Bullock: "Representative Vinson, why do you want to remove the
compartmentalization in our state of our intrastate
regional holding companies?"

Vinson: "I'm sorry?"

Bullock: "Why do you want to remove the intrastate
compartmentalization in our regional state holding
companies within Illinois?"

Vinson: "What this Amendment does is to retain the intrastate
regions."

Bullock: "Maybe I'm misreading the Act or the Amendment. It says
you are deleting and repealing the intrastate regions."

Vinson: "No, it reinstates the regions. Under 525 the regions
would be abolished. This amends it to protect... to
preserve the regions."

Bullock: "Do you want to broaden then the definition of those
regions? Is that what you are trying to do?"

Vinson: "I'm trying to preserve the downstate regions for the
same reason that I presume that you want to create this
region in the midwest."

Bullock: "I think you... I think a reading of the Amendment,
Representative Vinson, clearly indicates that you are doing
the exact opposite. You are negating the
compartmentalization in our state of those regions, even
though you represent the opposite."

Vinson: "No, that's what the Bill does."

Bullock: "Okay, well, Madam Speaker and Ladies and Gentlemen of
the House, to the Bill. Only New York, which bases its
determination on reciprocity on jurisdictional tests, would

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likely view Illinois as being reciprocal under the Amendment that is offered. And the Amendment that is offered, in fact, would not enhance the growth of regional interstate banking but retard it. I don't see it being great different from some of the other Amendments Representative Vinson has... and certainly it would bring into question serious constitutional issues if it's adopted and; therefore, I would urge a 'no' vote."

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

DeLeo: "Thank you, Madam Speaker. I rise in opposition to Amendment #55. Amendment #55 appears to intend to absolutely destroy any chances of achieving regional interstate banking. I urge a 'no' vote."

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

Churchill: "Thank you, Madam Speaker. I rise in opposition to this Amendment. I think that Representative Vinson is trying to go back to the compartmentalization theory that we have operated under for the past several years in banking in this state. What we are trying to do with this Bill is to... with Senate Bill 525 is to expand beyond the regions within the State of Illinois, to eliminate the lines within the State of Illinois, to go beyond the borders of the State of Illinois to those states which are adjoining our state. By doing this, this would frustrate the efforts of Senate Bill 525 and; therefore, I think we should vote in opposition to it."

Speaker Breslin: "With leave of the Body, I would like to recognize Representative Daniels for an important introduction."

Daniels: "Madam Speaker, this is a day of distinguished visitors. And to show the bipartisan attitude of our state officials, a very distinguished Gentleman, one of our colleagues, now

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a Member of the Illinois Supreme Court, Justice Clark, former Attorney General of Illinois. I might say in all respect for the other side of the aisle, he's very nervous about being over here so he's quickly going over there to say hello to his friends on the other side of the aisle."

Speaker Breslin: "Welcome, Mr. Justice Clark. And now back to the question in debate, the Gentleman from Marion, Representative Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker Breslin: "He indicates he will."

Friedrich: "Let me understand, Representative Vinson, exactly what we are doing here. If your Amendment passes, this would preserve the districts in Illinois so a Chicago bank could not gobble up a Salem bank."

Vinson: "Yes, Representative, it's consistent with the philosophy that says that if we are going to have regions in the country, then it's as reasonable to have regions in the state. That's what it does."

Friedrich: "I agree. My problem in the past has been I never saw why it was fair to let a Chicago bank gobble up a Salem bank and it wasn't fair to let a New York bank gobble up a Chicago bank. It wasn't quite consistent, so I like this and I'm going to support this Amendment."

Vinson: "This puts all the gobblers on the same basis."

Speaker Breslin: "There being no... The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Breslin: "He indicates he will."

Vinson: "With delight, Sir."

Cullerton: "I understand what the Amendment does then to repeal Section 3.01 and, therefore, keep the five regions, but isn't there, in another Section of the Bill... of the Bill itself, isn't there... aren't acquisitions no longer

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limited by state banking regions?"

Vinson: "And I believe we have a later Amendment that deals with that too."

Cullerton: "Well, as it stands right now, wouldn't... if this is adopted, without any further changes..."

Vinson: "I think we have to adopt two Amendments to accomplish the purpose, that's correct."

Cullerton: "Okay, so at this point, this would reestablish the regions, but the acquisitions are not limited by the state banking region at this point in time?"

Vinson: "I think we have to adopt both Amendments to accomplish the purpose, that's correct."

Cullerton: "Okay, thank you."

Speaker Breslin: "There being no further discussion, Representative Vinson, to close."

Vinson: "Thank you, Madam Speaker, Members of the Assembly. The proponents of this Bill have come to us with an interesting idea. They say that we should create a protected region in this country here in the midwest, a region that even though it's in the midwest doesn't include Ohio and doesn't include Minnesota, a region that within that region, that small midwestern region, banks would be allowed to expand within. Now, at the same time that they are saying we should create this region among the states, they are saying we should not create regions within Illinois. Interesting. They say that by creating a region in the country we will keep capital in the midwest; but, at the same time they are saying abolish the regions in Illinois and let the capital flow out of Illinois. If you believe that regional banking makes sense, if you believe that regional banking will keep capital in the midwest, then surely you believe that regional banking within the state will keep capital in southern Illinois and in central Illinois and in northern

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Illinois. If you believe in regions, by golly, I think you believe in regions; and, if you believe in regions, you ought to be voting for this Amendment. I would urge adoption of Floor Amendment #55."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #55 to Senate Bill 525?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Gentleman from Grundy, Representative Christensen. The Gentleman indicates he does not wish to explain his vote. Have all voted who wish? The Clerk will take the record. On this question there are 25 voting 'aye', 72 voting 'no' and 7 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #56, offered by Representative Vinson."

Speaker Breslin: "Representative Vinson. Representative Churchill, for what reason do you seek recognition?"

Churchill: "Madam Speaker, can you tell me, is this Bill in order?"

Speaker Breslin: "Mr. Clerk, can we see the Amendment? What is your observation on the Bill, Sir? Why would it not be in order?"

Churchill: "Because it does not amend the Bill as amended."

Speaker Breslin: "Mr. Vinson, for what reason do you rise?"

Vinson: "To save the Parliamentarian's time, I would like to withdraw the Amendment."

Speaker Breslin: "Withdraw Amendment #56. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #57, offered by Representative Vinson."

Speaker Breslin: "Representative Vinson."

Vinson: "I'd like to withdraw the Amendment."

Speaker Breslin: "Withdraw Amendment #57. Are there any further

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Amendments?"

Clerk O'Brien: "Floor Amendment #58, offered by Representative Zwick."

Speaker Breslin: "Representative Zwick."

Zwick: "Thank you, Madam Speaker, Members of the House. I suppose I'll go ahead and give this one a try. What Amendment #58 does is basically say that the midwest regional compact will not be effective until at least five states in the compact have passed legislation as this legislation is being considered... until they have passed legislation so that there will truly be a compact, at least five states. And, of course, as you know, seven states are proposed to be in the contract... in the compact. I would ask for your support on this Amendment."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #58 to Senate Bill 525. And on that question, the Gentleman from Cook, Representative Bullock."

Bullock: "Thank you. Representative Zwick, will you answer this question?"

Zwick: "Sure."

Bullock: "Don't you think this Amendment might be better if it were offered in the U. S. Congress?"

Zwick: "I don't think that the U. S. Congress has the authority over regional compacts..."

Bullock: "I would think the U. S. Congress has authority over anything that is interstate in commerce and this Amendment purports to establish a criteria for regions outside of Illinois borders where we have no jurisdiction, absolutely no jurisdiction."

Zwick: "We do have jurisdiction over when our compact becomes effective, when Illinois is an active participant, and what this says is that Illinois will not be an active participant of this compact until five other states have

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passed legislation so that we will be participating in what really is a compact, one that includes at least five states. If we are in a compact right now, it will only be with one or two other states."

Bullock: "Madam Speaker and Ladies and Gentlemen of the House, this Amendment ought be described as the Illinois disadvantage. If you want Illinois to be at a technical and a financial disadvantage in a regional compact, you will vote 'aye' for this Amendment. If you want Illinois to be on firm footing and to have an equal chance and an advantage, you will vote 'no' on this Amendment. The net effect of this Amendment would be that other states would have a headstart over Illinois if they chose to form a regional compact. The Hoosiers and those in Kentucky would probably be glad to urge Illinois to support this because the advantage would go to those states. It's a bad Amendment and I submit once again, it maybe ought to be offered in the U. S. Congress. It's certainly not proper here this evening and I would urge a 'no' vote."

Speaker Breslin: "There being no further discussion, Representative Zwick, to close."

Zwick: "Thank you, Madam Speaker. It's simply my feeling that maybe this would slow down and give us a little more timely process to work out what's happening here. If Illinois is in a compact right now, right now only two other states have legislation on the books that enable them to participate in a compact. I don't know what a compact is with only one or two other states. It seems to me that if we are going to participate it should be in an active compact where there are five other states participating and I would suggest that this is a reasonable way to proceed at this time. I would ask for your support on Amendment 58."

Speaker Breslin: "The question is, 'Shall the House adopt

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Amendment #58 to Senate Bill 525?" All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 20 voting 'aye', 80 voting 'no' and 6 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #59, offered by Representative Ryder."

Speaker Breslin: "Representative Ryder. Withdraw Amendment #59. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #60, offered by Representative Ryder."

Speaker Breslin: "Representative Ryder."

Ryder: "Thank you, Madam Chairman (sic - Speaker). Amendment #60 allows the Midwest Bank Holding Company access to courts in order to appeal an adverse ruling. It simply applies the administrative review law to this situation."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #60 to Senate Bill 525. And on that question is there any discussion? Hearing none, the question is... excuse me. The Gentleman from Lake, Representative Churchill, on the question."

Churchill: "Thank you, Madam Speaker. I rise also in opposition to this Amendment. I believe at this point the Illinois common law already provides a judicial review of the Commissioner's hearings. I think that anything that comes out of the Commissioner's office can end up in a court hearing if somebody wishes to place it there. I don't think we need this Amendment. I think it's an attempt to deteriorate this Bill. I rise in opposition."

Speaker Breslin: "Representative Ryder, to close."

Ryder: "Thank you, Madam Chairman. I would ask for affirmative vote."

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Speaker Breslin: "The question is, 'Shall the House adopt Amendment #60 to Senate Bill 525?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 24 voting 'aye', 78 voting 'no', and 3 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #61, offered by Representative Vinson."

Speaker Breslin: "Representative Vinson."

Vinson: "Which one are we on?"

Speaker Breslin: "Representative... 61."

Vinson: "I suppose that this Assembly has already demonstrated... it's not interested in the consumers tonight, so I'll withdraw the Amendment."

Speaker Breslin: "Withdraw Amendment #61. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #62, offered by Representative Vinson and Greiman."

Speaker Breslin: "Representative Vinson."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. This particular Bill... this particular Amendment..."

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

Cullerton: "I just wanted to know if I heard the Clerk right as to who the Sponsors of this Amendment are?"

Speaker Breslin: "You are... You heard them correctly."

Cullerton: "Who are the Sponsors?"

Speaker Breslin: "Representative Vinson and Representative Greiman."

Cullerton: "Well, I'm going to pay attention then."

Speaker Breslin: "Representative Vinson, proceed."

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Vinson: "Thank you, Madam Speaker. This Amendment is a simple concept to further the purpose of the Bill, which is apparently to provide a hospitable environment for Illinois banks, and what the Amendment does is to say that any out-of-state bank that would come into Illinois under the provisions of this Bill and try to do business here would first have to demonstrate to the Commissioner of Banking in Illinois that they would actually be bringing money to the state rather than taking money out of the state, that there would be a benefit to Illinois, rather than a detriment to Illinois. And I would move for adoption of the Amendment."

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

Churchill: "A point of order, Madam Speaker. Is this Bill proper in that it amends a Bill which has previously been amended and does not refer to that?"

Speaker Breslin: "It appears that the Amendment is in order, Representative Churchill. Debate on the Amendment. The Gentleman from Cook, Representative Bullock."

Bullock: "Thank you, Madam Speaker. Will Representative Vinson yield for a question?"

Speaker Breslin: "He will."

Bullock: "Representative Vinson, I'm somewhat at a loss in reading this Amendment. Maybe you can clarify this point for me. First of all, I'm familiar with the Federal Community Reinvestment Act and its provisions; and, as I understand it, this Amendment would attempt to have provisions of that codified for the Midwest Bank Holding Companies. Is that correct?"

Vinson: "What the Amendment does is to require the Commissioner to make a determination on the application of a... an out-of-state bank to do business in Illinois, that, in fact, that bank will bring net new funds into Illinois."

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Bullock: "But the generic term is community reinvestment, is it not?"

Vinson: "I think the generic term is net new funds."

Bullock: "I didn't hear you."

Vinson: "I think the generic term is net new funds."

Bullock: "Well, the other question I asked you, Representative Vinson, in this net new refunds to i.e. reinvestment provision on the application does the Commissioner... is he obligated under your Amendment to use that information in deciding to approve or disapprove an application?"

Vinson: "Yes, the Commissioner shall prescribe the form for the application and promulgate the rules for administering the paragraph, that's correct."

Bullock: "But it also states that the application shall address and discuss the information and I'm not certain if in the Amendment we require that based on the information submitted on net new funds or community reinvestment that he, in fact, used that in making a determination. Are you saying that he shall use that information in making a determination?"

Vinson: "Yeah, that's correct."

Bullock: "And you have cited that in the Amendment? That that language is specific in the Amendment?"

Vinson: "Yeah, on lines 20 through 22."

Bullock: "Okay, Madam Speaker and Ladies and Gentlemen of the House, the current procedure under the community reinvestment provision and any other reinvestment provision in the State of Illinois in monitoring community's investments, in essence, this Amendment would do nothing more than bring uncertainty to the application process and the uncertainty would arise in the Commissioner's office. I don't think that the Gentleman is going to accomplish the purpose which he intends with this Amendment and I don't

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see, as he says in this Amendment, that that annual report shall describe how the applicant has complied with the information that they have submitted on the application. And based on that information, I don't see a need for this and this Amendment is really not necessary because it is covered in other provisions of federal statute and it's not clear... secondly, it's not clear that Illinois bank holding companies, intrastate bank holding companies would, in fact, be obligated under the same provisions. So, you would have some duplicity and disagreement there and confusion among intrastate bank holding companies versus the midwest state regional compact. And because of that confusion, I would urge you to vote 'no'."

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

Braun: "Thank you, Madam Speaker. Parliamentary inquiry."

Speaker Breslin: "State your inquiry."

Braun: "Or an inquiry of the Sponsor. Representative Vinson, there is no Amendment numbered 62 in the package I'm looking at. We have an Amendment 61 and then to Amendment 63. The first one amends Senate Bill 525 on page 9, line 28 and the second one amends the same Bill on page 11, line 21. As we rush to judgment on this, which one of these Amendments are we actually debating or talking about?"

Vinson: "It is Amendment 62. I'm sorry..."

Braun: "Well, then I think you ought to clarify for the record which actual Amendment of language is presently under discussion."

Vinson: "I'd be glad to do that, and I'm sorry that people have seen fit to deny you that information. What Amendment #62 does is to amend Senate Bill 525 on page 11 by deleting line 21 and then it inserts in lieu there of about 18 lines..."

Braun: "Right. I would advise you that this is numbered as

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Amendment #63, not 62."

Vinson: "No, this is 62."

Braun: "Okay, well, 63."

Vinson: "62."

Braun: "That's what I'm asking... that's my parliamentary inquiry, Representative."

Speaker Breslin: "Excuse me. Okay, the inquiry should be stated to the Chair. Mr. Clerk, can you clarify whether an Amendment 62 has been filed, as Representative Vinson has stated?"

Braun: "To the Chair... right. Thank you."

Clerk O'Brien: "Amendment 62 reads amends Senate Bill 525 on page 11 by deleting line 21 and so forth."

Speaker Breslin: "Very good. Then we are dealing with the same Amendment. We don't know what kind... you know, what you are dealing with, Representative Braun, but the Clerk's Office and Representative Vinson are together on this. Representative Braun."

Braun: "Thank you, Madam Speaker. In that case, I would point out that that Amendment has not been distributed to the Membership. The Amendment that is before us is Amendment 63 and it does track the language, but it is numbered #63. We do not have Amendment 62. I just wanted to raise the point. Since we are dealing with such a complicated issue, it would not be appropriate for us to vote on something without knowing what... number of the Amendment we are actually being called upon to pass judgment on. I know I'm right. So, we don't have Amendment 62 is my point and the Amendment has not been properly filed and distributed it seems."

Speaker Breslin: "Representative Vinson."

Vinson: "I think in this case the Clerk is right. I've got a green sheet here that says #62 and tracks that language."

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63 deals with a very different subject. Now, I... I'm sorry that... if Representative Braun hasn't been provided with the Amendment. I think she should be and I would be glad to walk over and give it to her right now."

Speaker Breslin: "Representative Vinson, I think it would be appropriate if you would ask leave to amend this Amendment on its face. What we understand happened was that the Clerk's Office, in reprinting it for us for this Session has misnumbered it. It was originally filed properly and was in proper form. So, Representative Vinson, we'll make... we'll ask leave of the Body to amend the Amendment on its face to make 63... makes to 62. Is there any objection? Hearing no objection, the Gentleman has leave. Mr. Clerk, would you read the LRB number of the Amendment that we are dealing with?"

Clerk O'Brien: "There is no LRB number; however, the Amendment starts, 'Amends Senate Bill 525 on page 11 by deleting line 21 and inserting in lieu thereof the following.'"

Speaker Breslin: "Very good. Do you have any further discussion on the question, Representative Braun?"

Braun: "Thank you, Madam Speaker. My only point in raising it was that we were voting on something called Amendment 62 that in the package of Amendments distributed was numbered #63. That is... if Representative Vinson will agree that we don't have 62 on our desks, that all we have are two 63's, then I will withdraw an objection to him amending it on its face. That's my only point. I was trying to be helpful to our deliberative process here, Representative Vinson."

Speaker Breslin: "Very good. That... That has been done. Further discussion on the question? The Gentleman from Marion, Representative Friedrich."

Friedrich: "Madam Speaker, Members of the House, based on

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Representative Vinson's explanation, I want to be in favor of this Amendment. It's been my... and I know there are financial experts on this floor that would know more about it than I do. It's been my observation of bank holding companies and conglomerates in general that they have these headhunters that go out and try to find a fat little company they can take over, that they can milk it and let the earnings and the capital pay for itself. That's the way you do it. If anybody has been in the business, that's the way it's done. So, obviously, if... without this Amendment an Indiana bank or someone else could come in here, find a bank that was heavily capitalized, had heavy earnings and take the capital, move it back to Indiana and pay off their debt. Now, that's the way it's worked. I don't think you want that. I thought the argument for this Bill in the first place was it would bring capital to Illinois. So this will keep Illinois money from going to some other state to pay the debt off to buy the Illinois bank."

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

Churchill: "Thank you, Madam Speaker. I rise in opposition to this Amendment. This Amendment requires information, it's a paperwork process. It's not about bringing new funds into the state. It's about filing reports. It's about determining whether or not those reports are complied with. The information that is required on these reports is virtually the same that we find under the Community Reinvestment Act. So, in a sense, we are duplicating the paperwork without any assurance that we are going to accomplish what the intended purpose was stated. And, therefore, I would ask people to vote 'no' against this Amendment."

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

Greiman: "Thank you, Speaker. I rise and join my good friend, Sam Vinson, in support of Amendment 62. This Amendment is the so called 'net new funds' Amendment... or 'net new benefit' Amendment. It is an Amendment which has... we are not pioneers. Maine, the State of Maine, when it went with extended banking, adopted this very provision. It said that we want to have a difference in balance. We want people to come in. We want people to come in and bring money into our state. And we want to at least have them show us, show us how we can expect to have more money brought into our state. Now, obviously, when 50 states... when 50 states put the same provision on, it sort of is a zero, you know. But if you are one of the beginners, if you are one of the front people, then you get the advantage and the benefit of this. Now, I want you to know that... it may be of interest to you or maybe disinterest to you that the Governor's Task Force on Financial Services has adopted a net new funds provision. And we are suggesting to the General Assembly that we pass a net new funds provision so that this is used in other states. It is an imaginative tool. It gives us a good balance and it is supported by significant people in the banking industry and community. It will not destroy the reciprocity. It will not change any effect that the banks who would come into our state would have or where we would go and it really is one that all of us... I mean, unless you are... I mean, if you are from Kentucky, no. If you represent... If you have a lot of Kentuckians in your district, if you have a lot of folks from Indiana in your district, no, maybe you should be against it. But if you happen to represent Illinois people, you probably ought to be for it. Thank you."

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Speaker Breslin: "There being no further discussion, Representative Vinson, to close."

Vinson: "Thank you, Madam Speaker, Members of the Assembly. I think it's clear if you have read the newspaper in recent years that banks do one of two things. Banks collect deposits and reinvest them in their community, in some cases. In other cases, banks collect deposits and send them to Brazil, Argentina, and Africa, places like that. If you believe that banks ought to collect deposits and reinvest them in their community, then you believe in this Amendment and you will vote for it. If you believe that they ought to collect deposits and send them to South America and places like that, then you vote against it. I think you ought to vote for it."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #62 to House Bill 5... to Senate Bill 525?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Capparelli, to explain his vote."

Capparelli: "Madam Speaker, I would ask everybody to vote 'no'. In essence, this Amendment would do nothing more than to inject uncertainty into the application process and I would ask for a 'no' vote."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 58 voting 'aye', 48 voting 'no' and 3 voting 'present' and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #63, offered by Representative Vinson and Greiman."

Speaker Breslin: "Representative Vinson."

Vinson: "Thank you, Madam Speaker and Members of the Assembly. This Amendment provides for a two year trigger, nationwide

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interstate banking, only in the central business district of Chicago. What this Amendment simply says is that Chicago is somewhat different from the rest of the State of Illinois. Chicago should and can be a national and an international financial center, but beyond that, four institutions, four institutions control 54 percent of the banking assets in the City of Chicago. Those four institutions have the greatest concentration of banking control, banking power anyplace in the country, in any banking market in the country. This creates a competitive framework for that central business district in Chicago. I would ask Members that come from downstate to recognize that Chicago is somewhat different and that Chicago should be treated somewhat differently and that we ought to bring competitive banking to Chicago. That's what this Amendment does and I would move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #63 to Senate Bill 525. And on that question, the Lady from Cook, Representative Braun."

Braun: "Thank you, Madam Speaker, to the Sponsor. I think we have the same problem, Representative Vinson. There is no Amendment 63 such as you have described. If we just passed... you'll have to... yeah, I think it is the other 63. Yes, it is. The 63 that came first. It's the one that starts on page 9, line 28..."

Vinson: "It's the one that starts, 'Amends Senate Bill 525 on page 9, line 28, by deleting'..."

Braun: "Thank you. Thank you. Okay."

Speaker Breslin: "Would you read the Amendment, Mr. Clerk?"

Clerk O'Brien: "Amendment 63 amends Senate Bill 525 on page 9, line 28 by deleting (b) of this, underlined, and inserting in lieu thereof (b) or (d) of this, underlined and on page 13 by inserting immediately after 13 the following and so

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forth."

Speaker Breslin: "Okay, so everyone knows what Amendment we are dealing with, it's labeled Amendment #63. The Gentleman from Lake, Representative Churchill, on the Amendment."

Churchill: "Thank you, Madam Speaker. I rise in opposition to this Amendment. This Amendment takes Chicago and treats it as a separate division for the purposes of interstate banking. It allows banks from other states, such as California, to come into Chicago and purchase a bank, but it does not allow a Chicago bank to go into California or provide any mechanism that says that a California bank could not come in unless there would be reciprocity. It eliminates the reciprocity that we have tried to accomplish in Senate Bill 525. It also limits us from the total State of Illinois. I think Senate Bill 525 is a Bill that should be considered throughout the whole State of Illinois and not just limited to the financial centers of the City of Chicago. I would rise in opposition and ask for a 'no' vote."

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

Bullock: "Representative Vinson, will you yield for a question?"

Speaker Breslin: "He indicates he will."

Bullock: "Representative Vinson, what do you have against Commissioner Bill Harris?"

Vinson: "I'm sorry, Sir?"

Bullock: "What is it you have against the present Commissioner, Bill Harris?"

Vinson: "Well, he resigned from the Senate and he was a Republican Senator."

Bullock: "But he is your Commissioner. What do you have against him?"

Vinson: "Outside of that, I don't have anything against him."

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Bullock: "Why is it you continue to offer these Amendments that diminish the Commissioner's influence and involvement in this very delicate process?"

Vinson: "Oh, I think... I think this would strengthen the Commissioner. I think this would make the Commissioner a Commissioner who would preside over one of the best banking systems in the country."

Bullock: "Well, perhaps you are preparing another Amendment because this Amendment certainly doesn't say that. Madam Speaker, to the Amendment. This Amendment, Ladies and Gentlemen of the House, emasculates the Commissioner of Banks in Illinois. It emasculates that Commissioner of Banks because for once this Amendment would not allow him to enter into what we have in the Bill in the cooperative agreement that he would have other banks in the midwest compact to investigate and to ascertain banks that acquire Illinois banks to investigate those institutions on soundness and fitness. Representative Vinson knows full well that the provisions that he offers in this Amendment would once again place Illinois at a distinct advantage. Illinois banks would not have the same privileges in California, but a California holding company could, in fact, come into Illinois. So, once again, this is the Illinois disadvantage, offered by Sam Vinson. Once again, this is the emasculation of Commissioner Harris, offered by Sam Vinson. I happen to think Bill Harris is a great public servant, and I like him and I happen to love Illinois. And for that reason, I urge you to vote 'no'."

Speaker Breslin: "There being no further discussion, Representative Vinson, to close."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen... pardon me, Ladies and Gentlemen of the Assembly. We currently have on the statute books in Illinois, a provision that

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lets Canadian banks, Japanese banks, Nicaraguan banks, Australian banks, Dutch banks, German banks, even Polish banks to open an office and do banking business in the central business district in Chicago. Any of those banks can do that. They can even acquire an Illinois bank and do business in the central business district in Chicago. What this does is to simply put on an equal footing in two years California banks and New York banks. It creates the opportunity for competitive worldwide banking in our biggest city. It creates the opportunity for true competition in the Chicago banking community where currently four banks monopolize control of the process. I would move for adoption of Amendment #63 to this Bill."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #63 to Senate Bill 525?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 18 voting 'aye', 85 voting 'no', and 4 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #64, offered by Representative Greiman."

Speaker Breslin: "Representative Greiman."

Greiman: "Okay, we'll... 64... Well, 64 is not fully *deja vu*. It's really speaks to Minnesota... adding Minnesota and Ohio as additional states. Now, Sam Vinson, who is usually very accurate on his statements on the floor of this House, said that Minnesota was just sort of an 'ah shucks' group, but the truth of the matter is that it isn't. It's a very aggressive, important banking state. Ohio is a very aggressive, important banking state, and what's going to happen, I tell you this, what's going to happen is, that the State of Michigan, which is not in the midwest regional

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compact, will end up with Ohio banks coming into Michigan. We will not be in Michigan, but Ohio banks will be in Michigan because that's what's happening right now. So, unless we can get into Ohio, which has extremely strong banks... You know, our major banks, our two largest banks here have had lots of trouble. I don't know whether you noticed that. One of them, there is a question of whether their lobbyist can come on the floor because he's sort of a government employee in a way. So, my suggestion is, therefore, that Minnesota and Ohio are truly important states to put in. But the other part of this Amendment is, do we want to be alone? I mean, we've got Kentucky and we've got Indiana and it's terrific, you know, Lexington, Kentucky is a great spot. We all had friends there. And it's a great spot. We probably ought to get down to the banks in Lexington. And Terre Haute, Indiana, another great town. We probably have some friends there as well. And so, what we say... what this Amendment says is is that at least four other midwestern states should join us, that before we just jump in with Indiana and jump in with Kentucky and change our banking structure for these two wonderful states, we ought to have at least four. Now, the Amendment increases the number of total states so four is half. We ought to have half of the midwest states join us and say, 'Brothers and sisters, let us be one region before we open up our banks to anybody.' That's what this Amendment does, adds two states and says at least half the states in the region ought to be for it before we are stuck in it. And that's what it asks and so I would ask your favorable vote for this fine Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #64 to House Bill... Senate Bill 525. And on that question, the Gentleman from Marion, Representative

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Friedrich."

Friedrich: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Friedrich: "You've been pretty much involved in this thing from the beginning, Representative Greiman. Why do you think the people who are putting this together don't want Minnesota as part of our region?"

Greiman: "I have a sense that Minnesota and Ohio, they may be afraid of the competition. The purpose of all this, of course, is to get competition. Ohio and Minnesota have pretty aggressive banking folks and that's okay, you know. I think aggressiveness in this... in banking and this industry, in business... I, like you, Dwight, am for free enterprise and that's what the name of the game is here, free enterprise."

Friedrich: "Well, I'm going to support your Amendment. Minnesota is really astute in this business because back in the thirties the Northwestern National Bank of Minneapolis and the First National Bank of St. Paul took over all the banks in Minnesota and North and South Dakota. They really know what they are doing, so I think we can learn something from them if they are included."

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

Bullock: "Oh, my gosh. Okay. Madam Speaker and Ladies and Gentlemen of the House, we have heard this Amendment before. This is a Vinson - Greiman Amendment. They just bring them back with different numbers. We love Ohio. We love Minnesota. We love Illinois better. We should vote 'no' and move on."

Speaker Breslin: "Representative Greiman, to close."

Greiman: "Well, the Gentleman from Cook, Mr. Bullock, must have some big thing that's going on. We are bothering him, I

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guess, and well, I don't want to take up his time. I know it's valuable, but he must really want to get out, but we'll continue with these Amendments, if it's alright with you, Mr. Bullock. Thanks, Sir. I'm reminded that both Cleveland, Ohio and Minneapolis are the... are the centers of federal reserve districts so that we would find ourselves in two new federal reserve districts if we added those two states. It is a very significant change and I think it's a change for the better. Thanks."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #64 to Senate Bill 525?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 27 voting 'aye', 76 voting 'no' and 5 voting 'present' and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #65, offered by Representative Greiman."

Speaker Breslin: "Representative Greiman."

Greiman: "Withdrawn."

Speaker Breslin: "Withdraw Amendment #65. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #66, offered by Representative Greiman."

Speaker Breslin: "Representative Greiman."

Greiman: "Okay, this Amendment is an Amendment which essentially is... tells us what the banks are doing with our money. It's for... so that we know the amount of dollars, for example, that a bank is putting into improvements, repairs and rehabilitation of single family homes so that we know what kind of loans they are doing for purchases of single family residences, so that we know how much is going into Veterans' Administration loans, how much is going to small

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businesses, how much is going into agricultural real property, so that we know the kinds of investments they are making, whether they have a sense of real community involvement, and really have a community investment. The problem has been that our banks have gone and they have taken the money out of Illinois, and those are the banks that have been in trouble, the banks that have sent their money out of Illinois. Illinois is a great state. Illinois has a great financial base. Illinois real estate is the keystone of any investment portfolio and this tells us that they have done a job in our own communities and I ask, therefore, for its adoption."

Speaker Breslin: "The Gentleman from Cook, Representative DeLeo, on the question."

DeLeo: "Thank you, Madam Speaker. I rise in opposition of Amendment 66. This is a consumer's right to know Amendment. There is no reason why the Director of Financial Institutions should be added to an already overregulated industry. I ask for a 'no' vote on this Amendment."

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

Churchill: "Thank you, Madam Speaker. I also rise in opposition to this Amendment. What this Amendment says is that the Director of Financial Institutions must give a prior approval before any financial institution can issue any new product or service. Madam Speaker, I would submit that this is ridiculous. A few years back when banks went to provide money market certificates, should they have required the Director of Financial Institutions to approve that? Or how about originally, when banks decided to issue checking accounts? Should there be some governmental relation... some governmental body that should approve the

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institution of checking accounts or IRA's or even handling real estate taxes or if a bank at this time doesn't sell license plates and it wants to offer that as a service? Why should it have to go to the Director of Financial Institutions to be able to issue license plates? I submit to the Body that this is a facetious Amendment in that regard. I also would support what Representative DeLeo has said about adding the Director of Financial Institutions as a regulator of the banking industry in this regard. Already the banks are regulated by the Illinois Commissioner of Banks, the Federal Reserve, the FDIC, the Comptroller of Currency and here we are going to add another regulatory body to all of those who are already regulating this Body. I submit that this Amendment should be defeated soundly."

Speaker Breslin: "There being no further discussion, Representative Greiman, to close."

Greiman: "Well, would he accept if it just was defeated? Does it have to be defeated soundly? The truth of the matter is, since you have raised an interesting issue, is that we should be looking, as part of this whole debate on deregulation of banks and financial services, we should be looking at how we regulate and who are the regulators. We should be considering just that issue. What we have now is a Commissioner of Savings and Loan or a Director of Financial Institutions, a Commissioner of Banks and that... what that does is it divides up the regulatory functions and it makes them all players so that suddenly the Banking Commissioner, he's pro-bank and the Savings and Loan Commissioner, he's pro-savings and loans and the truth of the matter is that we should have a single function, that we should have a functional... a change in all of our regulatory laws. We should have one... one, if you will,

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one agency that regulates financial services and maybe insurance, as a matter of fact, is a financial service. And that's what we should have because they are now together. We don't... and what happens is the difference and the distinction between them, indeed, continue the... and exacerbate the nonsense in dividing different financial service deliverers. The truth of the matter is that this does make sense. I guess it probably will not get it because Mr. Churchill has said he wants it soundly defeated and I always follow Mr. Churchill. But not this time. Maybe I'll vote 'aye' on the Amendment. Thanks."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #66 to Senate Bill 525?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Lady from Kane, Representative Zwick, to explain her vote."

Zwick: "Thank you, Madam Speaker. I want to rise in support of Representative Greiman's Amendment. You know, you all... many of you voted for the earlier Amendment dealing with bringing that new funds into Illinois. Well, how are we going to know some of those things? Don't you think maybe some of your consumers want to know what their local bank is doing? Maybe they want to go in and see if they're reinvesting in the community, if... they can shop around for a bank by looking to see how much they are putting into mortgages, how much they are putting into various kinds of business investments. I don't understand what you are afraid of in this Bill. It seems to me to be a very sound proposal, something that we should be looking at as we reevaluate our positions relative to regulation versus deregulation and what we should be regulating and what we shouldn't be regulating. One of the things we need to know are some of the things that would be disclosed under this Bill before we can really make a determination. So, I

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would urge you to support the Amendment."

Speaker Breslin: "The Clerk will take the record. On this question there are 34 voting 'aye', 73 voting 'no' and 4 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #67, offered by Representative Greiman."

Speaker Breslin: "Representative Greiman. Withdraw 67. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #68, offered by Representative Greiman."

Speaker Breslin: "Representative Greiman withdraws Amendment #68. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #69, offered by Representative Greiman."

Speaker Breslin: "Representative Greiman."

Greiman: "I'm going to withdraw... 69, I think it was the same as the other one, but... except I would have an inquiry of the Chair."

Speaker Breslin: "Withdraw Amendment #69. State your inquiry."

Greiman: "The Page has just handed me one of Mr. Churchill's Amendment which is 84, which has been printed. I filed some Amendments which would carry high 70 numbers and they have not yet hit my desk."

Speaker Breslin: "The reason for that, Representative, is that we understand the printing office printed those Amendments that were shorter first, so some got out first. Yours must have been long, so they are still being worked on. We have an inquiry into the printing office right now as to how soon those Amendments can be expected."

Greiman: "Well, perhaps the floor... two questions. One, could the Chair give us some sense of what your Intentions might be as far as how long we will go this evening and also will

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we be allowed to... will we wait so that other Amendments will be heard?"

Speaker Breslin: "The intention of the Chair is to proceed with these... this Bill and hopefully to complete all Amendments on Second Reading. There are a couple of other items that have to be done. They are primarily housekeeping and after that, we will be adjourning. But..."

Greiman: "Well, as to my other question, for example..."

Speaker Breslin: "We are going to wait to see how soon they are going to be here. Your question is not yet timely, Sir. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #70, offered by Representative Zwick and Greiman."

Speaker Breslin: "Representative Zwick."

Zwick: "I'd like to withdraw Amendment 70. We have already heard that one."

Speaker Breslin: "Withdraw Amendment #70. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #71, offered by Representative Zwick."

Speaker Breslin: "Representative Zwick."

Zwick: "I will also withdraw Amendment 71."

Speaker Breslin: "Withdraw 71. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #72, offered by Representative Zwick and Matijevich."

Speaker Breslin: "Representative Zwick."

Zwick: "Thank you, Madam Speaker. I'm going to go ahead with this one because I think this is one that we should hear."

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

DeLeo: "Has Amendment #72 been printed and distributed?"

Speaker Breslin: "Yes, it has been printed and distributed."

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Proceed, Representative Zwick."

Zwick: "Thank you, Madam Speaker. I suppose rather than being terribly repetitive, I ought to refresh your memories a little bit on some of the things I said earlier because what this Bill does is one of the parts of Amendment 33 that we debated earlier tonight. This is a two year trigger so that after this reciprocal Midwest Regional Compact Bill becomes effective, we would set up a time frame of this two years and then national interstate banking on a reciprocal basis would become effective in the entire State of Illinois. I gave you some reasons earlier why I thought that this was the proper procedure to proceed with at this time. If our objective, as you expressed earlier with your net new funds Amendment which went on this proposal, is your way of thinking, then you really should be supporting this Bill because national interstate banking is the step that ultimately will bring net new funds into Illinois and will make more funds available for your small businesses, for your consumers and it will make the City of Chicago and the State of Illinois the financial center, probably, of the nation. We have many of the commodity markets here. We have many markets. We have been known as a midwest financial regional center and it is only natural that after we have two years to expand into the other states and our Illinois banks are given a chance to grow to the level where they can compete with New York and California banks, then at that point, those banks should be allowed to come into the State of Illinois and compete because when that happens, we will really move forward in the financial services industry. I would urge your support of this Amendment. I think it's a modest one. It does not include the nonbank provision, although I will probably be back later with a nonbank Amendment to this as

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well because I feel all three should be included. But here is your chance to vote simply on the one issue of a two year trigger, a phase in, a time table, a time schedule, something that puts everyone on notice, something that gives us direction and moves us into the future in a very timely way. I would urge your support for Amendment #72."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #72 to Senate Bill 525. And on that question, the Gentleman from Will, Representative Davis."

Davis: "Well, thank you, Madam Speaker. This is another permutation of the trigger. The House has already soundly rejected the extended length of five years. This is a two year trigger. I think this House should reject that as well and vote 'no'."

Speaker Breslin: "There being no further discussion, Representative Zwick, to close."

Zwick: "Thank you again. We have, I think, in the past, voted on Bills that dealt with the combination of nonbanks and the trigger or the combination of other things and the trigger. Nothing has been as pure as this one. Here you have a chance to vote on the simple issue of interstate banking in a regional process for two years and then to an interstate... interstate proposal that would bring us nationwide in two years. I would ask for your support on this. It's a very simple proposal, one that is good for the State of Illinois, and I urge your support. Thank you."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #72 to Senate Bill 525?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are... Representative Mulcahey wishes to be recorded as voting 'aye'. So there are 15... no,

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there are 15 voting 'aye', 90 voting 'no' counting Representative Mulcahey, and 3 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #73, offered by Representative Churchill."

Speaker Breslin: "Representative Churchill."

Churchill: "Madam Speaker, I would move to withdraws Amendments #73 and 74."

Speaker Breslin: "The Gentleman withdraw Amendments #73 and 74. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #75, offered by Representative Greiman."

Speaker Breslin: "Has the Amendment been printed and distributed? It has not been printed and distributed. Representative Greiman is recognized for a timely inquiry."

Greiman: "Yes, I wonder if I might know the status of the Amendment at this time, Ma'am."

Speaker Breslin: "The printed... printing office says they are working on it, but it is not yet done and they cannot give us an estimate as to how soon it and the others will be done."

Greiman: "Well, the point that I make, again, that tells me where it is in the printing office and I'm interested in that, but what is the effect and impact of that? I'm now looking at Amendments 85. My Amendment is 75. 85 is 27 pages. Now, mine wasn't so long. I have about three or four of them in the high 70's. I... You know, us back benchers have to make sure our rights aren't trod upon."

Speaker Breslin: "Representative Greiman, as in the past, it is up to the Sponsor of the Bill to decide what he wants to do and I don't know that he's on the floor at the moment, but it would be common for him to take the Bill out of the record to wait for the Amendments to be printed and

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distributed or he may move to table those Amendments, so... Is Representative Capparelli here? Representative Capparelli, what is your pleasure? At this point, we have several Amendments that have not been printed and distributed, many of them your own, I would remind you. My question is, would you consider taking the Bill out of the record and waiting for those Amendments?"

Capparelli: "I like to... I like to go along with the rules. Representative Greiman was saying that some of them were smaller. Amendment 80, which is his, is on the table. They are out. I'd like to go along with the rule and take..."

Speaker Breslin: "We can't take them out of order. You either have to take the Bill out of the record and we will come back to it as soon as..."

Capparelli: "We will take them in order and table them as they come up."

Speaker Breslin: "The Gentleman's Motion then would have to be to table Amendment #75. Is that correct? Representative Greiman, now you understand the Motion. The Motion is debatable."

Greiman: "I understand. I'd like to address the Motion. Pardon?"

Speaker Breslin: "The Motion is debatable."

Greiman: "Yes."

Speaker Breslin: "Do you wish to address the Motion?"

Greiman: "I do. I do."

Speaker Breslin: "Proceed."

Greiman: "I guess there is sort of an irony. I wanted to... I wanted to continue the whole thing and so I can't even have my own... but we had to hear it. We wanted to hear it today because it's important for the people of Illinois to decide today precisely what the issues are. Now, I

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certainly accept that. That was the wisdom of this Body. I have filed several Amendments in good faith. I filed them about the same time that Representative Capparelli filed 73 and 75... or 73 and 74. I was in the Chair and I remember very well when his were filed and when mine were filed. Mine have not come here. I have in front of me Amendment 85 has been turned out. Now, the Body, if you are tired and you don't want to hear my Amendment and it probably won't pass and I recognize all that, but this is a deliberative Body and we wanted to debate these issues and I think that in fairness, in fairness to the Sponsor of this Amendment and some other Amendments... some of these are Mr. Capparelli's Amendments that aren't on the floor, but he may not care about his Amendments. I think that you should vote 'no' on this Amendment to table. You can vote 'no' on the Amendment. That's fine. Do it if that's your will, if you don't... if I haven't convinced you, if I haven't won over your mind in the marketplace of ideas, fine, vote 'no'. But at least give me the opportunity to present my Amendment. That's a matter of comedy and fairness and Mr. Capparelli will think about it tonight later on and he'll think about what was fair because he's a fair man. I know him, served with him a long time, but this is not fair and I would ask you on this Motion to table to vote 'no'."

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

Dunn: "I would request a Roll Call vote on this Motion."

Speaker Breslin: "You will have it. The Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Madam Speaker. I know we all want to be fair, but when this Bill was moved from June until October, I certainly think there has been sufficient time to offer Amendments and not to offer them today. And so I certainly

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support the Motion to table this one. We have had plenty of time."

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

Klemm: "Well, it's kind of interesting because I remember the Representative who is having the problem has made those rulings before on some other Amendments at previous times, but though I disagreed with him then, I disagree with the attempt not to allow him to hear the Amendments that he has filed. If it were the last Amendment of a series, I could understand the timeliness perhaps was not proper, but since ten other Amendments have been filed, have been printed even before his, would certainly suggest that this is obviously or could be in future dates a technique not to allow any Member to have an Amendment heard. We just won't print it. We'll move on with Amendments we do like and just move on. And that doesn't seem fair. It doesn't seem fair to Representative Greiman or anyone in this chamber. Whether we support his Amendment or not I think is irrespective of the issue here. I think we should allow it to be heard. I wish the Sponsor of the Bill would allow him to have his day in court and I support Representative Greiman's attempt."

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

Leverenz: "Thank you, Madam Speaker. I would hope that the folks on the floor and colleagues would join with Representative Greiman to vote 'no' on a Motion to table his Amendment. I think, though, the real Motion should be that we should move together to send home the Reference Bureau so that they could not produce any more Amendments and maybe if we let the printing unit get its job done, we could probably vote on this whole thing yet tonight. But I would

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encourage you to vote 'no' on the Motion."

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

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. We are in a difficult situation because what is obviously occurring is that proponents of the Bill are trying to leapfrog ahead and file new Amendments which would take off Amendments that have already been adopted. And what the opponents of the Bill are trying to do is to leapfrog ahead of those cleanup Amendments to refile their Amendment which were already adopted so that they can prevail on the position. Now, that process can continue forever. And traditionally there have been two ways for dealing with that process, and we've dealt with that situation in the past on such things as RTA legislation, matters of that controversial nature. There are two ways of dealing with it. We can move to table each Amendment ad seriatim or we can adjourn until tomorrow and come back and continue the process forever. I would suggest that it would be a mistake to let this process go on forever. We ought to come to a vote on how we want banking structure to be in Illinois and get that over with. On the other hand, I don't think it's fair for the proponents of the Bill to table Mr. Greiman's Amendments and offer their own. I think we've got to adopt a procedure that's fair. I would suggest that there's a simple way to deal with this matter, and that simple way would be for the House to take a vote to cut off the offering of Amendments with those already filed, to stand at ease for a couple of hours until the printing press has caught up with those Amendments that are already filed, to come back here and dispose of this legislation tonight and one way or another move it to Third Reading. I think that's a fair procedure, even though

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it's... it's an unpleasant procedure. Otherwise, we may be here forever on this Bill. Otherwise, we may do unfairness and harm to the proponents or the opponents of the Bill. Now until we can adopt that kind of procedure, which I would submit to you is a fair procedure for everybody involved, I would suggest that we oppose these Motions to table. And I personally am going to cast a vote to oppose the Motions to table whether they be Greiman's Amendments or my Amendments on the one hand, and on the other hand, I'm going to oppose the Motions to table Mr. Capparelli's Amendments. We ought to deal with this issue in a rational, logical fashion and get it over with today so it doesn't go on forever."

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

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House, I had first thought I was going to vote against the Motion to delay this Bill, and then I thought maybe I'd try to use what common sense I hope I have and I voted for the delay. And all of what we're doing now is really the reason that we all should have voted for the delay. I wonder what Representative Capparelli is going to do when we come to an Amendment of his that hasn't been printed. You know, then we're going to sit here and wait for his Amendment to be printed. And that is illogical as can be. And I think this comes down to the issue of each Member having his right because... Let... Let me get back to why I thought we shouldn't even be considering this. I... I voted to... to postpone this until this Session. The reason I did it was because I was hoping that there'd be a compromise. Speaker Madigan has just been outstanding at bringing forces together and forging a compromise. If there were a compromise, an agreement, then this would have been the way

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to do it; however, there hasn't been a compromise. And that's why I voted for the delay. Let me tell you, Members, I've been here. I'm going in my twentieth year. We had Sessions that went into Christmas, Christmas. And bringing up this type of issue where there hasn't been agreement, we're going to go back to that type of Veto Session. I didn't like it, and I have lauded the Speaker during his two terms as Speaker because we haven't gone back to that. I don't want to establish that precedent. I would hope that Representative Capparelli can withdraw this Motion to table and try to work something out if we're going to keep considering this Bill; otherwise, I think we ought to go back to that Motion to delay."

Speaker Breslin: "The Gentleman... The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker, a parliamentary inquiry, please. I understand..."

Speaker Breslin: "State your inquiry."

Satterthwaite: "...that we do have a requirement for Amendments to be printed and circulated to our desks before we can consider them, but am I also to understand that the rules do not in any way address the issue of the order of printing of those Amendments?"

Speaker Breslin: "The answer is no."

Satterthwaite: "Then I would certainly suggest that it would have been my intent in adopting our rules, and I presume the intent of practically all of the Members of our House, that when we have a process of sequentially numbering Amendments as they are filed that we would certainly expect that the printing room would abide by that order and produce for us the Amendments in the order in which they were filed. If we do not have such a rule at this time, it seems to me that it is incumbent upon us to change our rules to make

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that a practice in the future. Because it certainly is a process that can subvert the intent of the legislative process and the intent of the rules by having sequential numbering. That..."

Speaker Breslin: "Representative Satterthwaite, I think we should make it very clear that it was not the intent of the printing room to subvert the legislative process here. The Bills went to the printing press and were printed in order; however, these Bills... many of these Amendments are very long Amendments and they haven't been collated yet. So it's... it's just a technical matter of having done that which was the shortest first. But I... Your point is well taken. I think it is not timely at this moment. You should bring it up when we are discussing rules either in the next Session or..."

Satterthwaite: "Then speaking to the Motion, the Motion to table Amendment #75. It is grossly unfair to any Member of this House for that Member's Motion... that Member's Amendment not to have been distributed in sequence as it was numbered. And I believe that we are in error in suggesting that a Motion (sic - Amendment) should be tabled when that Member still desires to have that Motion (sic - Amendment) considered and when we have not had the opportunity to have that presented to us in a sequential fashion. And so I would strongly suggest that if any of us, as individual Members, are to retain the right to have our Amendments considered in an appropriate fashion that we should reject this Motion to table."

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

Churchill: "Thank you, Madam Speaker. I find this Body an interesting and fascinating place. Not an hour ago, the opponents of Senate Bill 525 told us we should continue

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this until another time because; otherwise, we're going to stay here all night and we're going to discuss this. And we have stayed here for a long time, and we have discussed this. And now what they want to do is they want to delay it further. They want to continue that delay which is the exact thing that they were warning us about a few hours ago. I think if there's a flaw in this process or if there's something that's grossly unfair, it's the fact that we continued this Bill until the Veto Session in the first place. We should have considered the legislation at the time that it first came up and come to some resolution at that point. I would like to submit to the Body that there is an Amendment, Amendment #84, which has been printed and distributed, which if presented and if voted on tonight could end the process as far the proponents of this legislation are concerned."

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

Capparelli: "Madam Speaker... Madam Speaker, I just sat there and I just talked with Alan Greiman. I would like to withdraw my Motion and give us a fifteen minute break and see if the Amendments will come down."

Speaker Breslin: "The Gentleman withdraws his Motion to table. Representative Vinson, for what reason do you rise?"

Vinson: "Madam Speaker, in order to dispose of this issue tonight on Second Reading in a fair fashion, I would make the following Motion - that the House cut off Amendments with those now filed with the Clerk, that we recess for one hour, come back at that time and deal with all of the Amendments. That will give the printing press a chance to catch up. We'll be able to dispose of this issue on Second Reading. Whoever has the votes will win. Whoever doesn't have the votes will lose. And the people of Illinois will

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finally have been served on this issue. We will have resolved the matter, and I would make that Motion."

Speaker Breslin: "Representative Capparelli in the chamber? Representative Capparelli, what is your pleasure?"

Capparelli: "It's my understanding that the Speaker would like to take this out for about 15 minutes while she can go to some other legislative matters and then come back to this while it's being printed? Thank you."

Speaker Breslin: "That is correct. Okay. Representative Capparelli has asked to take the Bill out of the record with the understanding that we will be coming back to it very shortly as soon as the Amendments are printed. We have some other business to do, and we will proceed to that business during the interim. Representative... Okay, if there's no further discussion, that Bill is out of the record. Will be held on Second Reading. On the Order of Motions appears House Bill 1954, Representative Matijevich. House Bill 1954. Representative Matijevich has a Motion to make."

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House, I ask leave of the House and use of the Attendance Roll Call to take House Bill 1954 from the table and move to the Order of House Bills on Third Reading. This has been agreed to on both sides of the aisle."

Speaker Breslin: "The Motions that we are dealing with and that applies to House Bill 1954 are all Motions that... are all Bills that have been acted on by the Rules Committee previously this week. So Representative Matijevich's Motion is to take House Bill 1954 from the table and move it to the Order of Third Reading, and he asks for unanimous consent in doing so. And on that question, the Gentleman from Macon, Representative Tate."

Tate: "Yes, Madam Speaker, I would just appreciate ; if

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Representative Matijevich could indicate what the nature or the substance of 1954 is."

Speaker Breslin: "Representative Vinson to answer that question."

Vinson: "Yes, Madam Speaker, Members of the Assembly, Representative Tate, 1954 is a vehicle for a cleanup of the numerous Bills that were passed in the last Session that dealt with Registration and Education of licensure of professions. And my understanding is that the Amendment is agreed to by the professions involved."

Speaker Breslin: "Is there any further discussion? There being no further discussion, is there leave for the Gentleman to take this Bill from the table and put it on the Order of Third Reading. Hearing no objection, the Gentleman has leave. Representative Matijevich."

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House, I would now ask leave of the House and use of the Attendance Roll Call for that purpose to suspend Rule 79(e) so that we can consider Senate Bill 241 in this Veto Session. This also has been cleared on both sides of the aisle."

Speaker Breslin: "This is Senate Bill 241."

Matijevich: "241."

Speaker Breslin: "And the Motion is to take the Bill from the table. Is that correct?"

Matijevich: "Madam Speaker, let me amend that Motion to take House (sic - Senate) Bill 241 from the table and put on Second Reading, Second Legislative Day."

Speaker Breslin: "The Gentleman has... has... This is a Senate Bill, Senate Bill 241. The Gentleman's Motion is to take the Bill from the table, to discharge Judiciary II Committee and place the Bill on Second Reading, Second Legislative Day. Does the Gentleman have leave? The Gentleman has leave. So the Bill will appear tomorrow on the Order of Second Reading, Second Legislative Day, Senate

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Bill 241. Senate Bill 242."

Matijevich: "Madam Speaker, I ask leave of the Body to both suspend Rule 79(e), use the Attendance Roll Call for that purpose, and take from the table Senate Bill 242 and place on the Order of Third Reading."

Speaker Breslin: "The Gentleman has asked leave to suspend Rule 79(e) so that Senate Bill 242 will be taken from the table and be placed on the Order of Third Reading. Are there any objections? Does the Gentleman have leave? Hearing no objections, the Gentleman has leave. Excuse me. Representative Oblinger, for what reason do you rise? Recognize Representative Oblinger at Representative Klemm's desk."

Oblinger: "Thank... Thank you. May I ask Representative Matijevich a question?"

Speaker Breslin: "With regard to Senate Bill 242?"

Oblinger: "242, yes."

Speaker Breslin: "Yes, proceed."

Oblinger: "Representative Matijevich, are you intending to take that back then to Second Reading for the Amendments that have been filed?"

Matijevich: "Yes, Ma'am."

Oblinger: "Thank you very much."

Matijevich: "Thank you."

Speaker Breslin: "Are there any objections? Hearing no objection, the Gentleman has leave, and Senate Bill 242 will appear tomorrow on the Order of Third Reading."

Matijevich: "Thank you. Now, Madam Speaker, I would ask leave of the Body and use of the Attendance Roll Call to suspend Rule 79(e) and to take Senate Bill 351 from the table and place it on the Order of House Bills Third Reading."

Speaker Breslin: "You have heard the Gentleman's Motion..."

Matijevich: "And it's been cleared."

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Speaker Breslin: "...dealing with Senate Bill 351. He wishes to take it from the table and put it on the Order of Third Reading. He asks leave of the Body and unanimous consent. Does the Gentleman have leave? The Gentleman has leave so Senate Bill 351 will appear on the Order of Third Reading tomorrow. Representative Matijevich, for a further Motion."

Matijevich: "Madam Speaker, I ask leave of the Body, use of the Attendance Roll Call to suspend Rule 79(e) for the consideration of Senate Bill 1136 and that it be taken from the table and placed on the Order of House Bills Third Reading. And this has been cleared."

Speaker Breslin: "Representative Matijevich... Representative Matijevich's motion is to take Senate Bill 1136 from the table and put it on the Order of Third Reading requiring suspension of the Rule 79(e). He asks unanimous leave to do so. Does he have leave? The Gentleman has leave."

Matijevich: "Thank you. Madam Speaker, I ask leave of the Body to suspend Rule 79(e) for the consideration of Senate Bill 1136 and to take Senate Bill..."

Speaker Breslin: "We just did 1136."

Matijevich: "Oh, I mean 1244."

Speaker Breslin: "Very good."

Matijevich: "I'm sorry. 1244, and to take from the table and place on the Order of House Bills Third Reading."

Speaker Breslin: "The Gentleman asks leave and unanimous consent to take Senate Bill 1244 from the table and place it on the Order of Third Reading. Does the Gentleman have leave by the entire Body? The Gentleman does have leave, so Senate Bill 1244 will appear on the Order of Third Reading tomorrow. Representative Matijevich."

Matijevich: "Thank you. I ask leave of the Body and use of the Attendance Roll Call to suspend Rule 79(e) to consider

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Senate Bill 1360 and to take Senate Bill 1360 from the table and place it on the Order of House Bills Third Reading."

Speaker Breslin: "The Gentleman has leave to suspend Rule 79(e) on Senate Bill 1360, and thus to take the Bill from the table and move it to the Order of Third Reading. Does the Gentleman have leave? Are there any objections? Hearing no objections, the Gentleman has leave, and Senate Bill 1360 will appear on the Order of Third Reading tomorrow. Representative Matijevich."

Matijevich: "Madam Speaker, I ask leave of the Body, use of the Attendance Roll Call to suspend Rule 79(e) to consider Senate Bill 1449 and to take from the table, discharge the Committee on Consumer Protection, and to place Senate Bill 1449 on the Order of House Bills... Senate Bills Second Reading, Second Legislative Day."

Speaker Breslin: "The Gentleman has asked leave to suspend Rule 79(e) on Senate Bill 1449, to take that Bill from the table, to discharge the Committee on Consumer Protection and place the Bill on the Order of Senate Bills Second Reading, Second Legislative Day. Does the Gentleman have leave by unanimous consent? Hearing no objections, the Gentleman has leave, so Senate Bill 1449 will appear on the Order of Second Reading, Second Legislative Day under the Senate Bill Calendar. Ladies and Gentlemen, on the Order of Supplemental Calendar #1, under Total Veto Motions, appears House Bill 694, Representative Cullerton. Out of the record. House Bill 1218, Representative Terzich. Out of the record. On Amendatory Veto Motions appears House Bill 26, Representative Bowman. House Bill 26, Representative Bowman."

Bowman: "Madam Speaker, we did that one earlier today."

Speaker Breslin: "Very good. Out of the record. House Bill 264,

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Representative Terzich."

Terzich: "Madam Speaker, Ladies and Gentlemen of the House, on House Bill 264, I move that we accept the amendatory veto on this Bill. What the... What the amendatory veto does is that it deletes from the provision the... the security for landlords and availability of the judicial relief for low and moderate income tenants, are two interests in there. The Bill passed out of the House on a purely technical revisory. It was amended on the floor of the Senate with the enforceable entry and detainer provisions that the Governor recommends be deleted, and I agree with that amendatory veto. And I would urge your support."

Speaker Breslin: "The Gentleman has moved that this House accept the Governor's specific recommendations for change in House Bill 264. And on that question, is there any discussion? Hearing no discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change in House Bill 264 by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye', none voting 'no' and 1 voting 'present', and the House does accept the Governor's Amendment to House Bill 264. House Bill 344, Representative Friedrich... Frederick."

Frederick: "Madam Speaker and Ladies and Gentlemen of the House, House Bill 344 is a very controversial Bill. I should tell you that first of all. What the Bill does is allow a small community of unincorporated area in my district to hold a referendum in November to decide for themselves if they should incorporate as a village."

Speaker Breslin: "Excuse me, Representative Frederick. There has been a request that the Bill be taken out of the record."

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Can you do that at the moment?"

Frederick: "Yes."

Speaker Breslin: "Yes, she can. Out of the record. House Bill 489, Representative Johnson. Representative Johnson. Is the Gentleman in the chamber? Out of the record. House Bill 743, Representative Leverenz. Representative Leverenz, you may present your Motion."

Leverenz: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. On House Bill 743, with the Governor's Amendment which I would move that we would accept, would change two parts of the Bill to put it in conformity so that it would be useful and do what we set out in the first place, and that is to have local units of government submit fingerprints to the Department of State Police. And it would provide the statutory language so that they could accept a fee for that and forward it on to the FBI to be checked, those fingerprints with the FBI. And it establishes the Law Enforcement Services Fund to process those applications. I would now move that we accept the amendatory veto of the Governor."

Speaker Breslin: "The Gentleman moves that this House accept the Governor's specific recommendations for change on House Bill 743 by the adoption of the Amendment. Is there any discussion? Hearing no discussion, the question is, 'Shall this House accept the Governor's specific recommendations for change in House Bill 743 by the adoption of the Amendments?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye', none voting 'no' and none voting 'present', and the House does adopt the Governor's specific recommendations for change in House Bill 751 (sic - 743) by the adoption of the Amendment. House Bill 1667,

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Representative Terzich. Excuse me. House Bill 751,
Representative Terzich."

Terzich: "751 is untimely at the present moment, so I would take
that out."

Speaker Breslin: "You want to withdraw..."

Terzich: "Well, yeah, it's untime..."

Speaker Breslin: "...or just take it out of the record? Okay.
Out... Out of the record."

Terzich: "Yeah, it's untimely. I'll go with 1667 on the
override."

Speaker Breslin: "Okay. House Bill 1667, Representative Terzich.
Present the Motion."

Terzich: "I would like to override on 1667."

Speaker Breslin: "The Gentleman has moved to override the
Governor's veto of... or the Governor's amendatory veto of
House Bill 1667. And on that question, is there any
discussion? Hearing no discussion, the question is, 'Shall
the House override the Governor's specific recommendations
for change in House Bill 1667 by rejecting the Amendment?'
All those in favor vote 'aye', all those opposed vote 'no'.
Voting is open."

Terzich: "Madam Speaker... Could I speak on this Bill, Madam
Speaker? I mean there seems to be some... Yeah..."

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

Terzich: "Right. I would move that we override the Governor's
veto. This simply applies to the Chicago Park District's
Pension Fund which was recommended by the pension system.
What it simply does, it amends the multiplier which happens
to be the lowest one in the state to fund their pension
system. What it does, it gradually increases the
multiplier from 1.10 to 2.0 gradually over a 10 year
period. Now this has been recommended by the pension

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system in itself, and it's simply to fund the pension system for the City of Chicago, Chicago Park District System. And that's all the Bill does, and I... I certainly think it's a reasonable request. It's amended over a ten year period. And all the other systems, although the state may not be properly funding their own pension systems, doesn't necessary mean that the other systems have to follow the same route. And it only applies to the City of Chicago, and I would appreciate your support."

Speaker Breslin: "Okay. Has everybody voted who wish? The Clerk will take the record. On this question, there are 48... 49 voting 'aye', 50 voting 'no' and 6 voting 'present', and the Motion fails."

Speaker Greiman: "Representative Greiman in the Chair. On the Order of Amendatory Veto Motions appears House Bill 1667. Representative Terzich on a Motion to accept the Governor's specific recommendations for change. And on that, the Gentleman from Cook, Mr. Terzich."

Terzich: "I can see the light. If that's the case, if they wanted to vote that way on 1667 on the over... I will accept the Governor's amendatory veto. What it simply does, it does take out the... the multiplier and simply makes some technical changes which are nonsubstantive changes in their pension system, and I would accept the Governor's amendatory veto."

Speaker Greiman: "The Gentleman from Cook, Mr. Terzich, moves that the House accept the specific recommendations for change of the Governor. All those... And on that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change?' All those in favor signify by voting 'aye', those opposed 'no'. This is final action. Voting is now open. Have all voted who wish? Have all voted who wish?"

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Mr. Clerk, take the record. On this question, there are 108 voting 'aye', none voting 'no', 1 voting 'present', and the House does accept the Governor's specific recommendations for change. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Amendatory Veto Motions, on Supplemental Calendar #1 appears House Bill 2418. The Gentleman from DuPage, Mr. Daniels, on a Motion to accept."

Daniels: "The Governor or the Legislature incorrectly identified the bond fund on House Bill 2418 when we were considering this legislation, and I would move to accept the amendatory veto of the Governor, which strengthens the Bill, adds to the legislative process, continues on with our legislative integrity. That makes me proud to move to accept it."

Speaker Greiman: "The Gentleman from DuPage, Mr. Daniels, moves that the House accept the Governor's specific recommendations for change. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

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

Cullerton: "Did you address the issue of the Governor adding two new cochaIRS to the... to the board?"

Daniels: "You're speaking so softly, I can't hear you."

Cullerton: "I'm speaking as loud as you were when you explained the Bill."

Daniels: "Okay."

Cullerton: "The... I just wanted to know the background behind that Section of the amendatory veto that adds two cochair persons of the Citizens' Council on Energy Resources to the new board."

Daniels: "The Bill that we passed in our wisdom, House Bill 2418, amended the Illinois Coal and Energy Development Bond Act. It amended the Natural Resources Act. It changed the Coal

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Resource Board to the Coal Development Board and added two new members from the Citizens' Council on Energy Resources. That was in the original Bill that we passed the House. The effect of the veto was in reference to the General Obligation Bond Act as opposed to the Illinois Coal and Energy Development Bond Act and, therefore, made corrections in the Bill that should have been made. Now, I hope you understand that this is all done in the interest of making sure that those coal development areas in the State of Illinois are properly served all to the benefit of all Members of the House without regard to party, race, creed or color and, therefore, I think strengthens the effort by the General Assembly to make sure that we serve all of our constituents."

Speaker Greiman: "Well, Mr. Cullerton, is that... Do you have any further questions?"

Cullerton: "No. That was a very good answer."

Speaker Greiman: "There being no further... There being no further discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 1667... I'm sorry, 2418?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 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 2418. On page two of the Calendar, on the Order of Senate Bills Second Reading appears Senate Bill 216. Mr. Clerk, has the Bill been read a second time?"

Clerk O'Brien: "House (sic - Senate) Bill 216, a Bill for an Act in relation to certain technical training programs. Second

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Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. We will now go in recess on the Call of the Chair, and the... the Chair now... The Chair now calls to Order the Second Special Session. The Gentleman from Madison, Mr. McPike."

McPike: "Thank you, Mr. Speaker. I move that the Second Special Session stand in... adjourn until tomorrow at the hour of 9:30 a.m."

Speaker Greiman: "The Gentleman from Madison moves that the Second Special Session stand in... is adjourned until the hour of 9:30 tomorrow. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Special... Second Special Session is adjourned. The Chair now calls to order the Regular Session. Mr... Alright. The Chair recognizes the Gentleman from Madison, the Majority Leader, Mr. McPike."

McPike: "Thank you, Mr. Speaker. I now move that the House stand adjourned until tomorrow at the hour of 9 a.m."

Speaker Greiman: "The Gentleman from Madison, Mr. McPike, moves that the House stand adjourned until the hour of 9:00 a.m. Yes, Mr. Daniels, for what purpose do you seek recognition?"

Daniels: "Just to make sure that Mr. Capparelli is listening. Does that meet with his approval? He is the Sponsor of a Bill that he thought was going to be called. Did you hear that Mr. Capparelli? It's alright with you. Are you aware that you may not be able to pass your Bill tomorrow, Senate Bill 525? It's amended. You may not be able to pass it tomorrow. Okay."

Speaker Greiman: "Mr. Daniels, do you have a Motion to make or a

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point to make or anything else?"

Daniels: "No, Sir. I'm not the Sponsor of the Bill. I just want to make sure that..."

Speaker Greiman: "I know. Mr. Daniels..."

Daniels: "...you aren't hoodwinking your own leader over there."

Speaker Greiman: "Thank you, Mr. Daniels. But... You through? All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House stands adjourned until the hour of 9:00 a.m. tomorrow."

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