

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

76th Legislative Day

October 29, 1985

Speaker Madigan: "The House shall come to order. The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Father Frank O'Hara, Pastor of St. Peter and St. Paul Catholic Church in Springfield. Father O'Hara is a guest of Representative Michael Curran. Would the guests in the gallery please rise and join us in the invocation?"

Father O'Hara: "In the Name of the Father and of the Son and of the Holy Spirit. Lord, in this chamber, make me an instrument of Your peace. Where there is hatred, let me sow love; where there is injury, pardon; where there is doubt, faith; where there is despair, hope; where there is darkness, light; where there is sadness, joy. Grant that I may not so much seek to be consoled as to console, to be understood as to understand, to be loved as to love, for it is in giving that we receive, it is in pardoning that we are pardoned, and in dying that we are born to eternal life. In the Name of the Father and of the Son and of the Holy Spirit."

Speaker Madigan: "Roll Call for Attendance. Excuse me. The Pledge of Allegiance... Where is Representative Ropp? We shall be led by Representative Terzich."

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

Speaker Madigan: "Roll Call for Attendance. Have all recorded themselves who wish to be recorded? Mr. McPike, are there any excused absences? Mr. McPike, are there any excused absences? Mr. Vinson?"

Vinson: "Let me get back to you in a minute, Mr. Speaker."

Speaker Madigan: "Fine. We'll proceed to take the record, Mr.

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

76th Legislative Day

October 29, 1985

Vinson. Mr. Clerk, take the record. 105 Members having responded to the Attendance Roll Call, there is a quorum present. 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 passed Bills of the following title, the passage of which I am instructed to ask concurrence of the House of Representatives, to wit: Senate Bills #994 and Senate Bill 1468, passed by the Senate October 17, 1985. Kenneth Wright, Secretary.'"

Speaker Madigan: "Senate Bills First Reading."

Clerk O'Brien: "Senate Bill 994, Hastert and Levin, a Bill for an Act in relation to public utilities and amending certain Acts herein named. First Reading of the Bill."

Speaker Madigan: "The Chair recognizes Mr. Friedrich."

Friedrich: "Mr. Speaker and Members of the House, I'd like to make an announcement which I think is in the interest of all the people of the State of Illinois. Our distinguished former Member, Judge Brummer, from Effingham, ruled yesterday that the seat belt law was unconstitutional. A great stroke for the people."

Speaker Madigan: "Mr. Clerk. Mr. Clerk, do you have a Resolution to be read relative to the... this group? 811. Mr. Clerk, would you read Resolution 811?"

Clerk O'Brien: "House Resolution 811, offered by Representative Parcels. Whereas, the Members of this House are honored and delighted to recognize the significant milestones in the history of an institution which was... has contributed greatly to the people of this state; and whereas... "

Speaker Madigan: "Mr. Clerk. Mr. Clerk. Ladies and Gentlemen, would you give your attention to the Clerk, and would we please clear the aisles? Would Members please be in their chairs? Mr. Wolf, would you be in your chair? Mr.

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

76th Legislative Day

October 29, 1985

Capparelli. Mr. Capparelli. Would you be in your chair, please? Mr. Clerk, proceed."

Clerk O'Brien: "... and whereas, it has come to the attention of this House that Springman Junior High School in Glenview received the United States Department of Education's Excellence in Education Exemplary School Award for 1984-1985; and whereas, Springman Junior High School is one of two junior high schools in Illinois to attain recognition as an outstanding learning institution; and whereas, the attainment of Springman Junior High School's goal for excellence in education is inducted by the above average performance of the students on achievement tests, the high percentage of the students who go on to post-secondary education, the military, or find employment after education, the attendance rates of students and teachers, the low suspension and other exclusion rates and the noteworthy awards received by students, teachers and outstanding school programs; and whereas, Springman Junior High School was one of the 219 schools nationwide and one of six in Illinois receiving recognition for exemplary school programs in education which was presented with a special flag at the national recognition ceremony in Washington, D.C.; and whereas, at a time when the education system throughout the nation is under scrutiny and extreme criticism, it is an honor to have outstanding institutions of education in our state to serve our citizens. Therefore, be it resolved by the House of Representatives of the 94th General Assembly of the State of Illinois, that we congratulate Springman Junior High School on being named by the United States Department of Education in the Excellence in Education Program, that we commend the students, parents, teachers and administration of Springman on their hard work and determination and that we extend our

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

76th Legislative Day

October 29, 1985

sincere wish for many more years of progress and much success in the future, and be it further resolved that a suitable copy of this Preamble and Resolution be presented to the Principal, Thomas Kersten; Superintendent, William Attea; and the Student Council of Springman Junior High School as a formal indication of the respect and esteem in which this outstanding school is held by this House."

Speaker Madigan: "The Chair recognizes Representative Parcels."

Parcels: "Thank you, Mr. Speaker. Last spring, it was my great honor to present a similar Resolution to two high schools in my district. They were two of only four high schools in this state to receive the Department of Education's Excellence in Education Award. For the year 1984-85, Springman Junior High School in Glenview, Illinois, part of School District 34, has received Excellence in Education Award. It is one of only two junior high schools in the state, and in this year of education I am very proud to present this to this outstanding school in my district. I'd like to introduce to you the Superintendent of School District 34, William Attea, and here to receive the Resolution, the School Board President, Nancy 'Wyle'."

Nancy 'Wyle': "I would like to thank Representative Margaret Parcels for this distinguished honor and thank all of you for your attention to the advancement of excellence in education in Illinois. We are fortunate that Glenview consists of citizens who are concerned about the education of the youth and work together to achieve that purpose. A year ago, the president of our high school board of education was here receiving this same honor. Glenview, Illinois may be the only community in the county whose high school and junior high school have received this recognition from the United States Department of Education. In our dual district, we are able to achieve excellent

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

76th Legislative Day

October 29, 1985

education with successful articulation between the districts. We are proud of our teachers, principal and administrative staff, which is so expertly directed by our superintendent, Dr. William Attea, who many of you know as one of the leaders in education in Illinois. Let us continue to work together for excellence in education for all the youth of this state. Thank you again for this honor."

Speaker Madigan: "Representative Parcels moves for the adoption of the Resolution. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. Mr. Clerk? Agreed Resolutions."

Clerk O'Brien: "House Resolution 802, offered by Representative Williamson; 803, by Keane and McNamara; 805, by Johnson; 807, by Johnson; 809, by Daniels; 810, by Daniels; 812, by McCracken and Stange... Stange. House Joint Resolution 107, by Panayotovich; 108, Panayotovich; 109, by Kubik."

Speaker Madigan: "Mr. Giorgi. Mr. Giorgi, on the Agreed Resolutions."

Giorgi: "House Resolution 802, by Williamson, congratulates... 803, by Keane, commends the Oak Lawn Fire Department. 805, by Johnson, honors Charlie Webber. 807, by Johnson, lauds Barbara Gilhaus. 809, by Daniels, commends Director Woelffer. 810 congratulates Tioga post. 812, by McCracken, commends Ed Smith. Panayotovich's 107 says something about the Young at Heart Club. Panayotovich's 108 recognizes St. Patrick's Church. And Kubik's 109 honors the friends of Berwyn High. I move for the adoption of the Agreed Resolutions."

Speaker Madigan: "The Gentleman moves for the adoption of the Agreed Resolutions. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Death Resolutions."

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

76th Legislative Day

October 29, 1985

Clerk O'Brien: "House Resolution 804, offered by Representative Shaw, with respect to the memory of Gilbert Nelson. House Resolution 806, offered by Representative Johnson, with respect to the memory of Ernest Bair. House Resolution 808, offered by Representative Johnson, with respect to the memory of Charles J. Fleck."

Speaker Madigan: "Mr. Giorgi moves for the adoption of the Death Resolutions. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Death Resolutions are adopted. Mr. Clerk? Ladies and Gentlemen, if I could have your attention,, please. We shall now go to page six of the Calendar on the Order of Amendatory Vetoes. And then, on page seven, under the heading of Amendatory Veto Motions, there appears Senate Bill 583, Mr. Rea. Mr. Rea, on a Motion. Mr. Rea, you are recognized."

Rea: "Thank you, Mr. Speaker, Members of the House. On Senate Bill 583, the... initially, the Senate passed the legislation 59 to 0, and the House 110 to 5. And last week, the Senate overrode the Governor's amendatory veto to Senate Bill 583. It provides that the Secretary of State shall not issue a supplemental license to new or used dealers outside a franchise market area unless three or more licensed dealers make application to hold a joint sale, and the Secretary has considered the ability of applicants to honor service warranties and guarantees on vehicles offered for sale. And I would move for an override of the amendatory veto."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to this Bill? The Gentleman has moved to override the veto of the Governor. Mr. Cullerton."

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

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

76th Legislative Day

October 29, 1985

Speaker Madigan: "The Sponsor indicates that he will yield."

Cullerton: "Representative Rea, I apologize. Because it's the first Motion, perhaps, we haven't settled down, and I wasn't able to hear your explanation of what the Bill is about. My question is, could you please explain what the Motion is about? What's the Bill about?"

Rea: "Yes, in fact, Senate Bill 583 correlates the market area definition of the Motor Vehicle Franchise Act to the Dealer Licensing Law with respect to supplemental licenses. The Bill does not preclude dealers from holding sales away from their principal place of business, nor does it place them in the position of violating restraints of the trade laws. This... This Bill simply gives the Secretary of State additional standards to use in the process of evaluating the issuance of supplemental licenses."

Cullerton: "Well, maybe I don't really understand much of that. Who would... Who sells new or used cars besides new or used car dealers?"

Rea: "Well, there can be the new and used car dealers, any other group that has a fleet of cars that... and one of the problems right now is that there can be cars brought into the State of Illinois. Just not too long ago, I think there was about 200 brought into an area of used cars by an organization which then did hinder and hamper the car dealers in that particular area. At the present time, you could take cars from southern Illinois and take into the Chicago area and could sell them and then return back and the people that have received or have purchased those cars would be... would not be guaranteed the services. They may need to get in contact in terms of their warranties or whatever."

Cullerton: "So, the... Do we have warranties with used cars now, in Illinois? Is that mandatory? Do we have warranties?"

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

76th Legislative Day

October 29, 1985

Did the lemon... does the lemon law that Representative Terzich passed, does that deal with used cars? Do you know?"

Rea: "The thing is that many times, not only in terms of the new cars in particular, but in terms of the used cars, many times if you do go back to the... the dealer where you have purchased it from that's from that locality that they will service and give assistance on it."

Cullerton: "I see. So the problem is that somebody comes in with a fleet of cars and sells it... used cars, and they sell it, and then the people who... the consumers who bought it, they don't... they can't bring it back to a service facility where they bought it, because there is no service facility."

Rea: "Well, it may not... It may not only be that. It may be in terms of getting their title or other transactions taken care of where there may be a distance of 250 or 300 miles away."

Cullerton: "Well, what's this about a... three or more dealers getting together and deciding that it's okay to have a joint sale? Is that how it works?"

Rea: "Yes. Three or more dealers can get together and hold a joint sale and... and the Secretary of State will consider the ability of the applicants to honor the service warranties and guarantees on the vehicles offered for sale. And this does require the application to be submitted at least 10 days prior to the date of such sale."

Cullerton: "What's a... What's a market area? What's the need for having a market area defined in the Bill?"

Rea: "Well, the reason for that, again, is because of the... the distance that could be involved so that the consumer will have these dealers right there within proximity where they can go back and... and whether it's for service or to

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

76th Legislative Day

October 29, 1985

continue with the transactions of the business at hand."

Speaker Madigan: "Mr. Cullerton, have you completed your questions?"

Cullerton: "I see that there's a different market area depending upon the population of the county? Is that right?"

Rea: "I'm sorry. I did not hear your question."

Cullerton: "There's a different market area based on the population of the county? In one case, it's 10 miles. Another case, it's 15 miles? But in either case, the area can be defined in the franchise agreement."

Rea: "Yes. What... "

Cullerton: "What kind of franchise agreement?"

Rea: "Yeah. Whatever is defined in the... As I understand it, whatever is defined in the franchise agreement as to what the market area is. And that's usually, I think, within the distance."

Cullerton: "Well, what... What did the Governor say about this Bill when he vetoed it?"

Rea: "Well, I think, Representative, he... I'm not sure that he fully understood it. He said that even the... Well, the Governor said even in his veto message that the provisions of this Bill, since it's a requirement that the applicants assure the Secretary of State of his ability to provide service warranties on vehicles offered for sale and the requirement that all supplemental license applications are received a minimum of 10 days prior to the date of the sale or display are sound consumer protection safeguards."

Cullerton: "Why did he veto it?"

Rea: "And he went on to say that this concept, he felt, was anti-competitive, which I just totally disagree with, and many other people do, and it... and it only says that it may be unconstitutional."

Cullerton: "Well, if this override is successful, you may want to

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

76th Legislative Day

October 29, 1985

address the issue of the constitutionality. Now, the Governor indicates that the language in the Bill usurps the Secretary of State's power to determine the proper awarding of supplemental licenses and places that power in the hands of the private sector, often the competition of the dealer seeking the license. He claims that this may be unconstitutional. Do you have any reason to believe, or anything you want to put on the record to indicate that you think it might be constitutional?"

Rea: "I have no reason to personally believe that it would be unconstitutional, and let me also say that the... the supplemental license was never intended to allow individuals to go anywhere in the State of Illinois, hold weekend sales, permanently leave the area and not be available to answer consumer inquiries regarding vehicles sold of that... at that location."

Cullerton: "You must have a lot of confidence in your used car dealers down there in southern Illinois."

Rea: "We do."

Cullerton: "Okay. I have no further questions, Mr. Speaker."

Speaker Madigan: "Mr. Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I know this is the first Bill and there's a lot of noise, but before you cast your vote on this Bill, I'd like you to think about something, because if you... if you're for restraint of trade, then you'll vote for this override, but if you're for competition for free enterprise, then you'll vote against this Bill. This is the same as saying that before I can introduce a Bill in this House, I have to get permission from three of my colleagues, either in my roll or on my side of the aisle before I can introduce the Bill. This is a bad concept, and I'm sorry I have to vote against this, although the Sponsor of the Bill... It's a

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

76th Legislative Day

October 29, 1985

special interest Bill, and I would urge a 'no' vote."

Speaker Madigan: "Mr. Mays."

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

Speaker Madigan: "The Sponsor indicates that he will yield. Ladies and Gentlemen, could we please give our attention to those who are engaged in the debate?"

Mays: "Thank you very much, Mr. Speaker. Representative, currently, all car dealers, used and new, are licensed. Is that not correct? And they're licensed in their relevant market area. That's not... You're not messing with that?"

Rea: "That's correct. Yes."

Mays: "Currently, if they want to have a supplemental license, we've made provisions for that so that if, say, a person wanted to have a used car dealership off his new car lot but within the same area, he could get a supplemental license. Is that correct?"

Rea: "Correct."

Mays: "Okay. So basically, what we're doing with this, then, as I understand it - and correct me if I'm wrong - we are simply clarifying for what purposes a supplemental license can be used, and we are applying the relevant market data to this Bill, as I understand it."

Rea: "That is correct."

Mays: "To the Bill, Mr. Speaker. I rise in support of the Bill. It seems like a relatively simple concept the dealerships are trying to promote here, and I think that the consumer, in the end, is going to be well served. For that reason, I would rise in support of Representative Rea's Motion to override."

Speaker Madigan: "Mr. Rea, to close."

Rea: "Thank you, Mr. Speaker and Members of the House. I feel that this is a very important Bill. It's one that will

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

76th Legislative Day

October 29, 1985

help protect the dealers as well as the consumers. It's more consumer oriented, and as I had stated earlier, there was never the intent to allow individuals to go anywhere in the State of Illinois, hold weekend sales, permanently leave the area and not be available to answer consumer inquiries regarding vehicles sold at auction or being able to give assistance. So, I would ask for a favorable Roll Call."

Speaker Madigan: "The question is, 'Shall Senate Bill 583 pass, the veto of the Governor notwithstanding?' This will be final action. All those in favor signify by voting 'aye', all those opposed by voting 'no'. This Motion will require 71 votes. Have all voted who wish? This Motion shall require 71 votes. Mr. Rea."

Rea: "Thank you, Mr. Speaker. In explaining my vote, this is a very important Bill for the consumers of the State of Illinois, because any time that you go and you purchase a car, and it's... you have dealers that come in from out of state or a great distance and you purchase that car and you have any problems with it, or you need to do any followup, and that dealer has only been there for the weekend or a few days and have gone back to their area, it's very difficult to get the type of response that is needed. I think this is a very important Bill for the consumers, for the people of the State of Illinois, and I would certainly ask that you give it a favorable vote, that you put enough votes up there to override. It was overridden in the Senate last week. This is a Bill that went out of the House heavily. I believe it was 110 to 5, and there was no opposition to it in the Senate initially, and the override, of course, took place last week. So, I would ask that we add some more green votes there to pass this Bill on."

Speaker Madigan: "Mr. Churchill?"

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

76th Legislative Day

October 29, 1985

Churchill: "Thank you, Mr. Speaker. To explain my vote, I also rise in support of this particular Bill. I think it is a Bill for consumerism. Oftentimes, those people who go out to buy an item such as a car are making a major investment in their lifetimes. Were they to go to an individual and buy a car and something would be wrong with that car and they go back to find that individual and the individual has gone, there's no way that they can find an avenue of getting their car fixed. The Bill that was originally before this Body was never intended to allow those people to go outside of regional areas to sell cars. This is a Bill that cleans up the language and actually makes it very explicit that the only way that somebody can go outside of their region to sell cars is if they have the joint cooperation of other car owners. It's a Bill that's for the consumer. It's an important Bill. It's something that will make sure that your constituents back home are protected from fraudulent car sales. I rise in support and would ask all of those Members of both sides of the aisle to give a green vote on this Bill."

Speaker Madigan: "Have all voted who wish? This Motion shall require 71 votes. Have all voted who wish? The Clerk shall take the record. On this question, there are 65 'ayes', 31 'nos'. Mr. Rea requests a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Berrios. Braun. Capparelli. Flinn. Krska and Terzich."

Speaker Madigan: "On this question, there are 65 'ayes', 31 'nos'. Representative Braun, having arrived late in the chamber, requests permission to be recorded as 'aye'. The Chair recognizes Mr. Flinn."

Flinn: "Mr. Speaker, I was away from my desk when the vote was taken. I'd like to be recorded as 'present'."

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

76th Legislative Day

October 29, 1985

Speaker Madigan: "Record Mr. Flinn as 'present'. Mr. Rice.
Record Mr. Rice as 'aye'. Mr. Shaw."

Shaw: "... as 'present'."

Speaker Madigan: "Mr. Shaw, what is your request?"

Shaw: "As 'present'. Change my vote from 'aye' to 'present'."

Speaker Madigan: "Change Mr. Shaw from 'aye' to 'present'.
Representative Braun. Are there any further changes? Mr.
Clerk, what is the count? Mr. LeFlore?"

LeFlore: "Mr. Speaker, change my vote from 'aye' to 'present'."

Speaker Madigan: "Change Mr. LeFlore from 'aye' to 'present'.
And on this question, there are 65 'ayes', 31 'nays', and
the Motion fails. On the Order of Amendatory Veto Motions
there appears Senate Bill 856, Representative Virginia
Frederick. Representative Frederick? Representative
Frederick? Representative Virginia Frederick, did you wish
to call your Motion?"

Frederick: "Mr. Speaker, Ladies and Gentlemen of the House, I
move that the House accept the Governor's amendatory veto
on House... on Senate Bill 856. All that Amendment does is
provide an effective date for the Bill. I move adoption."

Speaker Madigan: "The Lady moves to accept the Governor's
Amendments. Is there any discussion? There being no
discussion, the question is, 'Shall the House accept the
Governor's specific recommendations for change with respect
to this Bill?' This will be final action. All those in
favor signify by voting 'aye', all those opposed by voting
'no'. This Motion shall require 71 votes. Have all voted
who wish? Have all voted who wish? Please record
yourself. Have all voted who wish? The Clerk shall take
the record. On this question, there are 107 'ayes', 6
voting 'no'. This Motion, having received the
Constitutional Majority, the House does accept the
Governor's specific recommendations for change. Ladies and

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

76th Legislative Day

October 29, 1985

Gentlemen, if I could have your attention for an announcement. The Clerk is preparing a list of amendatory veto Motions and veto Motions that have been filed today. In due time, we shall publish a Supplemental Calendar to permit the call of those Motions today. So, if you wish to file a Motion to accept the Governor's Amendments or to override the Governor's veto, please file that Motion with the Clerk so that we can proceed to prepare the Supplemental Calendar. Under the label of Amendatory Veto Motions there appears Senate Bill 897, Representative Oblinger. Representative Oblinger."

Oblinger: "Thank you, Mr. Speaker. I move that we adopt the Governor's specific recommendation for change. The forensic laboratory equipment will be purchased by Law Enforcement rather than CMS, and I would move the acceptance of this amendatory veto."

Speaker Nadigan: "The Lady moves to accept the Governor's Amendment. Is there any discussion? There being no discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to this Bill?' This will be final action. All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 111 'ayes', 2 voting 'no'. The House does accept the Governor's specific recommendations for change. On page eight of the Calendar under the Order of Amendatory Veto Motions there appears Senate Bill 1052, Representative Oblinger. The Lady indicates she does not wish to call the Bill. Senate Bill 1132, Mr. Cullerton. Is Mr. Greiman in the chamber? Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to accept the Governor's recommended

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

76th Legislative Day

October 29, 1995

changes on Senate Bill 1132.. The Bill amends the Downstate Teachers' Retirement System, the State Universities' Retirement System, and the State Employees' Retirement System, the Chicago Teachers' Retirement System, the Illinois Municipal Retirement Fund, the Downstate Firefighters' Retirement System, and the reciprocal article of the Pension Code. It was the omnibus pension Bill. The Governor's Amendments make the following changes. It eliminates the exclusion of the Chicago Firefighters' Pension Fund from the provisions allowing illegitimate children to receive pension benefits. It adds a ceiling to the amount of survival benefits payable to spouses of vested inactive downstate firefighters, and eliminates provisions allowing the transfer of credits earned under the Downstate Police and State Employees' Pensions Systems to the Illinois Municipal Retirement Fund, and finally, replaces the state mandate exemption in the Bill with the standard exemption language and makes other clarifying and technical changes. The Senate accepted the Governor's changes, and I would also move to do so."

Speaker Greiman: "The Gentleman from Cook... Representative Greiman in the Chair. The Gentleman from Cook, Mr. Cullerton, moves that the House do accept the Governor's amendatory veto for change with respect to Senate Bill 1132. And on that, is there any discussion? The Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, relative to the downstate teachers' article of the Pension Code, does this have any impact upon the... the pension rate relative to salary? I mean, it doesn't reduce that, does it?"

Cullerton: "You... Your question dealt with the downstate teachers... "

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

76th Legislative Day

October 29, 1985

McCracken: "... Teachers' article."

Cullerton: "The answer's no."

Churchill: "Okay. Does it have any impact upon the annuitant under those circumstances; that is, does it restrict payouts? Does it have any effect at all on the gross amount of money or the time over which it is paid out?"

Cullerton: "No, it only changes the time frame."

Churchill: "How does it change that?"

Cullerton: "So that it's on a regular basis."

Churchill: "What does that mean?"

Cullerton: "I don't know."

Churchill: "Well, that's a better answer than I expected. I'll let it go."

Speaker Greiman: "Further... Further discussion? There being none, the question is, 'Shall the House adopt the Governor's amendatory vetoes for... recommendations for change?' All those in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Voting is now open. The Gentleman from Cook, Mr. Kulas, one minute to explain your vote. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 107 voting 'aye', 2 voting 'no', and none voting 'present'. And the House does accept the Governor's recommendations for change with respect to Senate Bill 1132. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Amendatory Veto Motions appears Senate Bill 1156. The Lady from Cook, Ms. Braun. Ms. Braun. Ms. Braun in the chamber?"

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that we accept the Governor's specific recommendations for change on Senate Bill 1156."

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

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

76th Legislative Day

October 29, 1985

moves that the House accept the Governor's specific recommendations for change with respect to Senate Bill 1156. And on that, the Gentleman from DeWitt, Mr. Vinson."

Vinson: "Yes, Mr. Speaker. I wonder if the Sponsor might yield for questions."

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

Vinson: "Representative, would you explain what the underlying Bill did and what the Governor's amendatory veto did?"

Braun: "Thank you, Representative, I'd be... The... Senate Bill 1156 was a rewrite portion of the prairie state legislation. It provided for development and coordination of economic development programs and job training programs in municipalities, well, throughout the state, actually. Some of the... Some of the changes in the Bill had to do with language having to do specifically with regard to the tax increment financing. The Governor had some specific problems with the way the Bill was written. He rewrote it, and I'm moving to accept his recommendations. I have an analysis, if you're interested."

Vinson: "Is... Is the portion that he dealt with the portion that deals with tax increment financing and the sales tax?"

Braun: "Yes."

Vinson: "And, as I recall - I don't have anything on this, is the reason I'm asking it - he delayed it for a year or something?"

Braun: "He delayed it. Yes. Yes. One year. Right."

Vinson: "Okay. Now, my recollection of the veto message... "

Braun: "I can read it to you."

Vinson: "... Is that he wanted to... he felt that the general substance of the provisions in the Bill was vague and inadequate, and he wanted... he wants next year to deal substantially with that."

Braun: "Well, I think that's right, but again, Representative

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

76th Legislative Day

October 29, 1985

Vinson, in this instance, we've run into a problem that always happens when you rewrite a rewrite. Okay? This legislation was, in large part, a rewrite of what had already been done on the prairie state program. Once we rewrote Sections of the Bill, the Governor, and I think laudably so, looked at it and said, 'Here's a specific change that I want now, in this legislation, but in the next legislation, we need to take another look at economic development and look at this program.' I absolutely agree with him in that regard. I think that we need to take a look generally at our economic development initiatives, rewrite them and redo the Bill, the laws in this state so that they are more workable. But in the meantime, this legislation specifically cures defects in the previous legislation, and the Governor's amendatory veto, I think, just clarifies one of those cures in terms of how it's going to operate."

Vinson: "What other ideas or what other concepts have been discussed in relationship to how the tax increment financing districts would affect the state sales tax?"

Braun: "I'm sorry, Representative. There is sufficient conversation that I did not hear the last part of the question."

Vinson: "What other ideas, other than those in the Bill, have been discussed, that would affect tax increment financing district treatment of the state sales tax?"

Braun: "Well, again, I... part of the Governor's message was that there would be convened a group of people who are experts in this field. Those meetings have not started yet, and frankly, I would hesitate to prejudge their deliberations or their recommendations to this Body."

Vinson: "To the Bill. To the Lady's Motion, Mr. Speaker."

Speaker Greiman: "Proceed, Sir."

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

76th Legislative Day

October 29, 1985

Vinson: "I would just indicate that I support the Lady's Motion, that I think the underlying Bill that we sent to the Governor was in good form as regards the provision that was amendatorily vetoed. I like that provision. I think that we could have easily overridden on this, had the Senate chosen to exercise good judgment. In any event, I just want to be on record to anybody who's interested in these provisions that I would favor having them go into effect as soon as possible and would work with anybody who is concerned about them to have them go into effect as soon as possible, and want to make sure that anybody who has an interest in the subject will find a favorable hearing in my office in regard to this matter, and I would support the Lady's Motion."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 1156? All those signify... in favor signify by voting 'aye', those opposed 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 voting 'aye', none voting 'no', none voting 'present'. And this Motion, having received the Constitutional Majority, the House accepts... Yes, Ms. Braun?"

Braun: "Thank you, Mr. Speaker. I didn't get an opportunity to close on that. I just was going to invite Representative Vinson, if his eyes are open on economic development, he might want to join us on this side of the aisle in some of the initiatives we're putting together. Thank you."

Speaker Greiman: "Thank you. Thank you. Yes? Saltsman, 'aye'. Mr. Washington. Washington, 'aye'. Mr. Klemm. Mr. Klemm, 'aye'. On this question, there are 114 voting 'aye', none

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

76th Legislative Day

October 29, 1985

voting 'no', none voting 'present'. This Motion, having received the Constitutional Majority, the House accepts the Governor's specific recommendations for change with regard to Senate Bill 1156. For what purpose does the Gentleman from Cook, Mr. Kulas, seek recognition?"

Kulas: "Thank you, Mr. Speaker, for the purpose of an introduction. We have one of our former Members of the General Assembly and now the alderman of the 26th Ward, Alderman Michael Nardulli, here in back of me."

Speaker Greiman: "Nice to see you back, Mike. We will now go to the Order of Total Veto Motions at the bottom of page four, and on that Order of Business appears Senate Bill 9. The Gentleman from Madison, Mr. Wolf, on Senate Bill 9."

Wolf: "Thank you, Mr. Speaker, Members of the House. I move for the passage of Senate Bill 9, the veto of the Governor notwithstanding. Senate Bill 9 amends the Criminal Extradition Act and provides that the state would pay extradition expenses of fugitives charged in the State of Illinois with a felony offense. At the present time, the state pays for extradition expenses for persons who are charged with non-probational felonies and counties, therefore, pick up all of the other offenses. The Governor, in his veto, was concerned that the state would be paying extradition expenses on crimes where the sentence would be served in a county jail - in other words, misdemeanors. That would have been the case had the Bill not been amended. Senate Bill 9 as amended clearly exempts the state from paying for extradition expense of misdemeanants or local offenders. We think it's important that we have a system whereby all accused felons will realize that flight from an offense will not be sanctuary. We can help local law enforcement officials to carry out their responsibilities by passage of this Bill. This

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

76th Legislative Day

October 29, 1985

override Motion passed in the Senate some 44 to 9. Mr. Speaker, I move for adoption of the Motion."

Speaker Greiman: "The Gentleman from Madison, Mr... Mr. Wolf, moves for the passage of Senate Bill 9, the veto of the Governor notwithstanding. And on that, is there any discussion? The Gentleman from DeWitt, Mr. Vinson."

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

Speaker Greiman: "Excuse me, Mr. Vinson, Ladies and Gentlemen. Let us give the Speaker you attention, please. Proceed, Sir."

Vinson: "Thank you, Mr. Speaker. I rise in opposition to the Gentleman's Motion for a variety of reasons, most of which are not state fiscal reasons. I think it's unfortunate that the entire opposition to this Bill has been phrased so far in terms of the economic impact. We have, in this state, a joint criminal justice system, part of which the state bears responsibility for, and part of which local government bears responsibility for. Most of it, as a matter of fact, is the responsibility of local government, and that's appropriate. Repeatedly, this General Assembly has rejected the concept of statewide grand juries, for instance, in dealing with the criminal justice system. We properly felt that that responsibility lies at the local level, and that enforcement of criminal law is predominantly a local matter. As a consequence, we ought not transfer the full authority for extradition to the state level. Extradition is a natural result, a natural outgrowth of how we believe we should deal with the enforcement of the criminal law. And as long as we believe that local state's attorneys, that local grand juries, and that local judicial systems ought to be the predominant factor in our legal system, then we ought also believe that

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

76th Legislative Day

October 29, 1985

the extradition process ought to be available to and ought to be controlled at the local level. We need not transfer the full authority for criminal law to the state level. If we do, then attorney generals and governors and people who are running for those offices will use that kind of issue to grandstand with. That's the reason why I have, in the past, opposed statewide grand juries. The same principle applies to this, and I would urge a 'no' vote on the Gentleman's Motion because it's totally consistent with our belief. The law enforcement that is kept closer to the people is more likely to be an open, democratic and less political system. I would urge a 'no' vote on the Gentleman's Motion."

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

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Motion to override the Governor's veto. I believe all of us care about the criminal justice system, and I think we care about having criminals brought to justice, and I would not want to see a local state's attorney's decision about whether to prosecute to be made dependent upon whether that local state's attorney had adequate resources to do the job, whether that state's attorney had adequate resources to pay for the extraditions that might be necessary. After all, Illinois is a big state. We have 102 counties. The people move around an awful lot, and certainly, when they're fleeing from the law, that is exactly what most of them try to do. So that, we do not want to put local state's attorneys into a position where they must make a choice between prosecute and break their budget or not prosecute and let the guilty go free. I believe that the state has a responsibility to the citizens of this... of Illinois to provide for public safety, and that we must pay the Bill to

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

76th Legislative Day

October 29, 1985

make sure the maximum number of lawbreakers are brought to justice."

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

Wolf: "Thank you, Mr. Speaker and Members of the House. In closing, it's my... it's my understanding that the only one in power to order extradition in the first place is the Governor, and it would seem to me to be wrong if the Governor has the power to order extradition and impose extradition expenses on a local unit of government. If the Governor thinks that the extradition expense is too great, he can refuse to order that extradition. I would again urge your override of the Governor's veto of Senate Bill #9."

Speaker Greiman: "The question is, 'Shall Senate Bill 9 pass, the veto of the Governor notwithstanding?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. The Gentleman from Cook, Mr. Cullerton, one minute to explain your vote."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think those of you are voting 'no' should take a little closer look at this Bill, especially since we... we have an election coming up next year, and one of the... always one of the more popular issues in any election is law and order. You know, the Senate is not weak on law and order, and they... they certainly overrode this veto, because this is what this veto is all about. This is a Bill that's going to provide for a system whereby people will be brought to trial, whereas right now, they're not being brought to trial. And for the Governor to say the counties should pick up the cost of the prosecution is not being very realistic, given the inability of counties to raise money. You want to look very carefully at how an

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

76th Legislative Day

October 29, 1985

opponent in your next election might want to characterize your 'no' vote, because I can assure you that this is going to be considered one of the few law and order Bills that we've considered, certainly in the Veto Session. It's an important one and it will result in people who normally would not be even tried, to be tried. I think you should reconsider and vote 'yes' on this Bill."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. McCracken, the Gentleman from DuPage, one minute to explain your vote."

McCracken: "If it appears to get the requisite number, I ask for a verification."

Speaker Greiman: "Okay. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. The Gentleman from Madison, Mr. Wolf, asks for a Poll of the Absentee."

Clerk O'Brien: "Poll of the Absentee. Zwick. No further."

Speaker Greiman: "On this Motion, there are 70 voting 'aye', 47 voting 'no', none voting 'present', and the Motion to override fails. On the Order of Total Veto Motions appears Senate Bill 209. And on that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill amended the Income Tax Act. It allows DCCA to certify community based organizations to be eligible to receive contributions and grants for certain projects which provide alternatives to participating in gangs by juveniles. The individual or the corporate taxpayer that would contribute to a certified community based organization would be eligible for an income tax deduction, and it would provide for a five year carryover for unused contributions. The Bill also creates the Office of Coordination of Gang Prevention in the Department of Law Enforcement. Now, the Governor used his standard language

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

76th Legislative Day

October 29, 1985

in his veto message saying that corporations are subject to the maximum federal tax rate already receive federal savings and that there's a pass through of the federal deductions so that there already is an Illinois tax savings. My response to that is that we have seen, over the past few years, states having to react to changes in the law which have been made at the federal level, and indeed, right now, the federal tax code is being rewritten. I don't think we can rely upon the Federal Government, especially at this time of history, to rely upon them to determine our priorities for what we think should be deductible. We... We want to encourage contributions. This is what the Bill does, and also, I would point out, second Bill in a row that deals with the issue of crime, creates the Office of Coordination of Gang Prevention in the Department of Law Enforcement. We know that the gang crime problems are not limited to Chicago. They are problems throughout the state. The Department of Law Enforcement, Director 'Zagle', who has a fine background in law enforcement, who likes being a prosecutor, would, I think, do a very good job with this... this office of coordination of gang prevention. For that reason, I would move to override the Governor's total veto and ask for your support."

Speaker Greiman: "The question is, 'Shall this Bill pass, the veto of... I'm sorry. The Gentleman from Cook, Mr. Cullerton moves for the passage of Senate Bill 209, the veto of the Governor notwithstanding. And on that, is there any discussion? The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. I rise in particularly strong opposition to this Motion to override the Governor's veto. What the Governor

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

76th Legislative Day

October 29, 1985

is trying to do is to deny a conduit of money to gangs. Now, I know that the Bill is written in terms of preventing the tax deductions to community based groups. Pretty soon, we're going to have an argument that the El Rukins qualify as a community based group. Pretty soon, we're going to have an argument that the Spanish Lords of Vice constitute a community based group. And what this is going to do is to provide a back door way for taxpayer financing of gangs. This is a bad Bill. It's a poorly written Bill, and we ought to reject this. This ought to be... This is perhaps the worst veto override attempt of the Session. I urge a 'no' vote on this attempt to fund gangs with taxpayer money."

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

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

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

Woodyard: "Representative? Representative Cullerton, when Senator Marovitz presented this Bill in Revenue Committee last spring, if you recall, he indicated that he had an agreement with the Governor to sign this Bill. What happened to that agreement?"

Cullerton: "Well, I can't answer that directly, but I know that if I was Senator Marovitz, I wouldn't try and make any deals with the Governor."

Woodyard: "Another question. Do you have any idea what the revenue loss would be on the tax deductions, and particularly the... those carry forward tax deductions? Do you have any idea of what the revenue loss would be?"

Cullerton: "The revenue loss would be identical to the revenue gain of the community groups."

Woodyard: "Okay. Is there any other tax law that you knew of that allows this particular kind of carry forward tax deduction provision?"

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

76th Legislative Day

October 29, 1985

Cullerton: "No, and you may recall, a few years ago, we didn't have any checkoffs on our income tax returns, as well."

Woodyard: "Alright, then. Mr. Speaker, to the Bill. I also join with my colleague on this side of the aisle in opposition to the override on this particular Bill for the reasons stated in the questions that I asked - the unprecedented tax rewriting provision of that carry forward tax deduction and also the possible revenue loss that will be incurred if this motion is to pass."

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

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I compliment Representative Woodyard for at least arguing the merits of the Bill rather than giving a speech which had nothing to do at all with what the Bill was about. I think that the previous speaker... I've become increasingly convinced that when that heart attack occurred, that some of the wires got crossed, and anything is possible. I think that he was trying to talk about how the Department of Commerce and Community Affairs, that's DCCA - that's Mr. Woelffler, I believe, is going to certify the 'El Rookins' as community group. I... He took a Bill which was designed to fight gang crime, and he's trying to say that this Bill is going to fund the gangs. Now, that takes a lot of guts to take the opposite of what a Bill does and say, you should override... shouldn't override the Governor's veto because it's going to fund gangs when it's really going to have the effect of fighting them. The... As I indicated before, I don't think we can rely upon the Federal Government, which is right now changing the entire tax code. We can't rely upon them to determine the priorities with regard to our tax code and what type of behavior we want to encourage. For that reason, I would be

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

76th Legislative Day

October 29, 1985

appreciative if you could support this Motion to override the Governor's veto."

Speaker Greiman: "The question is, 'Shall Senate Bill 209 pass, the veto of the Governor notwithstanding?' All those in favor signify by voting 'aye', those opposed vote 'no'. This is final action, and voting is now open. The Clerk, for a Calendar announcement."

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

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

Cullerton: "Well, I... I know that Senator Marovitz has worked on this Bill for a number of years, and we've passed it, it seems like every year. The Governor vetoes it every year. Eventually, these good ideas find their way into... into law. I think probably the next... the way this going to happen, the way this Bill is going to become law is that, next year during the campaign, we're going to hear of a new idea from Governor Thompson, and he's going to have this bright idea about giving income tax deductions for contributions to community organizations, and then we can have Representative Vinson and Woodyard be the Sponsors, and it'll be part of the new image of the Governor. I guess that's the only way we're ever going to pass the Bill."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 59 voting 'aye', 50 voting 'no', 3 voting 'present', and the Motion override fails. On the Order of Total Veto Motions appears Senate Bill 239. The Gentleman from St. Clair, Mr. Flinn."

Flinn: "Mr. Speaker and Ladies and Gentlemen of the House, I move

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

76th Legislative Day

October 29, 1985

that Senate Bill 239 pass, the Governor's veto notwithstanding. Senate Bill 239 simply removes the requirement of the judiciary from reporting to the Secretary of State those speeds between 55 and 65 miles per hour. It does not change the speed limits. It does not promote reckless driving. It does not change the drunken driving laws. It does not endanger the federal road funding. And as I mentioned earlier, it does not change the speed laws at all. It simply takes out the requirement of the judiciary from reporting to the Secretary of State, and I was interested to see that the Secretary of State is campaigning against the override, but I'm not so much interested in that as I am the fact that I got a blue sheet from the insurance companies. Now, I don't blame them for being against the override. They are the only beneficiaries that I can think of. They are the ones that make the money. They are the ones that get you one more time for a violation in order to raise your automobile insurance. We have enough insurance problems as it is with the business people of this state, and with the municipalities being faced with situations where they cannot pay their insurance, and we've had that situation for some time as motorists. I think we can do our motorists of this state a great favor by overriding the Governor's veto on Senate Bill 239, and I ask for a favorable vote."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn, moves for the passage of Senate Bill 239, the veto of the Governor notwithstanding. And on that, is there any debate? The Gentleman from McLean, Mr. Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. I suppose everyone in this chamber is guilty of speeding, but there certainly is merit in the fact that, as a result of

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

76th Legislative Day

October 29, 1985

lowering the speed limit to 55 miles an hour, even though it may not always be enforced, I think we can say that we have sufficiently reduced fatalities in Illinois and certainly lead the nation in many of those statistics. If this Bill is overridden, we take away, in some small part, that lever that keeps people at least thinking about driving within the speed limit within a certain rational means. And I would urge you to not support the override, in all due respects to the Sponsor, because of the fact that we can hopefully continue to save lives, and that with this provision being passed, we will somewhat say, 'We're not really encouraging you to stay within the speed limit, that you can go between 55 and 65, still pay your fine, and it's this extra speed that ultimately, in many cases, ends up causing the fatality of our citizens and out of state citizens. I urge you to vote 'no' on this attempt to override."

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

McCracken: "Thank you, Mr. Speaker. I also rise in opposition. Federal funding, which is very important to the State of Illinois and its roads, is jeopardized by passage of this Bill. The requirement for federal funding, among other things, is a reporting system whereby the state can prove that 50 percent or less than 50 percent of the violations are relative to excess speed - over 55. That won't be done in this case, and we are threatened with the loss of those federal funds for that reason. And I respectfully rise in opposition."

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

Wolf: "Thank you, Mr. Speaker. Would the Sponsor yield to a question?"

Speaker Greiman: "Indicates that he will."

Wolf: "Representative Flinn, what was the speed limit in the

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

76th Legislative Day

October 29, 1985

State of Illinois prior to it being reduced to 55 miles per hour?"

Flinn: "Seventy miles an hour."

Wolf: "Well, I believe it was 65, wasn't it? It was 70 in Ms.ouri?"

Flinn: "It's been on the highway, but on the interstates, it was 70 miles an hour, prior to being changed to 55."

Wolf: "Right, and what was the reason for reducing the speed limit from 70 miles per hour to 55 miles per hour?"

Flinn: "This... This occurred under the Nixon administration to save fuel."

Wolf: "Absolutely true. The reduction in speed from the previous speed limit to 55 miles per hour was strictly for the purpose of energy conservation and had nothing to do with safety. The Gentleman... the preceding Gentleman who indicated that we would stand a loss in road funds, I believe, is in error. This has nothing to do with reducing the speed limit in the State of Illinois. The speed limit will still remain at 65 miles per hour. What this Bill will do, it will save thousands of people those automatic rate increases that they've been getting from the insurance companies, strictly from the standpoint that they have received a speeding ticket if they'd been going 60 miles or 62 miles per hour. Ladies and Gentlemen, I move that we override the veto of the Governor on Senate Bill 239."

Speaker Greiman: "Further discussion? The Gentleman from Jefferson, Mr. Hicks."

Hicks: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I stand in support of Senate Bill 239 for several reasons. Of course, you've already heard the insurance issue, and that is a big... a big issue with the people all over the state. If you go home to your constituency and be able to tell them that you're going to help them so that their

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

76th Legislative Day

October 29, 1985

insurance bills, which we all are getting the calls on every day, are not going to be artificially raised. And I say 'artificially raised' because that's exactly what happens when they research the records and find out that you've got a minor traffic violation - and I say 'minor'. It's not going to cause death by having this, because we're not changing the speed limits. You're still going to pay a fine. That's still going to be a deterrent for not speeding. It's not going to be something that's going to say to people that they ought to be out there speeding. And also, the question of the funds for the road fund, the money from the Federal Government, currently, 42 states in this country are not in compliance with being more than 50 percent of their people on the highways are less than 55 miles an hour. Forty-two percent are not in compliance, and we haven't seen those road fund monies being taken away from those states. I don't think, because of this, you're going to see road fund money taken away from Illinois, and I'd ask that you support this good Bill. It's a fine piece of legislation. The people in my district have been calling and telling me what they think of this Bill, and they like it. And I think your constituency at home is also going to like it."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. As I think most of you have noticed, I've been pretty pleased with most of the actions of the Governor's veto pen in this Session. In this particular case, I think the Governor made a mistake. I believe that we ought to... we ought to override this particular veto. There are those in this world who believe that we ought to try to create a zero defect society. There are those who will tolerate any restriction on the people in order to avoid automobile

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

76th Legislative Day

October 29, 1985

accidents, personal injury, whatever. I personally think that intelligent people can evaluate the risks that they undergo when they engage in meaningful activity, and I think that they can do that when they choose whether to drive 56 miles or 57 or 65 miles an hour. I think it's thoroughly appropriate that we let our constituents make those decisions, at least within a reasonable parameter, and I think it's thoroughly reasonable for us to countenance our citizens driving 65 miles an hour. I don't think that's an unreasonable hazard or risk on a highway system that was built and created and developed for the purpose of carrying high speed traffic. We end up charging consumers much more for transportation. We end up imposing unreasonable restrictions on people with this 55 mile an hour speed limit, and I would move for the override of the Governor's veto, along with my colleague from Madison. I would rise in support of the Motion."

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

Phelps: "Thank you, Mr. Speaker. I just want to add one other point and rise in support to the Motion is, there are several citizens that have joined the commuter type of job seeking and traveling, especially in my district. We travel over several counties to get to their jobs because of a lack of jobs in their immediate area, and this has led the working man who is really pinching the penny to get by, to have problems with reporting and possible revocation of his license, and I rise in support because this is a good Bill on behalf of that point, also."

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

Friedrich: "Well, the only reason we have the speed law in the first place is because the Federal Government said, 'Well, you don't have to pass the speed limit, but you don't get

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

76th Legislative Day

October 29, 1985

our money.' We've been blackmailed by the Federal Government long enough, and other states have got out from under their pressure this way, and this is a good way to go."

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

Flinn: "Thank you, Mr. Speaker. In closing, I won't take much time, because we've spent enough time on the Bill, but I would like to say, the Gentleman who spoke in the other side and related to this Bill having some effect on the federal highway funds, is a Gentleman who is a good lawyer, he's a good legislator, but in this case, he just doesn't know what he's talking about. It's that simple. The staff has checked with the Federal Government, and this Bill, if it became law, would have no effect at all upon federal funding whatsoever. We are not taking out of the place any part of the speed laws. We are simply taking out of the place, as I mentioned before, the reporting requirements, and I ask for a favorable vote."

Speaker Greiman: "The question is, 'Shall Senate Bill 239 pass, the veto of the Governor notwithstanding?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? The Gentleman from St. Clair, Mr. Flinn, to explain his vote. One minute."

Flinn: "Mr. Speaker, obviously, we're pretty far off with all of Chicago voting against us. They're the ones that violate the speed laws more than anybody I know of, driving down south. I would think they'd be in favor of at least taking off the first ten miles per hour as a reporting requirement. I really have no idea what's going on in their minds, and I don't intend to delay the Session any more, but if possible, I'd like to put this on Postponed

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

76th Legislative Day

October 29, 1985

Consideration so I can talk to some of those people."

Speaker Greiman: "Yeah. Yeah, Mr. Flinn, you can just make the Motion again. There is no limit... There is no number of times, so that... I'll declare it failed if it fails, and you can just make the Motion again, Sir."

Flinn: "Alright. Okay. I stand in error. I will... I will... "

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 51 voting 'aye', 59 voting 'no', 1 voting 'present', and on this... and the Motion to override fails. And on the Order of Total Veto Motions appears Senate Bill 343. The Gentleman from Macon, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 343 is a Bill which should be free of controversy at this particular juncture. This Bill was vetoed by the Governor. The Governor has had a change of heart. This Bill would provide for the determination of salaries of court administrators by the Supreme Court rather than by Statute, and Governor Thompson, in a letter dated October 16 of this year, written to Judge Roy Gulley, the Administrator of the Illinois Courts, says that, 'In light of my signing of an extensive driving under the influence package and the medical malpractice creating new duties to those contained in Senate Bill 343, I would have no objection if the Sponsor filed an override Motion on this legislation. My signing of these two packages of legislation during the summer has altered my position on Senate Bill 343.' The Governor has changed his mind, removed his opposition, and I would ask for a favorable vote on the override Motion on Senate Bill 343, a total override Motion."

Speaker Greiman: "The Gentleman from Macon, Mr. Dunn, moves that Senate Bill 343 pass, the veto of the Governor

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

76th Legislative Day

October 29, 1985

notwithstanding. And on that, the Gentleman from DuPage,
Mr. McCracken."

McCracken: "Will the Sponsor yield?"

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

McCracken: "Did the other portion of the Bill also pass,
Representative, the one relative to the function of hiring
and firing court reporters?"

Dunn: "I believe that was contained in another House Bill and did
pass."

McCracken: "Is it part of this Bill, as well?"

Dunn: "It's also part of this Bill, yes."

McCracken: "Alright. Is there a cost assigned to this Bill? Has
there been a... an estimate of the cost?"

Dunn: "According to my analysis, the... the Bill would cost
approximately \$155,000 per fiscal year."

McCracken: "And which people, or how many people would be the
beneficiaries of this 155,000?"

Dunn: "There is an appropriation for this purpose, and my
understanding that it would affect a maximum of 20 people."

McCracken: "Administrative assistants in each circuit?"

Dunn: "Pardon me?"

McCracken: "I say, it covers one administrative assistant in each
circuit? Is that correct?"

Dunn: "Yeah. There is a maximum of one administrative assistant
per circuit, from my understanding."

McCracken: "Alright. And... Strike that. To the Bill. The
\$155,000, I am advised, has not been included in the FY '86
budget for the court system. That, among other reasons,
was the basis of the Governor's veto of this Bill. I don't
know if the Governor has had a change of heart. It hasn't
been communicated to us on this side of the aisle, but the
veto should not be overridden. I think it's entirely
appropriate to leave the functions as they are now, and the

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

76th Legislative Day

October 29, 1985

salaries as they are now, and I ask... I ask for a 'no' vote on this Motion."

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

Dunn: "Just a point of clarification, Mr. Speaker and Ladies and Gentlemen of the House. There has, actually, in fact, been an appropriation for this purpose. House Bill 1097 contained the appropriation. That Bill passed both chambers, was sent to the Governor, has been signed by the Governor and is now law. So, the money is available. All we need to do is pass the Bill. The Governor supports this legislation. It's good legislation, and I would ask for a favorable vote."

Speaker Greiman: "The question is, 'Shall Senate Bill 343 pass, the veto of the Governor notwithstanding?' All in favor, signify by voting 'aye', those opposed vote 'no'. This is final action. Voting is now open. The Gentleman from Lake, Mr. Matijevich, one minute to explain your vote."

Matijevich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I would hope that we could just get the few more votes that are needed here, because as the Sponsor said, the appropriation has already been approved. The Governor has signed that appropriation Bill, and this would only implement the appropriation already approved. As Representative Dunn has said, the Governor has a letter indicating his support now for the Bill, so I would urge those few Members to give the votes that we now have. Thank you very much."

Speaker Greiman: "The Gentleman from Cook, Mr. DeLeo, one minute to explain your vote. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 72 voting 'aye', 42 voting 'no', none

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

76th Legislative Day

October 29, 1985

voting 'present', and the Motion to override prevails. On the order of total motion... Total Veto Motions appears Senate Bill 987. And on that, the Gentleman from Effingham, Mr. Hartke. Out of the record. On the Order of Total Veto Motions appears Senate Bill 957. Out of the record. On the Order of Total Veto Motions appears Senate Bill 1322. And on that, the Gentleman... Well, Mr. Dunn, maybe perhaps we'll get back to that a little... few moments. Alright. On the Calendar on Supplemental Calendar #1, Amendatory Veto Motions, Supplemental Calendar #1, Amendatory Veto Motions, appears Senate Bill 114. The Gentleman from Cook, Mr. Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I move to concur with the Governor's amendatory veto on Senate Bill 114. Senate Bill 114, in its original form, was a measure to deal with underground storage tanks, and there was an agreement worked out the last days of the last Session. We, after reading the Governor's veto message, he correctly pointed out that the Bill that we passed was in conflict with the federal statutes. And in terms of an exemption for agricultural tanks, that that exemption should be for tanks with a gallonage of 1,100 or less. So, he has written that into Senate Bill 114. And in addition to that, he has provided some changes in reporting for the Environmental Protection Agency, all in conjunction with the federal law. This Motion was approved by the Senate, 56 to nothing. It still remains part of the agreement. And I would move to concur with the Governor's amendatory veto."

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo, moves that the House do accept the Governor's specific recommendations for change with respect to Senate Bill 114. And on that is there any discussion? There being none the question is,

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

76th Legislative Day

October 29, 1985

'Shall the House accept the Governor's specific recommendation for change with respect to Senate Bill 114?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 111 voting 'aye'... Johnson votes 'aye'. There are 112 voting 'aye', 1 voting 'no', 1 voting 'present'. And this Motion, having received the Constitutional Majority, the House accepts the Governor's specific recommendations for change regarding Senate Bill 114. On the Order of Amendatory Veto Motions, appears Senate Bill 158. The Gentleman from McHenry, Mr. Klemm."

Klemm: "Thank you, Mr. Speaker. I'd like to move that we do accept the Governor's amendatory veto of Senate Bill 158. The Bill as originally enacted, that passed the House and Senate, created the County Historical Museum District Act, which would allow the voters in that particular district by a front door referendum to create such a district. In the language of the Bill it was also included an area to undertake studies pertaining to the museums district's archaeological and cultural history and its conservation. The Governor, in reviewing the Bill, felt that that was a little bit open-ended. It was a little bit more than perhaps what a local historical museum district could do and, therefore, amendatorily vetoed that Section out. I agree with the Governor's Amendatory Veto and do ask your support on my Motion."

Speaker Greiman: "The Gentleman from McHenry, Mr. Klemm, moves that the House accept the Governor's specific recommendation for change with respect to Senate Bill 158. On that is there discussion? There being none the question is, 'Shall the House accept the Governor's specific

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

76th Legislative Day

October 29, 1985

recommendation for change with respect to this Bill?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 105 voting 'aye', 4 voting 'no', none voting 'present'. And the Motion, having received the Constitutional Majority, the House accepts the Governor's specific recommendation for change with respect to Senate Bill 158. On the Order of Amendatory Veto Motions, appears Senate Bill 844. The Gentleman from Knox, Mr. Hawkinson."

Hawkinson: "Thank you, Mr. Speaker. Senate Bill 844 was a Bill providing for a criminal provision for knowingly failing to report for periodic imprisonment. The Governor made an amendatory veto of this provision adding an offense for failure to report to a penal institution to the provisions which would otherwise only cover escapes. I think this is a good addition to the Bill. And I would move to accept the Governor's amendatory veto."

Speaker Greiman: "The Gentleman from Knox, Mr. Hawkinson, moves that the House accept the Governor's specific recommendation for change with respect to Senate Bill 844. And on that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes. Thank you. Would the Sponsor yield?"

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

Cullerton: "Representative, perhaps you could refresh my memory as to what happened with this Bill in terms of its Amendments. I believe that it became somewhat of a vehicle for a number of criminal law initiatives. Could you tell me what the Bill was when it passed, and what the Governor did to it again, please?"

Hawkinson: "From our analysis, I understand that the initial Bill as it passed both Houses provided for an offense for

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

76th Legislative Day

October 29, 1985

knowingly failing to report for periodic imprisonment. If you were convicted of a felony and you failed to report, it became a Class 3 Felony. If you were convicted of a misdemeanor, it became a Class B Misdemeanor. The amendatory veto added a Section for knowingly failing to report to a penal institution with the same penalties, for a felony Class 3 or a misdemeanor Class B."

Cullerton: "Is it considered to be against the law right now? Is this a new crime that we've discovered that we can create?"

Hawkinson: "Under the present law, escape is a crime and knowingly failing to return from furlow, or work, or day release is a crime. But knowing to fail... Knowingly failing to report for periodic imprisonment, or knowingly failing to report to a penal institution is not a crime."

Cullerton: "Okay. Now what about the... Does this Bill also extend the protection of an aggravated battery charge to employees of DCFS?"

Hawkinson: "Yes."

Cullerton: "So what number are we up to on... on our..."

Hawkinson: "If memory from the spring serves me correctly, we were talking in the teens somewhere."

Cullerton: "Well, we're in the teens now. Is this #14 or #13?"

Hawkinson: "I can't answer that."

Cullerton: "So in other words if..."

Hawkinson: "That provision was added as you know by the... at the instance of the Department of Children and Family Services."

Cullerton: "So, if a employee of the Department of Children and Family Services is spit upon, which as you know is a battery, they... the law would... this law would say that that would become a Class 3 Felony is it? Or a... Hold it."

Hawkinson: "Aggravated battery is a Class 3. If you were... If

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

76th Legislative Day

October 29, 1985

you were against the Bill last spring for that reason, you would still be against it. It's my understanding that the amendatory veto did not remove that provision."

Cullerton: "Okay. Now what is the penalty for a Class 3 Felony if you know?"

Hawkinson: "I believe a Class 3 is from two to five years."

Cullerton: "So, you could go to jail for five years for spitting on an employee of the Department of Children and Family Services."

Hawkinson: "Not in any jurisdiction I'm aware of."

Cullerton: "You're eligible for it."

Hawkinson: "That's correct."

Cullerton: "I see. Do you consider this to be somewhat of a... in the the words of former State Representative Stearney, draconian?"

Hawkinson: "I'm primarily concerned with the affects of the Bill and the importance of the Bill for failing to report for periodic imprisonment or failing to report to a penal institution after conviction."

Cullerton: "So your suggesting... to pass..."

Hawkinson: "We accepted the other Amendment, and I'm not opposed to the other Amendment. But I can understand where you might be opposed to that part of it."

Cullerton: "Right. Well maybe... maybe the best thing to do would be to accept the amendatory veto and then try next year to try to remedy that... the aggravated battery statute which has become kind of unwieldy."

Hawkinson: "Perhaps not only the aggravated battery statute, but look at the overall sentencing structure..."

Cullerton: "The entire Criminal Code. Right."

Hawkinson: "... as we've discussed in Committee. To try and not lessen penalties, but to make them consistent and in escalating nature of the seriousness of the offenses."

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

76th Legislative Day

October 29, 1985

Cullerton: "Fine. Thank you for answering my questions."

Speaker Greiman: "Further discussion? There being none, the Gentleman from Knox, Mr. Hawkinson, to close briefly."

Hawkinson: "I would appreciate an 'aye' vote in accepting the Governor's amendatory veto."

Speaker Greiman: "The question is, 'Shall the House accept the Governor's specific recommendation for change with respect to Senate Bill 844?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 108 voting 'aye', 2 voting 'no', none voting 'present'. And this Bill, having received the Constitutional Majority, the House accepts the Governor's specific recommendations for change regarding Senate Bill 844. And on the Order of Amendatory Veto Motions, appears Senate Bill 1183. The Gentleman from Cook, Mr. Turner. On 1183, Mr. Turner. The Gentleman from Cook, Mr. Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move that we accept the Governor's amendatory veto on Senate Bill 1183."

Speaker Greiman: "The Gentleman from Cook, Mr. Turner, has moved that the House accept the Governor's specific recommendation for change with respect to House... to Senate Bill 1183. And on that is there any discussion? There being none the question is, 'Shall the House accept the Governor's specific recommendation for change with respect to this Bill?' All in favor signify by voting 'aye', those opposed 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'aye', none voting 'no', none voting 'present'. This Motion, having received the Constitutional

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

76th Legislative Day

October 29, 1985

Majority, the House accepts the Governor's specific recommendations for change regarding Senate Bill 1183. On the Order of Senate Bills Third Reading, page two, appears Senate Bill 216. Out of the record. On the Order of Senate Bills Third Reading, appears Senate Bill 242. This is Third Reading. This is final action. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 242, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Greiman: "Yes. Is Mr. Hoffman in the chamber? Alright. We'll take that out of the record and get back to it. On the Order of Senate Bills Third Reading, appears Senate Bill 351. Mr. Clerk, read the Bill. 351. Ms. Didrickson. Is Ms. Didrickson in the chamber? Alright. Take that out of the record for the moment. We'll get back to it. On the Order of Senate Bills Second Reading, appears Senate Bill 241. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 241, a Bill for an Act to amend the Criminal Code. This Bill has been read a second time previously. No Committee Amendments."

Speaker Greiman: "Excuse me. Out of the record, Mr. Cullerton? Out of the record. Alright. On the Order of Total Veto Motions, appears Senate Bill 887. Mr. Hartke, do you wish to proceed on 887 now? Alright. Out of the record. Excuse me. For what purpose does the Gentleman from Cook, Mr. Cullerton, seek recognition?"

Cullerton: "Mr. Speaker, I wondered while we're waiting if Representative Johnson would yield for a question? Representative Johnson."

Speaker Greiman: "Well, he can't yield because he doesn't have the floor."

Cullerton: "Representative Johnson, I... Sunday night I was involved with a political event, and I was unable to catch

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

76th Legislative Day

October 29, 1985

the World Series game. I just wondered... I just wondered how it turned out."

Speaker Greiman: "Mr. Cullerton, that would be cruel and unusual punishment and the question, therefore, will be out of order. Yes, Mr. Vinson, for what purpose do you seek recognition?"

Vinson: "I wonder if Mr. Cullerton would join me in sponsoring an appropriation for the drug abuse agency in this state to rehabilitate some members of the Cardinals."

Speaker Greiman: "The Gentleman from Champaign, Mr. Johnson."

Johnson: "Well, I wonder if both Gentlemen would sponsor me... would join with me in sponsoring an appropriation for eyeglasses for umpires. And I will say this, I was there on Sunday night. Representative Cullerton didn't see it. The reason Representative Cullerton probably gets used to not seeing it is because he's... I think he's been born since 1945, and there's never been an opportunity that Representative Cullerton has had to see a World Series where his team has been a participant. And I had that pleasure on seven or eight times, and we just... we had a bad break this time. What can I say?"

Speaker Greiman: "Certainly never at a night game anyhow, Mr. Johnson. Alright. Yes, Mr. Vinson. I mentioned your name."

Vinson: "Yes, in response to Mr. Johnson, I just want to point out that Representative Cullerton's voting record has made critically clear that he's a Cardinal and not a Cub fan."

Speaker Greiman: "Senate Bills First Reading with leave of the House."

Clerk O'Brien: "Senate Bill 1468, Steczo, a Bill for an Act to amend the School Code. First Reading of the Bill."

Speaker Greiman: "I'm advised that Representative Cullerton was the... was 37 years old this week and... although he looks

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

76th Legislative Day

October 29, 1985

much older actually. And some good people have brought some cake which can be unobtrusively obtained from his desk there. Happy birthday, Cullerton. While we're waiting for a Supplemental Calendar, Ladies and Gentlemen, when I began to practice law 30 years ago, there were two copies... two volumes of the Illinois Revised Statutes in the 1955 Illinois Revised Statutes. There are now, of course, five volumes of the Illinois Revised Statutes. On my left, your right, is Mr. Arnold 'Genow', who is the editor in chief of West Publishing Company, and Mr. Larry 'Culligan', who is the assistant editor in chief of West Publishing Company, who provide us with the Illinois Revised Statutes which are now five in number. And we are going to try and hold the line, Gentlemen. So, we thank you for your good work over the years. And we appreciate your putting out our work product for all the world to see. Thank you very much. Calendar announcement."

Clerk O'Brien: "Supplemental Calendar #2 is being distributed."

Speaker Greiman: "Ladies and Gentlemen, the House will come to order. Supplemental Calendar #2, Amendatory Veto Motions. And on that Order, appears Senate Bill 113. The Gentleman from Saline, Mr. Phelps."

Phelps: "Thank you, Mr. Speaker. I move to accept the Amendatory Veto of the Governor. Senate Bill 113 merely addresses a requirement to... for the acceptable emergency response plan as one of the criteria for a county or municipality to consider in regard to approval of a new site location for a regional pollution control facility. The Governor felt that in essence that the local control should be reviewed by the Pollution Control Board first, which would be taking most of the authority out of the local control, which at this time, I would agree with, and move that we accept amendatory veto."

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

76th Legislative Day

October 29, 1985

Speaker Greiman: "The Gentleman from Saline, Mr. Phelps, moves that the House accept the Governor's specific recommendation for change with respect to Senate Bill 113. Is there any discussion? The Gentleman from Cook, Mr. Levin."

Levin: "Would the Gentleman yield?"

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

Levin: "Okay. We passed House Bill 1436, the Chemical Safety Act, which sets up emergency response provisions for various corporations and businesses. How does that interact with the changes that the Governor has made in this Bill, if at all?"

Phelps: "Representative, what I can gather, I believe they are very synonymous and compatible in respect of what they try to do for the hazardous waste question. However, this actually merely gives the local government, there's a county board and the municipality, when considering a new site for a regional pollution facility to have a response emergency plan that they would pretty well have input on before the state agency would dictate otherwise."

Levin: "So, it sounds like they're really dealing with two separate subjects. 1436 required emergency response plans for various kinds of businesses that handle chemicals and so on. This sounds like you're talking about the establishment of a regional facility, pollution type of facility."

Phelps: "Right. It's more of a regional concept if they would... they would choose."

Levin: "Okay. So they don't... there totally different subjects."

Phelps: "Right. Yes."

Levin: "Thank you."

Speaker Greiman: "Further discussion? There being none, the

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

76th Legislative Day

October 29, 1985

question is, 'Shall the House accept the Governor's specific recommendation for change with respect to Senate Bill 113?' All in favor signify by voting 'aye', those opposed vote 'nay'. 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, 113 voting 'aye', none voting 'no', none voting 'present'. And this Motion, having received the Constitutional Majority, the House does accept the Governor's specific recommendations for change regarding Senate Bill 113. On the Order of Amendatory Veto Motions, appears Senate Bill 190. The Lady from Cook, Ms. Barnes."

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen. I move to accept the amendatory veto of the Governor. Senate Bill 190 addressed the unlawful use of anti-theft detection shielding devises that would allow a person to pass an electronic alarm censor going out of a shopping area. All the Governor did was change the wording from 'anti-theft' to 'theft'. And I would recommend we accept the veto."

Speaker Greiman: "The Lady from Cook, Ms. Barnes, moves that the House accept the Governor's specific recommendation for change with respect to Senate Bill 190. And on that the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Would the Sponsor yield?"

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

Cullerton: "Why did the Governor take out the word 'anti'?"

Barnes: "Representative Cullerton..."

Cullerton: "Is he for... Is he for theft by doing that, or is he... is he against theft?"

Barnes: "I think running for public office he would hardly be for theft."

Cullerton: "Right. So, he's against theft. Oh I see, this Bill would have made unlawful anti-theft detection devises, and

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

76th Legislative Day

October 29, 1985

he wanted to make unlawful theft detection devices."

Barnes: "That's right, Representative."

Cullerton: "So, the Bill, if we left anti in, that would be a pro shoplifter Bill. Is that right? And as a result of the change now it's a pro retail merchants Bill."

Barnes: "Whatever you say, Representative."

Cullerton: "Okay. Well, this is a vote for the retail merchants then."

Barnes: "That's right, Representative. I think it's a vote for the people that are in business. Because what people were doing they had shopping bags that were lined with aluminum foil. So, they were able to be stealing and then passing these sensors that detect as you leave a shopping area. So, I think that it's for people that are in business, and I think that everybody is for people that are in business."

Cullerton: "Is this the Bill that the retail merchants have been lobbying so hard for, to accept this amendatory veto?"

Barnes: "I was busy on the floor. They weren't lobbying me, Representative."

Cullerton: "I see. Well, I support the Motion. I think it's... the Governor has improved the Bill tremendously and made it much more clear as to what the intent of the legislation is."

Barnes: "Thank you, Representative, for your support. I appreciate it."

Speaker Greiman: "There being no further discussion, the question is, 'Shall the House accept the Governor's specific recommendation for change with respect to Senate Bill 190?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. I note that on the Democratic side is former Speaker of the House, Bill Redmond. Hello, Bill Redmond. Bill Redmond, former Speaker of the House. Have all voted who wish?"

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

76th Legislative Day

October 29, 1985

Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'aye', none voting 'no', and none voting 'present'. And the House accepts the Governor's specific recommendation for change. And this Motion, having received the Constitutional Majority, is hereby declared passed. On the Order of Amendatory Veto Motions, appears Senate Bill 206. The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to accept the Governor's recommendations for change for Senate Bill 206. This Bill also deals with the Criminal Code. As we passed it, it provided that it would be a Class 3 Felony to sell a firearm to a person under 18 years old if that person does not possess a fireowner's identification card. It also increased from a Class A Misdemeanor to a Class 3 Felony the offense of delivery of a concealable firearm to a person under age 18. Now, the Governor's Amendment prohibits not only selling, but also giving 'A' size firearm to a person under 18 if that person doesn't have an FO ID card. And the Governor also lowers the new penalty provision of the Bill from a Class 3 Felony to a Class 4 Felony. In support of this change, the Governor is doing what I had thought was the best policy with regard to criminal penalties. Of course every year when we come down here, we like to increase penalties. There's rarely ever a Bill put into decrease penalties. So, since we're... pretty soon if we keep on increasing them every year, we'll run out of penalties and everything will be a Class X. What we'd like to do is just raise them one at a time. And unfortunately this Bill would raise the penalties from a Class A Misdemeanor, I believe up, to a Class 3 Felony. So, we skipped two times, and of course, the Governor corrected that mistake then

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

76th Legislative Day

October 29, 1985

lowers the penalty to a Class 4 Felony. So, that next year presumably we can come in and make it a Class 3 Felony. So, I accept the Governor's amendatory veto. And I would ask all Members of the House to join me in accepting it so that we can get this tough law and order Bill on the books."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, moves that the House accept the Governor's specific recommendation for change with respect to Senate Bill 206. And on that is there any discussion? There being none, the question is, 'Shall the House accept...' The Gentleman ...Excuse me. The Gentleman from Knox, Mr. Hawkinson."

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

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

Hawkinson: "Representative, would this make it a crime now for a father to give a teen age son a weapon expecting that perhaps then they would go out and get the FOI card; but, if they actually gave it to him at a birthday or something before they had the card, this would make the father a felon?"

Cullerton: "Absolutely."

Hawkinson: "Thank you."

Speaker Greiman: "Further discussion?"

Cullerton: "You they have an FO ID card. I'll close if you want me to."

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

Cullerton: "Yes, the Governor indicates that you have to have an FO ID card before you can have this weapon if you're under 18. If... the penalty is for giving a firearm or selling a firearm to a minor before he has an FO ID card. That's what the penalty is. The amendatory veto adds the act of giving the weapon instead of selling it, because he

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

76th Legislative Day

October 29, 1985

probably perceived that as being a loophole in the way we drafted the Bill. So, he is trying... attempting to close that loophole."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton... Alright. The question is, 'Shall the House accept the Governor's specific recommendation for change with respect to Senate Bill 206?' All those in favor signify by voting 'aye', those opposed vote 'no'. The voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 100 voting... there are 99 voting 'aye', 12 voting 'no', 2 voting 'present'. And the Motion, having received the Constitutional Majority, the House accepts the Governor's specific recommendation for change with respect to Senate Bill 206. On the Order of Amendatory Vetoes, appears Senate Bill 207. The Gentleman from Cook, Mr. Ronan."

Ronan: "Thank you, Mr. Speaker and Members of the House. I move to accept the amendatory veto of the Governor on Senate Bill 207. It made a minor technical change, and I go along with it. So, I move to accept the amendatory veto."

Speaker Greiman: "The Gentleman from Cook, Mr. Ronan, moves that the House accept the Governor's specific recommendation for change with respect to Senate Bill 207. And on that is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendation for change?' 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 109 voting 'aye', 2 voting 'no', 2 voting 'present'. This Motion, having received the Constitutional Majority, the House accepts the Governor's

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

76th Legislative Day

October 29, 1985

specific recommendations for change with respect to House Bill 207. The Chair recognizes the Gentleman from Lake, Mr. Matijevich, for the purposes of a Motion."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I would ask leave in the use of the Attendance Roll Call for that purpose that the posting notice for the following Bills be waived so that the Rules Committee can meet and consider the following Bills: Senate Bill 913, Senate Bill 1307, Senate Bill 1452, and Senate Bill 1468, which is a Bill on education. It is on First Reading and must be exempted in Rules today and the Committee discharged today so that it can be acted on. Also that the Rule be waived so that the Rules Committee can meet immediately while the House is in Session. And I would ask unanimous consent for that purpose."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich, asks leave of the House to waive the posting requirements for the Bills stated and to waive the appropriate rule to allow a meeting of the Rules Committee immediately while the House is in Session. On that, is there discussion? The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Yes, Mr. Speaker, I would object to that Motion."

Matijevich: "Speaker, we'll hold that in abeyance until the Minority Party realizes how important this is."

Speaker Greiman: "Yes, until they can come to their senses. Yes. On the Order of Amendatory Veto Motions, appears Senate Bill 244. The Gentleman from Coles, Mr. Weaver."

Weaver: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 244 simply amends the Motor Fuel Tax Law to require that after January of '86 identification cards can be carried in the cab of a truck. It also exempts school buses and trucks that are being transported for sale. The Governor's amendatory veto simply changes

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

76th Legislative Day

October 29, 1985

the language to bring into concurrence two Sections of the Motor Vehicle Code, 95.5 and 120. It's basically a language change, and we really don't object to it. And we move that we accept the Governor's amendatory veto."

Speaker Greiman: "The Gentleman from Coles, Mr. Weaver, moves that the House accept the Governor's specific recommendation for change with respect to Senate Bill 244. And on that the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Would the Sponsor... Would the Sponsor yield?"

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

Cullerton: "Representative, as I understand the Bill that we passed, this requires people who drive certain vehicles on our highways to have some kind of an identification card with them."

Weaver: "That's correct. They're currently required to have both a decal and a card. This would simplify the situation."

Cullerton: "What's the purpose of that? Requiring somebody who's driving on our highways to have an identification card with them at all times?"

Weaver: "Well, this is to prove that they do in fact pay the Motor Fuel Vehicle Tax. This applies a lot to truckers who are transporting through the state."

Cullerton: "But if I understand the Bill, it makes it an offense if they don't have this card with them. It makes it the same offense. It makes it a petty offense. It makes criminals out of them if they don't have a card with their truck."

Weaver: "Well, they're... Currently, they are. There is an offense. It simply increases the offense... the fine."

Cullerton: "It increases the fine?"

Weaver: "It increases the fine."

Cullerton: "What's the fine right now and what does it increase it to?"

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

76th Legislative Day

October 29, 1985

Weaver: "I believe that right now it's 50 dollars; and, if I'm not mistaken, it increases it to 500 dollars."

Cullerton: "From 50 dollars to 500 dollars."

Weaver: "Excuse me. 75 to 500."

Cullerton: "Well, now wouldn't you think that this is a little bit excess governmental interference into the rights of truckers to drive on our highways? And shouldn't the government not be telling people... making criminals out of people just because they don't have a card with them?"

Weaver: "Well, currently under the 75 dollar fine, it is actually cheaper for them to be in violation and get caught than it is to pay the motor fuel tax. So, we're actually losing tax dollars because the fine is not high enough to prohibit them from not paying the motor fuel tax."

Cullerton: "Well, I assume that it's already against the law to not pay the tax. But this is a requirement they have the card with them in the cab. This is a separate offense, am I right, for not having... being in possession of the card or is it not even more than that? Maybe it's not displaying the card."

Weaver: "No, if they don't have the card, then how do we know they're paying the tax?"

Cullerton: "Well, they could prove it in court couldn't they? If they..."

Weaver: "It seemed to be a lot simpler if they would be able to prove it on the spot rather than having to... to jam up our judicial system with a lot of unnecessary..."

Cullerton: "So, the real purpose then is to raise money for the state."

Weaver: "No, the real purpose is to ensure that the due taxes are paid."

Cullerton: "Right. And so the goal is to raise... make sure the taxes are paid which goes to the state."

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

76th Legislative Day

October 29, 1985

Weaver: "That's correct."

Cullerton: "That's the public policy behind the Bill."

Weaver: "Yes, Sir."

Cullerton: "And you don't think it's too much governmental interference for us to tell truckers what they can or cannot do in their cabs when they're operating their vehicles on our public highways? You don't think it's too much government interference?"

Weaver: "No, I don't think it's government interference to ensure that taxes due the state are paid."

Cullerton: "I see. Okay. Thank you."

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

Leverenz: "Will the Sponsor yield?"

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

Leverenz: "Would you explain to us what the original Bill did and what the amendatory veto did? This is on the cab card now that used to be the decal on the outside of the truck. Is that correct?"

Weaver: "That's correct."

Leverenz: "And the original Bill did what? And the amendatory veto did what?"

Weaver: "The original Bill would allow that the decal be eliminated and the cab card to be carried inside the cab as long as it's available to the driver. The original Bill also exempted school buses from having to display this decal and also trucks that are in transit that have not been sold or in process of being transported to be sold not to be required to have these decals."

Leverenz: "And the amendatory veto did what?"

Weaver: "The amendatory veto really simply brings into line two Sections... two Chapters of the Illinois Vehicle Code, 95.5 and 120, in terms of the authority for issuance of motor fuel decals. So, it is bringing into line

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

76th Legislative Day

October 29, 1985

consistency between these two Chapters."

Leverenz: "When did we eliminate decals? With this Bill and made it a cab card? Or did we do that two or three years ago?"

Weaver: "Yes. I believe this Bill's intention was to eliminate the decal."

Leverenz: "Okay. And now with the amendatory veto you're increasing the penalty for not being able to have on... in the cab the card. It increased the penalty?"

Weaver: "The increase in penalty is designed to ensure that the card is applied for and received. Currently, as I explained to the previous Representative, currently, it is cheaper to not pay the motor fuel tax, not get that motor fuel tax card, than it is to pay the fine. So, it's easier to pay the fine now. What we intended for the Bill to do would be to increase the fine so they would be more motivated to go ahead and get the card."

Leverenz: "What does it raise it up to? What does it raise the penalty up to? Can they put the guy in jail so his truck doesn't move? Are you going to hold up commerce by putting the guy away or what?"

Weaver: "No, it's simply a fine. Petty offense."

Leverenz: "Just a fine? Who wants this Bill? The Department of Revenue?"

Weaver: "They would... I would say they would be probably the main beneficiaries."

Leverenz: "How are the Illinois Trucking Association as it is amendatorily vetoed? Do they want the amendatory veto?"

Weaver: "They haven't indicated one way or the other. Their initial stance on the Bill was that any simplification would be appreciated, to going from a decal and a card to simplifying the situation."

Leverenz: "I understand the change from the decal to the card. But why increase the fine? Was that in the original Bill,

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

76th Legislative Day

October 29, 1985

or was that done by the amendatory veto?"

Weaver: "That was in the original Bill."

Leverenz: "So then, if you didn't want the increased fine, you wouldn't want the Bill. Did the amendatory veto lower the fine?"

Weaver: "No, it did not."

Leverenz: "So, then if I'm against the fine, I'm against the Bill."

Weaver: "I would say if that's your choice, yes."

Leverenz: "Then, Mr. Speaker, to Senate Bill 244."

Speaker Greiman: "Proceed, Sir."

Leverenz: "We can handle everything I guess by just voting red and kill the penalty."

Speaker Greiman: "Further discussion? The Gentleman from Adams, Mr. Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Now, we've had a heck of a discussion on the Bill itself as it passed the chamber, as I understand it. What we have failed to do though is to look at the effect of the amendatory veto, and all that does, as I understand it, is put this identical language in the Revenue Code that has already passed in the Motor Vehicle Code. It doesn't seem that the amendatory veto does anything to the fine or the substance of the Bill as it passed unanimously this chamber last spring. It simply makes sure that the two different Codes are tracking. For that reason, I rise in support of the Gentleman's Motion to accept the Governor's amendatory veto."

Speaker Greiman: "There being no further discussion, Mr.... Yes. Mr. Mautino, Gentleman from Bureau."

Mautino: "Thank you very much, Mr. Speaker. Will the Gentleman yield because I think I'm getting totally confused."

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

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

76th Legislative Day

October 29, 1985

Mautino: "My analysis says that the Governor's change appears to have totally exempted certain vehicles from the Motor Fuel Tax Law including the provision that they pay the tax. Is that correct?"

Weaver: "That's correct."

Mautino: "Well, then what are we even looking at the legislation for if in fact we've exempted them and we also submitted that they don't have to pay any tax? So, it's not going to raise revenue anyway, but we're going to give them a fine based upon the front end of the card."

Weaver: "I'm sorry I didn't... I wasn't un..."

Mautino: "I'm going to read from my analysis. 'The Governor's change appears to have totally exempted certain vehicles from the motor fuel tax law, including the provision that those vehicles pay the tax.' Why don't you take it out of the record for a minute and explain to me what we're doing here and get the staff squared away?"

Weaver: "Mr. Speaker, there appears to be some misunderstanding about the Bill. If we could get this... If we could come back to this in a little while, we'll try and work these out."

Speaker Greiman: "Well if you'd like to take it out of the record, you certainly can."

Weaver: "Yes, Sir."

Speaker Greiman: "Alright. So, the Bill will be taken out of the record. On the Order of Amendatory Veto Motions, appears Senate Bill 413. And on that, the Gentleman from Will, Mr. Van Duyne. Mr. Van Duyne. We'll take it out of the record for the moment. On the Order of Amendatory Veto Motions, appears Senate Bill 459. The Lady from Cook, Ms. Barnes."

Barnes: "Mr. Speaker, Ladies and Gentlemen, Senate Bill 459 is an amendatory veto. The Governor changed the source of funding for the IEPA Industrial Pretreatment Program from

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

76th Legislative Day

October 29, 1985

the Environmental Protection Trust Fund to the General Revenue Fund. And I would move to accept the amendatory veto."

Speaker Greiman: "The Lady from Cook, Ms. Barnes, moves that the House accept the Governor's specific recommendations for change with respect to Senate Bill 459. And on that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendation for change?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'aye', none voting 'no', none voting 'present'. This Motion, having received the Constitutional Majority, the House accepts the Governor's specific recommendation for change. Mr. McGann, for what purpose... Mr. McGann votes 'aye'. So there will be 109 voting 'aye', none voting 'no', none voting 'present'. Mr. VanDuyne."

VanDuyne: "Excuse me, Mr. Speaker. I was called out..."

Speaker Greiman: "Mr. VanDuyne, we'll get back to your Bill. Let me finish the roll on this vote. 109 voting 'aye', none voting 'no'... Mr. LeFlore. Mr. LeFlore votes 'aye'. 110 voting 'aye', none voting 'no'.... Ms. Zwick. Hello. Ms. Zwick votes 'aye'. 111. Mr. Levin. Mr. Levin would like to vote 'aye'. Well, alright, 112. Mr. Young votes 'aye'. It's important you all be here on this Roll Call. 113 voting 'aye', none voting 'no', none voting 'present'. This Motion, having received the Constitutional Majority, the House accepts the Governor's specific recommendations for change regarding Senate Bill 459. On the Order of Senate Bills... Amendatory Veto Motions, appears Senate Bill 486. Out of the record. On the Order of Amendatory

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

76th Legislative Day

October 29, 1985

Veto Motions, appears Senate Bill 653. The Gentleman from Cook, Mr. Bullock. Mr. Bullock, I have recognized you."

Bullock: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 653, amendatory veto by the Governor, I move to accept the Governor's specific recommendation for changes. The Bill essentially deals with child abuse and abuse and neglect reporting. The Governor struck a provision on page two, line 24 and 25, which makes it applicable only to the agencies that were previously described in paragraphs 11 through 23. I know of no objections, and I move to accept the Governor's specific recommendations for change."

Speaker Greiman: "The Gentleman from Cook, Mr. Bullock, has moved that the House accept the Governor's specific recommendation for change with respect to Senate Bill 653. 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 in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'aye', 1 voting 'no', none voting 'present'. And this Motion, having received the Constitutional Majority, the House accepts the Governor's specific recommendations for change with respect to Senate Bill 653. Now moving back up on the Calendar for Amendatory Veto Motions appears Senate Bill 413. The Gentleman from Will, Mr. Van Duyne. Out of the record. The Gentleman from Will, Mr. Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. I took... I'll take back everything I was just saying about you. Senate Bill 413 has been the government... the Governor's amendatory veto has been reconciled with the Senate, and I'll just simply

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

76th Legislative Day

October 29, 1985

say that I can... I would like to make a Motion to concur with the Senate action and accept the Governor's veto of Senate Bill... amendatory veto of 413."

Speaker Greiman: "The Gentleman from Will, Mr. Van Dwyne, moves that the House accept the Governor's specific recommendations for change with respect to Senate Bill 413. On that is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change?' All in favor signify by voting 'aye', those opposed 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 voting 'aye', 3 voting 'no', none voting 'present'. Yes, for what purpose do you seek recognition, Mr. Brookins?"

Brookins: "I wish to be recorded as 'aye'."

Speaker Greiman: "Record Mr. Brookins as 'aye'. On this question, there are 112 voting 'aye', 3 voting 'no', none voting 'present'. And this Motion, having received the Constitutional Majority, the House accepts the Governor's specific recommendations for change with respect to Senate Bill 413. Amendatory Veto Motions. On that Order of Business, appears Senate Bill 690. The Gentleman from Cook, Mr. Harris."

Harris: "Thank you, Mr. Speaker. I move that the House accept the Governor's amendatory veto on Senate Bill 690. The Bill deals with prompt payment of income tax refunds, and the Governor made an amendatory veto indicating that those refunds would be made contingent to the General Assembly appropriating the necessary funds. And I would ask for a favorable Motion... a favorable vote on the Motion."

Speaker Greiman: "The Gentleman from Cook, Mr. Harris, moves that the House accept the Governor's specific recommendation for

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

76th Legislative Day

October 29, 1985

change with respect to Senate Bill 690. And on that is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendation for change?' All in favor signify by voting 'aye', those opposed 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'aye', none voting 'no', none voting 'present'. And this Motion, having received the Constitutional Majority, the House does accept the Governor's specific recommendation for change with respect to Senate Bill 690. On the Order of Amendatory Veto Motions, appears Senate Bill 758. The Gentleman from Kendall, Mr. Hastert."

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to accept the Governor's amendatory veto of Senate Bill 758. What this Bill does is it affects the Athletic... creates the Athletic Trainer Act for the State of Illinois. The amendatory veto loosens up some of the restrictions and also the penalties and makes it a much more acceptable Bill. I move to accept the amendatory veto."

Speaker Greiman: "The Gentleman from Kendall, Mr. Hastert, has moved that the House accept the Governor's specific recommendation for change with respect to Senate Bill 758. And on that is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendation for change?' All those in favor signify by voting 'aye', those opposed 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'aye', none voting 'no', none voting 'present'. This Motion, having received

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

76th Legislative Day

October 29, 1985

the Constitutional Majority, the House accepts the Governors specific recommendation for change with respect to Senate Bill 758. On the Order of Amendatory Veto Motions, appears Senate Bill 785. The Gentleman from DuPage, Mr. Hensel."

Hensel: "Thank you, Mr. Speaker and Members of the House. I move to accept the Governor's amendatory veto on Senate Bill 785. What the amendatory Motion did was to make technical changes reflecting the recent name change of the Department of Law Enforcement to the Department of State Police. And the other it deleted provisions which authorizes the Department of State Police to process and accept fees for processing liquor license applicants' fingerprints. The reason for his deleting that is because it's already provided in House Bill 743 which passed the House in the last Session 113 to 1. I ask for a favorable vote."

Speaker Greiman: "The Gentleman from DuPage, Mr. Hensel, has moved that the House accept the Governor's specific recommendation for change. All those in favor... Is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendation for change with respect...' Excuse me. Mr. Dunn, did you wish to speak... to address this Bill? Alright. The Gentleman from Macon, Mr. Dunn."

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

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

Dunn: "Does this Bill require the fingerprinting of someone? And if it does, who?"

Hensel: "It requires the fingerprints of applicants for local liquor licenses."

Dunn: "And what does the amendatory veto do?"

Hensel: "It does nothing to change that. It changes the technical term of the Department of Law Enforcement to

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

76th Legislative Day

October 29, 1985

Department of State Police. And it also deleted the provision that authorizes the Department of State Police to process and accept the fees for processing the liquor license."

Dunn: "Thank you."

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

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

Speaker Greiman: "Indicates he will."

Preston: "Representative, do I understand that this Bill, with accepting the Governor's amendatory veto, would permit local liquor control commissioners to request the fingerprints of liquor license applicants?"

Hensel: "That's correct."

Preston: "And what is that suppose to do for us, the residents of these local areas?"

Hensel: "It would ensure that anybody that has a criminal record could be detected prior to his getting a liquor license."

Preston: "Why is that necessary? Why should we care if somebody, who six years ago was arrested and convicted of stealing car, today wants to operate a tavern? What public need is being protected?"

Hensel: "I'm not sure that it's going to protect it, but at least they would be aware that they do have a record. It doesn't say that they're going to deny the applicant his license. It just gives a way of finding out what his back record is."

Preston: "Well, the state of the law today if I'm not mistaken is that if you have been convicted of a felony, you are ineligible to hold a liquor license."

Hensel: "Well, this Bill here does not change anything in the statutes."

Preston: "If I may speak to the... Well, let me ask one more

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

76th Legislative Day

October 29, 1985

question. If we did not accept... I'll strike that. If I may speak to the Bill, Mr. Speaker. May I speak to the Bill?"

Speaker Greiman: "Yes. Proceed, Mr. Preston."

Preston: "Thank you. When we were debating in this chamber the necessity of having fingerprints of teachers and maintenance personnel for the protection of children to whom by law we must give the care and custody of to teachers, a number of Members, Mr. Vinson being one, spoke about the denial of civil liberties and how this was treating teachers and maintenance personnel at schools as if they were criminals when, indeed, that legislation was designed to give us some measure of protection for our children. I don't know who it is we are protecting by trying to fingerprint and get information on liquor licensees. And the current state of the law is that in most municipalities liquor licensees and managers of taverns are indeed fingerprinted. And I stated during the debate on the Bill on fingerprinting teachers and getting background checks on maintenance personnel that right now in Illinois we have some 15 different occupations for which criminal background checks are done and that most of them make no sense to me. In my former life, I was the chief prosecutor of liquor license revocations for the City of Chicago. And it did make no sense to me at that time, nor does it today, that we have to be so concerned about the person giving us a shot of bourbon having a previous criminal record. I'm willing to risk having a draft beer served to me by somebody who may have had a previous criminal record and served his or her debt to society. And I think this is completely unnecessary for this occupational group, but I'm interested to see that there is some interest in this General Assembly when it's necessary

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

76th Legislative Day

October 29, 1985

to require criminal background checks on certain highly sensitive occupations. I just find that this is not one of those highly sensitive occupations, and I'm going to vote 'no'."

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

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

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

Mautino: "If in fact this were passed, Representative, what would the cost be to an individual for the fingerprinting process, where would that be done and who would they be submitting those fees to?"

Hensel: "As the Amendment, it deleted the process in accepting of fees. That's what I'm taking out of this particular Bill. The Bill that collects the fees now is in Ted Leverenz's Bill, which is 473... 743, I believe. House Bill 743. So, we're taking it out of this Bill. So, this would have nothing to do with that."

Mautino: "Then what's left in the Bill? I could see turmoil being paramount, for example, in VFW clubs, in American Legions, and the Elks, and the Moose, and the K C Clubs where each year the application for a liquor license may come under a different bar chairman. Would those individuals each and every year have to be fingerprinted under your legislation?"

Hensel: "Not just... Not to renew the application I don't believe it would. You're talking about a corporation now, nonprofit corporation - American Legion. I don't know if that's included in this Bill or not."

Mautino: "Well, if you're going to apply for a local liquor license, everyone has to do it each and every year. It's not a continual, ongoing thing. You get a new license number each and on the form it asks the question and about

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

76th Legislative Day

October 29, 1985

13 questions on the back whether or not the individual applying is... has been charged or is guilty of any felony. That's already on the application. But I guess the most important thing I'd like to get to is why do we want to go into the process of fingerprinting everyone? I understand now that that process I believe in law enforcement for what we've passed already is like a million dollars each year in cost to the state. I would assume that there's probably 40 or 50 thousand applicants in this state or more, and I'd like to know exactly what that's going to cost. Did you have any idea?"

Hensel: "No, I don't."

Mautino: "To the Bill if I may, Mr. Speaker."

Speaker Greiman: "Proceed, Sir."

Mautino: "I'm sure the legislation is well intended, and I'm sure that my colleague, Representative Leverenz, has another companion piece as it pertains to the fees charged. I find it rather difficult to accept that we should be fingerprinting individuals who are applying for liquor licenses. In many cases, they may well be the president of hotel chains since those applicants may have two or three lounges within their hotels. I can't see how we could cover all of the civic and social clubs that by law must apply. And I think it is bad policy to tell everyone in the State of Illinois who applies for a liquor license that they must be fingerprinted, which includes as well those individuals who have special applications such as a one, or a two, or a three day festival. They would come under this as well. A church who has a function or a bazaar where they sell alcoholic beverages would come under it as well. And I would recommend a 'no' vote on this legislation."

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

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

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

76th Legislative Day

October 29, 1985

Speaker Greiman: "Well, we only had one more who wanted to ask. Perhaps you might want to let Mr.... of Dekalb, Mr. Countryman, speak and just hold that Motion one more. No, Mr. Vinson? You want to go ahead with your Motion? Yes, Mr. Vinson. Mr. Vinson."

Vinson: "I withdraw the Motion."

Speaker Greiman: "Alright. Mr. Countryman, he's so courteous to you. Proceed."

Countryman: "Thank you, Mr. Speaker. As I understand this, this permits the local liquor commissioner to require fingerprints. As I understand it, it does not require the local liquor commissioner to require fingerprints. In communities in which I've been involved in, this has been a common practice in the initial application for liquor license, and I believe it's a good practice. There are certain backgrounds and certain convictions of offenses that if a liquor commissioner knew that those people have been convicted of those offenses, drug offenses, prostitution, gambling, those sorts of things which would not mix well with the use of a liquor license. And I believe there's a legitimate social concern here. What this does is it allows them to use the state computer and in essence allows the local government agency to collect a fee from it. I think this is a good piece of legislation, and I think that some Members have misconstrued this legislation and are feeling that it's overreaching when it isn't. I think it's a good Bill, and we ought to vote for it. And I would recommend an 'aye' vote."

Speaker Greiman: "There being no further discussion, the Gentleman from DuPage, Mr. Hensel, to close."

Hensel: "Thank you, Mr. Speaker. As a previous Representative stated, this is not a mandatory item that has to be enforced. It's a permit... permits them to do it. And to

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

76th Legislative Day

October 29, 1985

answer the other Representative's question on who is going to set the processing fees according to House Bill 743 processing fees will be established by the Illinois Criminal Justice Information Authority deposited by the Department of State Police into the Law Enforcement Service Funds. I think it's a good Bill. I think that everyone should vote 'yes'."

Speaker Greiman: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 785?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Have all... Mr. Clerk, take the record. On this question, there are 61 voting 'aye'... Yes, Mr. Mautino, for what purpose do you seek recognition?"

Mautino: "It has received proper number of votes. I would like to challenge the green votes."

Speaker Greiman: "Alright. The Gentleman from Bureau has asked for a Verification of the Affirmative Roll Call. The Gentleman from DuPage, Mr. Hensel, has asked for a Poll of the Absentees."

Clerk Leone: "Poll of the Absentees. Alexander. Braun. Bullock. Capparelli. Homer."

Speaker Greiman: "Excuse me. Mr. Bullock votes 'aye'. No? Mr. Bullock. Mr. Bullock votes 'no'. 'No'. Proceed."

Clerk Leone: "Continuing with the Poll of the Absentees. Homer. Laurino. McPike. Rea. Sutker. Terzich."

Speaker Greiman: "Sutker votes 'aye'. Proceed."

Clerk Leone: "Continuing with the Poll of the Absentees. Terzich. Washington. Wolf."

Speaker Greiman: "Washington votes 'no'."

Clerk Leone: "Wolf and Mr. Speaker."

Speaker Greiman: "Yes, Ms. Alexander, for what purpose do you

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

76th Legislative Day

October 29, 1985

seek recognition? Alexander votes 'no'. Flowers votes 'no'. Mr. Ewing. For what purpose does Mr. Ewing... votes from 'no' to 'aye'. Mr. Clerk, proceed with the Verification of the Affirmative Roll Call."

Clerk Leone: "Poll of the Affirmative. Barger. Barnes. Berrios. Breslin. Churchill. Countryman. Daley. Daniels. Davis. DeLeo. Deuchler. Dunn. Ewing. Virginia Frederick. Dwight Friedrich. Giorgi."

Speaker Greiman: "Excuse me. Mr. Steczo asks to be recorded 'no'. Proceed."

Clerk Leone: "Continuing with the Poll of the Affirmative. Goforth. Hallock. Harris. Hawkinson. Hensel. Hoffman. Huff. Kirkland. Klemm. Koehler. Krska. Kubik. Leverenz. Matijevich. McAuliffe. McCracken. McGann. McMaster. Nash. Oblinger. O'Connell. Olson. Parcells. Parke. Bernard Pedersen. William Peterson. Phelps. Piel. Pullen. Regan. Ropp. Ryder. Satterthwaite. Soliz. Stange. Stephens. Sutker. Tuerk. Vinson. Wait. Weaver. White. Wojcik. Woodyard. And Zwick."

Speaker Greiman: "Mr. Leverenz, for what purpose do you seek recognition?"

Leverenz: "Please record me as voting 'present'."

Speaker Greiman: "Mr. Leverenz goes from 'aye' to 'present'. Mr. Mautino, do you have questions of the Affirmative Roll Call? Mr. DeLeo."

DeLeo: "'Present'."

Speaker Greiman: "Mr. DeLeo votes 'present', from 'aye' to 'present'. Mr. Rea. Mr. Rea votes 'no'. Mr. Mays. Mr. Mays goes from 'aye' to... from 'no' to 'aye'. Ms. Williamson. Ms. Williamson goes from 'no' to 'aye'. Mr. Tate. Mr. Tate goes from 'no' to 'aye'. And now, Mr. Mautino, questions of the... Yes, Mr. Nash. Mr. Nash goes from 'aye' to 'present'. Mr. Mautino. Starting at 61,

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

76th Legislative Day

October 29, 1985

Sir."

Mautino: "Representative Giorgi."

Speaker Greiman: "The Gentleman from Rockford, Mr. Giorgi. Mr. Giorgi in the chamber? How is the Gentleman recorded?"

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

Speaker Greiman: "Mr. Giorgi has returned to the chamber. Yes, further questions."

Mautino: "Representative White."

Speaker Greiman: "Mr. White. Is Mr. White in the chamber? How is the Gentleman recorded? Mr. White is in the center aisle."

Mautino: "Representative Olson."

Speaker Greiman: "Representative Olson. How is Mr. Olson recorded?"

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

Speaker Greiman: "Remove him. Yes, Ms. Wojcik, for what purpose do you seek recognition? Ms. Wojcik."

Wojcik: "I'd like to have leave to leave."

Speaker Greiman: "Yes, Ms. Wojcik asks leave to be verified. Leave is granted. Mr. Mautino, proceed."

Mautino: "Representative Woodyard."

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

Mautino: "Representative Daniels."

Speaker Greiman: "Mr. Daniels is over there someplace."

Mautino: "Representative Ryder."

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

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

Speaker Greiman: "Remove Mr. Ryder. Ms. Cowlshaw, for what purpose do you seek recognition?"

Cowlshaw: "Mr. Speaker, how am I recorded, please?"

Speaker Greiman: "You're recorded as voting 'no'."

Cowlshaw: "Please change my vote to 'yes'."

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

76th Legislative Day

October 29, 1985

Speaker Greiman: "Record her as 'yes'. Mr. Hoffman for what purpose... Mr. Hoffman wishes leave to be verified. You have leave, Sir. Proceed, Mr. Mautino."

Mautino: "Representative Johnson."

Speaker Greiman: "Mr. Johnson. Mr. Johnson, the Gentleman from Champaign, in the chamber?"

Mautino: "Representative Oblinger."

Speaker Greiman: "Excuse me. Mr. Johnson, I think is in his seat, but I want... Mr. Ryder has returned. Mr. Ryder has returned to the chamber. Restore him to the Roll Call. I'm sorry what was the last name?"

Mautino: "Ewing."

Speaker Greiman: "Mr. Ewing. Mr. Ewing is in the aisle."

Mautino: "Representative McAuliffe."

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

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

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

Mautino: "Representative McMaster."

Speaker Greiman: "Mr. McMaster. Mr. McMaster in the chamber? He is in his chair."

Mautino: "Representative Phelps."

Speaker Greiman: "Mr. Phelps. Mr. Phelps in the chamber? Mr. McAuliffe has returned to the chamber. Restore Mr. McAuliffe to this Roll Call. Mr. Phelps. Mr. Phelps. How is Mr. Phelps recorded?"

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

Speaker Greiman: "Remove Mr. Phelps."

Mautino: "Representative Klemm."

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

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

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

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

76th Legislative Day

October 29, 1985

Mautino: "Representative Countryman."

Speaker Greiman: "Who was the last name, Mr. Mautino?"

Mautino: "Countryman. I see him."

Speaker Greiman: "Alright. Proceed. Mr. Klemm has returned to the chamber. Restore Mr. Klemm to the Roll Call. Mr. Hastert. Mr. Hastert goes from 'no' to 'aye'. Mr. Mautino."

Mautino: "Representative Huff."

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

Mautino: "Representative Tuerk."

Speaker Greiman: "Excuse me. Mr. Sutker, for what purpose do you seek recognition? Mr. Sutker goes from 'aye' to 'no'. 'Aye' to 'no'. Yes, Mr. Tuerk. Mr. Tuerk is in the back of the chamber."

Mautino: "Representative Giorgi."

Speaker Greiman: "Mr. Giorgi has been verified."

Mautino: "Is he here? I see a young lady sitting in his seat. I didn't see Mr. Giorgi."

Speaker Greiman: "Yes, it's somewhat of an improvement, but he was verified."

Mautino: "Representative Soliz."

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

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

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

Mautino: "Representative Breslin."

Speaker Greiman: "Ms. Breslin. Is Ms. Breslin in the chamber? How is Representative Breslin recorded?"

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

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

Mautino: "Representative O'Connell."

Speaker Greiman: "Mr. O'Connell is at the rear of the chamber."

Mautino: "Barger."

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

76th Legislative Day

October 29, 1985

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

Mautino: "Let's see, Betty Hoxsey is in somebody's seat over there. I can't recall whose seat that is. Is that Roger McAuliffe's seat?"

Speaker Greiman: "Mr. McAuliffe has already been verified and replaced back, and he's in the room now anyway. Excuse me. Mr. Slater. Mr. Slater goes from 'no' to 'aye'."

Mautino: "Representative Friedrich."

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

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

Speaker Greiman: "Remove him from the Roll Call. Mr. Stephens."

Stephens: "To be verified."

Speaker Greiman: "Mr. Stephens have leave to be verified? You have leave, Mr. Stephens. Further questions? There being no further questions, this Motion, having failed to receive the Constitutional Majority, the House does not accept the Governor's specific recommendation for change and the Motion fails. There being 58 'aye', 39 'no', and 8 'present'. On the Order of Amendatory Veto Motions, appears Senate Bill 829. The Lady from Cook, Ms. Barnes."

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 829 permitted foreign trained doctors who satisfy the current regulations to use MD after their names. The amendatory veto deleted the provision authorizing the use of the term MD by licensees whose degrees do not literally translate to MD. And I would move to accept the amendatory veto."

Speaker Greiman: "The Lady from Cook, Ms. Barnes, moves that the House accept the Governor's specific recommendation for change in Senate Bill 829. Is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change?' All in

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

76th Legislative Day

October 29, 1985

favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 111 voting 'aye', 1 voting 'no', and 1 voting 'present'. And the House does accept the Governor's specific recommendation for change on this Motion, having received the Constitutional Majority. On the Order of Amendatory Veto Motions, appears Senate Bill 834. Yes, the Lady from McHenry, Ms. Zwick. Kane... the Lady from Kane, Ms. Zwick."

Zwick: "Thank you. Thank you, Mr. Speaker, Members of the House. Senate Bill 834 was amended by the Governor to make some technical changes because of another Bill that he signed, Senate Bill 512, which changed certain Sections of the law and; therefore, this statute needed adapting to conform to the language of Senate Bill 512. They're technical changes. They have been concurred in by the Illinois Bankers' Association, the Independent Community Banks, the banking section of the Bar Association, the Commissioner of Banks and Trust Companies. And I'd ask for your support to accept the Governor's amendatory veto."

Speaker Greiman: "The Lady from Kane moves that the House accept the Governor's specific recommendation for change with respect to Senate Bill 834. On that is there any discussion? There being none, the question is, 'Shall the House accept the Governor's recommendations for change?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'yes', none voting 'no', 3 voting 'present'. And this Motion, having received the Constitutional Majority, the House accepts the Governor's specific recommendation for change regarding Senate Bill

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

76th Legislative Day

October 29, 1985

834. Mr. Hicks, the transcript will indicate that you wish to vote 'aye' on that piece of legislation. On the Order of Amendatory Vetoes, appears Senate Bill 864. The Gentleman from Vermilion, Mr. Woodyard."

Woodyard: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move to accept the Governor's amendatory veto on 864. The Bill... The Amendment to the Bill did create the nine member Board of Public Health Advisors in Department of Public Health. And what the Amendment does is take the Bill back to its present... to the present law in regard to the appointment of the Director of Public Health. And I would move for acceptance of the Governor's amendatory veto."

Speaker Greiman: "The Gentleman from Vermilion, Mr. Woodyard, moves that the House does accept the Governor's specific recommendation for change. And on that is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendation for change?' Yes, Mr. Vinson, did you decide you wish to speak on this now?"

Vinson: "I just wanted to ask a question of the Sponsor, Mr. Speaker."

Speaker Greiman: "Proceed, Sir."

Vinson: "I don't understand the double negative in the analysis, and my inquiry is simply whether under this Bill the Director of Public Health would have to be a physician or not."

Woodyard: "The analysis... It's my understanding from staff the analysis is wrong and that the Director would not have to be."

Vinson: "The Director would not have to be..."

Woodyard: "Correct."

Vinson: "...if we enact... if we enact this Motion."

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

76th Legislative Day

October 29, 1985

Woodyard: "That's correct."

Vinson: "Thank you."

Woodyard: "It would take it back to present law."

Vinson: "I would support the Motion."

Speaker Greiman: "The question is, 'Shall the House accept the Governor's specific recommendation for change?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'aye', 1 voting 'no', none voting 'present'. The Motion, having received a Constitutional Majority, the House does accept the Governor's specific recommendation for change with respect to Senate Bill 864. On the Order of Amendatory Motions... Veto Motions appears Senate Bill 866, the Gentleman from Cook, Mr. Kubik."

Kubik: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move to accept the Governor's amendatory veto on Senate Bill 866. Senate Bill 866 was a cleanup Bill for the Horse Racing Act. And the Governor's amendatory veto simply corrects some language in the Bill which would have put a restraint on trade. It's just simply a technical change, and I would move for its adoption."

Speaker Greiman: "The Gentleman... Gentleman from Cook, Mr. Kubik, moves that the House do accept the Governor's specific recommendation for change with respect to Senate Bill 866. And on that, the Gentleman from DeWitt, Mr. Vinson."

Vinson: "Yes, Mr. Speaker, I wonder if the Sponsor might yield for questions."

Speaker Greiman: "He indicates he will."

Vinson: "Representative, I think I understand the thrust of the

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

76th Legislative Day

October 29, 1985

Governor's amendatory veto, but I don't understand what the underlying Bill did beyond the scope of the amendatory veto. And I wonder if you can explain that to me."

Kubik: "What it did basically was to define whether or not a... a breeder or a horse could qualify for Illinois thoroughbred... for the Illinois Thoroughbred Breeders' Fund, and what it did was put a... a limit of 50% ownership on... on the breeder and on the horse. The intent is to try to encourage the breeding industry in Illinois and to give them a little bit bigger advantage in... in... with respect to breeding and developing race horses in this state."

Vinson: "Does it define the residency requirement in terms of how... where the horse is raised or in terms of who owns the horse?"

Kubik: "I believe it does it by residency of the breeder."

Vinson: "Why would... I mean the purpose is to stimulate the breeding of horses in Illinois, is that not correct?"

Kubik: "Correct."

Vinson: "Why would you then disqualify a horse owned by let's say a Californian if the horse was actually bred and raised in Illinois?"

Speaker Greiman: "Has he responded, Mr. Vinson? Are you..."

Vinson: "No, not yet."

Speaker Greiman: "We're waiting, alright."

Kubik: "Mr. Speaker, I'm looking at the Bill. Mr. Vinson, it would not... it would not disqualify somebody from another state, but it would simply say that 50% of that ownership would have to be in Illinois."

Vinson: "But as I understand the purpose for these kinds of provisions, under the Horse Racing Act, it's to encourage the breeding and raising of the horse itself in Illinois. Is that not correct? It's to stimulate the domestic racing

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

76th Legislative Day

October 29, 1985

horse industry. Right?"

Kubik: "It would stimulate companies in Illinois or partnerships and breeders in Illinois."

Vinson: "But the real jobs are derived by the raising of the horse in the state. Correct? The breeding and the raising of the horse in the state. That's what causes jobs to occur in Illinois."

Kubik: "Correct."

Vinson: "So why would having the horse owned by a Californian, but breeding it and raising it in Illinois, result in disqualification here? What's the rationale for that?"

Speaker Greiman: "Mr. Vinson, have you concluded your remarks?"

Vinson: "No. I'm... I want to get... I want to understand this, and I've asked another question."

Speaker Greiman: "Well, there's a lot of quiet there."

Vinson: "That may be... That may be the finest thing that's ever happened to this General Assembly, Mr. Speaker."

Speaker Greiman: "It may be golden, yes, indeed."

Kubik: "Mr. Speaker, why don't we take it out of the record for a moment."

Speaker Greiman: "Alright. On the... On the Order of Amendatory Veto Motions appears Senate Bill 1029. And on that, the Gentleman from Cook, Mr. McNamara. Out of the record. On the Order of Amendatory Vetoes appears Senate Bill 1295. The Lady from Cook, Ms. Parcells."

Parcells: "Thank you, Mr. Speaker. This... I would move that we accept the Governor's amendatory veto. This was a technical change. The Bill was not properly written, and the Governor's staff picked it up. And it has been accepted in the Senate, and I would move that we accept the amendatory veto here."

Unknown: "What's it do?"

Parcells: "Oh, excuse me. The Bill is... Thank you. This amends

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

76th Legislative Day

October 29, 1985

the Illinois Life and Health Insurance Guarantee Association Law. Provides that liabilities to the Association, which arose on certain dates, shall be determined under the law in effect on the date of the liability... that the liability arose. Provides that the Association shall become primarily... primarily responsible for Illinois resident policy holders. Makes changes in the assessment classes, and makes several other changes. As I said, the veto made some technical changes. It was a typographical error actually, and it was picked up in the Governor's Office. Therefore, I would move that we accept the amendatory veto."

Speaker Greiman: "The Lady from Cook, Ms. Parcels, moves that the House accept the Governor's specific recommendation for change with respect to Senate Bill 1295. Is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill... to Senate Bill 1295?' All in favor vote 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Greiman 'aye'. On this question, there are 116 voting 'aye', none voting 'no', none voting 'present'. This Motion, having received a Constitutional Majority, the House does accept the Governor's specific recommendations for change with respect to Senate Bill 1295. Representative Breslin in the Chair."

Speaker Breslin: "Senate Bill 1430, Representative Preston. Is the Gentleman in the chamber? Representative Preston. Representative Preston."

Preston: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would move to accept the Governor's amendatory veto of Senate Bill 1430. The Bill, in its original form

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

76th Legislative Day

October 29, 1985

as it passed both Houses, amends the Medical Practice Act. It changed the penalty for certain violations of the Act from a misdemeanor, a Class A misdemeanor, to a Class 4 felony and subsequent violations are raised from a Class 4 felony to a Class 3 felony. What the Governor did with his amendatory veto, he changed some of the penalty Sections, raising the penalties for certain of the enumerate... He agreed with certain of the penalties for the enumerated Sections, but he changed some of the language. He recommended the retention of existing penalties in the area of wrongful advertising, because as the Governor said, the law of professional advertising is in a state of flux, and his changes were not terribly significant. And I would move that we accept the Governor's amendatory veto."

Speaker Breslin: "The Gentleman has moved that we accept the Governor's amendatory veto on Senate Bill 1430. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Preston: "No."

Speaker Breslin: "The Gentleman will not yield to a question."

Cullerton: "Fine, then to the Bill. Apparently the second change made by the Governor is to remedy a problem that he finds with existing law. He states that the same criminal Act of not prescribing or distributing drugs in good faith is addressed in Section 2(d) of the Medical Practice Act, which would be a Class A misdemeanor, and in the Controlled Substance Act, which is a Class 3 felony to a Class X felony. The Governor recommends deletion of the provision in the Medical Practice Act. In support of this Amendment, the Governor notes that the courts are required to apply the least severe sentence when two statutes penalizing the same criminal conduct provide for different penalties. So

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

76th Legislative Day

October 29, 1985

it appears that what he's doing is saying that the same criminal act of not prescribing or distributing drugs in good faith is a Class 3 to a Class X felony as opposed to a Class A misdemeanor. And I wanted to ask the Sponsor if that's what he viewed this... the affect of this amendatory veto, if he viewed that the same way I do. And then, for some reason, the Governor has eliminated a penalty dealing with wrongful advertising. Apparently some people in the professional advertising business got a little upset about being charged with criminal offenses, and I wonder if the Sponsor would comment on that. So at this time, I'd like for the Sponsor to reconsider his decision not to answer any questions and see if he could comment on the two issues that I raised."

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

Preston: "Thank you, Madam Speaker. In reference to the comments made by Representative Cullerton, the Governor's amendatory veto concerning professional advertising is well taken. The law regarding professional advertising and the requirements of the various licensing authorities and the ethical standards of the profession are indeed in a state of flux. They have changed over the last five years dramatically. Court decisions have come down striking some prohibitions that had previously existed concerning professional advertising, and I think the Governor's correct in his amendatory veto in that area. And for that reason, as well as others, the Governor's amendatory veto makes relatively insignificant changes in the thrust of the Bill in its totality. And, therefore, I'd ask that we accept his amendatory veto."

Speaker Breslin: "The question is, 'Shall this House accept the Governor's specific recommendations for change in Senate

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

76th Legislative Day

October 29, 1985

Bill 1430?' 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', none voting 'no' and none voting 'present', and this Bill, having received... the... this Bill, having received the necessary Majority, thus accepts the Governor's specific recommendations for change with... Senate Bill 1430. Ladies and Gentlemen, we are going to change the Order of Business and now go to page two on your Calendar under Senate Bills Second Reading. We have already called Senate Bill 241. We will, therefore, go directly to Senate Bill 525. Representative Capparelli."

Clerk Leone: "Senate Bill 525, a Bill for an Act to amend the Illinois Banking Holding Company Act. Has been read a second time previously. Amendments #9 and 62 were adopted, and it was held on Second Reading."

Speaker Breslin: "Are there any further Amendments?"

Clerk Leone: "Floor Amendment #75, Greiman, amends Senate Bill 525 by deleting the title and inserting in lieu thereof the following."

Speaker Breslin: "Representative Greiman. Is Representative Greiman in the chamber? Withdraw Amendment #... What was the Amendment number, Representative... Mr. Clerk?"

Clerk Leone: "Amendment #75 has been withdrawn."

Speaker Breslin: "Okay. Withdraw Amendment #75. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #76, Churchill - et al, amends Senate Bill 525."

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker. I would move to withdraw Floor Amendment #76 and Floor Amendment #77."

Speaker Breslin: "Withdraw Amendments #76 and 77. Are there any

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

76th Legislative Day

October 29, 1985

further Amendments?"

Clerk Leone: "Floor Amendment #78, Greiman."

Speaker Breslin: "Representative Greiman. Withdraw Amendment #78. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #79, Greiman."

Speaker Breslin: "Withdraw Amendment #79. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #80, Greiman."

Speaker Breslin: "Withdraw Amendment #79. Are there any further Amendment?"

Clerk Leone: "Floor Amendment #80, Greiman."

Speaker Breslin: "Withdraw Amendment #80. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #81, Greiman."

Speaker Breslin: "Withdraw Amendment #81. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #82, Greiman."

Speaker Breslin: "Withdraw Amendment #82. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #83, Churchill - et al."

Speaker Breslin: "Representative Churchill."

Churchill: "I move to withdraw Floor Amendment #83."

Speaker Breslin: "Withdraw Amendment #83. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #85, Churchill."

Speaker Breslin: "Representative Churchill."

Churchill: "Move to withdraw Floor Amendment #84, I think we should be on."

Clerk Leone: "Floor Amendment #84, Churchill."

Speaker Breslin: "Withdraw Amendment #84. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #85, O'Connell."

Speaker Breslin: "Representative O'Connell. Representative

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

76th Legislative Day

October 29, 1985

O'Connell. Is there a hyphenated Sponsor on that Amendment, Sir? Mr. Clerk. Okay. Representative O'Connell. Is the Gentleman in the chamber? Representative Churchill or Representative Capparelli, Representative O'Connell is not in the chamber? What is your pleasure with regard to Floor Amendment #85?"

Churchill: "I move to table Floor Amendment 85."

Speaker Breslin: "The Gentleman has moved to table Floor Amendment #85. And on that question, is there any discussion? Hearing no discussion, the question is, 'Shall this House table Amendment #85?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and Amendment #85 is tabled. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #86, Zwick."

Speaker Breslin: "Representative Zwick."

Zwick: "I'll withdraw."

Speaker Breslin: "Withdraw Amendment #86. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #87, Mautino."

Speaker Breslin: "Representative Mautino. Representative Mautino. Withdraw Amendment..."

Mautino: "No, no, no."

Speaker Breslin: "No."

Mautino: "Question. Question. Question, if I may."

Speaker Breslin: "What is your question, Sir?"

Mautino: "Since we haven't had this for approximately ten days, would you please refresh my memory and tell me what Amendments are on the Bill currently?"

Speaker Breslin: "Yes. Yes. Amendments #9 and 62 are on the Bill."

Mautino: "I can't remember what 62 did. I know what 9 did. That was mine. May I see a copy of 62?"

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

76th Legislative Day

October 29, 1985

Speaker Breslin: "Mr. Clerk, can you tell..."

Mautino: "Okay. Alright. Then I will withdraw 87. It's... net new funds and also the 7% capital-to-asset ratio was Amendment #9, and that's on the Bill."

Speaker Breslin: "Okay. The Gentleman withdraws Amendment #87. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #88, Churchill - et al."

Speaker Breslin: "Representative Churchill."

Churchill: "Madam Speaker, I would move to withdraw Floor Amendment #88."

Speaker Breslin: "Withdraw Amendment #88. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #89, Mautino and Woodyard."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you, very much, Madam Speaker. I would like to go ahead with #89, because it adds an additional area to the Bill in its current form that basically states that 50% of the deposits in the financial institution must be in the state in which that bank is... is within a holding company provision. This Amendment was the one that we had a couple votes on two weeks ago, and it also includes the same 7% capital-asset- ratio and would ask for support of Amendment #89, putting both of those provisions in the legislation, because one of the main issues by the consumers and the business people was that there should be funds available for use by the individuals in that area and in that state equal to 50% and the majority funding being used in the State of Illinois and these areas. And I would move for adoption of 89."

Speaker Breslin: "The Gentleman moves for the adoption of Floor Amendment #89. And on that question, the Gentleman from Cook, Representative Bullock."

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

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

76th Legislative Day

October 29, 1985

the House. Will Representative Mautino yield for a question?"

Speaker Breslin: "The Gentleman will yield for a question. Representative Mautino."

Bullock: "Representative Mautino, does not this Bill also have another provision that is an immediate effective date?"

Mautino: "Sorry, Larry, I..."

Bullock: "Does not this Amendment have an immediate effective date? Isn't that the other change in your Amendment?"

Mautino: "Yes, Sir."

Bullock: "Which would require an extraordinary vote?"

Mautino: "Yes, Sir."

Bullock: "Also, is it not true that in this Amendment we have attempted to repeat a previous Amendment which was not adopted and that is the 50% investment... 50% deposit in foreign office requirement?"

Mautino: "Yes, Sir, that's true."

Bullock: "Well, Madam Speaker, to the Bill."

Speaker Breslin: "Proceed."

Bullock: "As a hyphenated Sponsor of Senate Bill 525, I stand in opposition to this Amendment as we stood in opposition to the Amendment previous to this that attempted, in some small measure, to impose a requirement that any bank holding company with more than 50% deposits in foreign companies, in fact, would not be able to acquire. And I think that we sufficiently discussed that Amendment early on. And we had a very lengthy debate on these Amendments before. That provision was defeated and rejected by the House, and I would urge those who support the position of the IBA to vote 'no' on the Gentleman's Amendment. Unfortunately, he's a fine Legislator, but I don't think he got the message earlier."

Speaker Breslin: "The Gentleman from Lake, Representative

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

76th Legislative Day

October 29, 1985

Churchill. Representative Churchill."

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

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

Churchill: "Representative Mautino, as I read this Amendment, you were replacing a date on this Bill as of December 31, 1984, which means that at the end of last year any bank holding company which had more than 50% of its deposits in foreign office... purchase a bank... State of Illinois. Is that correct?"

Mautino: "Correct."

Churchill: "And how many in the... State of Illinois... Strike that..."

Mautino: "You're reading it right."

Churchill: "... (sound system malfunction)."

Mautino: "You're reading it right."

Churchill: "...defeated those Amendments, and I would ask for a 'no' vote."

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

Vinson: "Yes, I wonder, Madam Speaker, if the Sponsor of the Amendment might yield for questions."

Speaker Breslin: "He indicates he will."

Vinson: "Representative, is this your... (sound system malfunction) Amendment that requires a 7% reserve..."

Mautino: "Yes, Sir, with the... I think everyone here knows that the request by the Feds and the state will probably next year be 8%, not 7%."

Vinson: "Thank you... Madam Speaker, to the Amendment. I rise in support of the Gentleman's comments, I think that we observe in the state the dangerous effects that occur when banks are allowed to expand too fast and too rapidly without adequate reserves. We observed that graphical y

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

76th Legislative Day

October 29, 1985

with the Continental problem a couple years ago. We had to have a Special Session, and we had to pass special legislation to try to preserve the interest of depositors in Continental when the Continental moved to fast to expand. And all the Gentleman has offered is a safety and soundness provision which would ensure the safety of depositors in Illinois banks. It would seem to me that nothing could be more important than the safety and the soundness of a bank. If you don't have safety and soundness and credibility in the banking system, you don't have a banking system. I... I just can't understand how anybody could oppose this, and thank the Gentleman who's offered this ...a similar Amendment earlier that was substantially carried by this Assembly because our concern about safety and soundness, and I would think this one ought to be carried too, because all it does is to reaffirm our attempt to maintain the credibility of the safety and soundness and confidence in the banking system. I can't see how anybody could oppose this."

Speaker Breslin: "The Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Madam Speaker. I, too, rise in support of this Amendment. I believe this is the most important Amendment to this Bill. The Representative from DeWitt has indicated some substantially good reasons why we should vote in favor of this Amendment. But this is the Amendment that will preserve the banking structure in Illinois with sufficient soundness to ensure that they can proceed in the area in which the bank is now... to proceed. This is the thing that will ensure us from reaching the... the low point, not reaching the low points that we did in the depression in the 1930's. My grandfather was the president of a bank in 1930 and suffered through those years. As a

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

76th Legislative Day

October 29, 1985

young boy growing up he told me the stories that occurred in the 1930's. And I would hate for us as a General Assembly in this state to have that occur. This Amendment makes sure that these banks are sufficiently capitalized to undertake the projects which they undertake. It'll keep the... the conglomerate hunters out of the banking business, and only those people that are seriously interested and know what they're doing in the banking business into the banking business. And I would urge the Members of this General Assembly to vote in favor of this Amendment. Thank you."

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

Capparelli: "Thank you, Madam Speaker. Actually the Amendment goes a lot further than what both Gentlemen say. The IBA opposes this Amendment. It has an immediate effective date, and they're trying to kill the Bill with this Amendment. And I would appreciate your support and a 'no' vote on this Amendment."

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

Mautino: "Thank you very much. I believe everyone knows exactly what we're... talking about the safety net and the 50% provisions in the... on foreign deposits for the protection of the local areas as well as the State of Illinois, and I ask for your support."

Speaker Breslin: "The question is, 'Shall The House adopt Amendment #89?' 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', 60 voting 'no' and 2 voting 'present', and the Amendment fails. Are there any further Amendments?"

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

76th Legislative Day

October 29, 1985

Clerk Leone: "Floor Amendment #90, Churchill - et al."

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker. I would move to withdraw Floor Amendment #90."

Speaker Breslin: "Withdraw Amendment #90. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #91, Brookins - et al."

Speaker Breslin: "Representative Brookins."

Brookins: "Read the Bill."

Speaker Breslin: "You present the Amendment. Go ahead."

Brookins: "Madam Speaker and Ladies and Gentlemen of the Assembly, we are authorizing Illinois banks to expand and banks from out of state to come in and expand. And we feel that there will be a absence of credit in certain areas of our state where these banks will leave. And, therefore, I am recommending that a pool of money be placed in a special fund where urban and rural areas may go to this fund and draw credit and make loans. So, therefore, I offer Amendment #91."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #91 to Senate Bill 525. And on that question, the Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Madam Speaker. Ladies and Gentlemen of the Assembly, I rise in support of the Gentleman's Motion. Banking is not a right. It is a privilege. Furthermore, what we are prepared to do here with the underlying Bill is to extend this privilege in such a way as to provide dramatic new opportunities for banking for Illinois corporations. There are vast profits to be made in this direction, and these profits should be shared with the areas of the state which provide the... the capital to our banking system. The... purpose of this Amendment is to set aside a pool of funds which will be used for community

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

76th Legislative Day

October 29, 1985

reinvestment, not only in urban areas, but in rural areas. And as we all know, we are facing a tremendous credit problem in rural areas throughout this country and particularly in Illinois. So for all of you who are concerned about the... the credit crunch that is facing our constituents in urban and rural areas of this state, I urge you to support this Amendment to establish a pool of cash that will be available to meet these pressing needs."

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

DeLeo: "Thank you, Madam Speaker. I rise in opposition against Amendment #91. And what this would do... Amendment 91 would create Illinois Urban and Rural Reinvestment Agency. It would be funded by a tax on all banks in Illinois that only participate in interstate banking. This would clearly, clearly violate the commerce clause of the United States Constitution by singling out interstate businesses for a state imposed tax. I urge a 'no' vote on Floor Amendment #91."

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

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

Speaker Breslin: "He indicates he will."

Churchill: "Representative, you're in effect imposing a tax in this Bill, are you not?"

Brookins: "I'm imposing a pool of money to be set aside for use for rural and urban areas."

Churchill: "But you are charging a cost against..."

Brookins: "There will be a fee established for such banks."

Churchill: "And that..."

Brookins: "It depends, and if you'll turn, it'll run from 2% to 5%."

Churchill: "And that... that tax is imposed on what?"

Brookins: "That fee... fee, fee, not tax, would be... imposed on

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

76th Legislative Day

October 29, 1985

doing business in the State of Illinois by banks coming into Illinois and those banks investing outside of the State of Illinois."

Churchill: "But is that tax a tax on income or is it a tax on property?"

Brookins: "Capital and surplus."

Churchill: "So it's a tax on..."

Brookins: "Capital and surplus."

Churchill: "Basically, the personal property at this point. It's a tax on personal property."

Brookins: "It's a fee on personal property."

Churchill: "Well, Madam Speaker, to the Amendment. I rise in opposition to this Amendment. ... tax on personal property after the surplus of banking. It's a tax which is... (sound system malfunction) interstate commerce which is something that would be against the Constitution. It's also something that may destroy the reciprocity provisions that we're trying to put into Senate Bill 525 because other states may not impose a similar tax. And so, therefore, we would not be able to purchase banks in the reciprocal states or have those states purchase banks in the State of Illinois. I think it's a bad concept and we ought to defeat it."

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

Brookins: "Let me correct something. It's not a tax on personal property, because there is no personal property. There is no tangible property, so, therefore, it would be a fee on an intangible asset. What we're saying is that there will be a gap in the coverage of the banks because they will leave certain areas because it will be unprofitable and unwise. So, therefore, we want to establish a special agency that will handle this pool of money, that will

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

76th Legislative Day

October 29, 1985

enable those that are in need of credit to go and borrow from this pool. So I ask a favorable vote."

Speaker Breslin: "The question is, 'Shall Amendment 91 to Senate Bill 525 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are... there are 19 voting 'aye'... Representative Laurino votes 'no', so there are 87 voting 'no' and 4 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #92, Vinson - Greiman."

Speaker Breslin: "Representative Vinson, Amendment #92."

Vinson: "It says #91."

Speaker Breslin: "Mr. Clerk."

Vinson: "I think... and we might as well take this out of the record."

Speaker Breslin: "It's #92. Do you wish to withdraw... wish to withdraw the Amendment?"

Vinson: "Yes, I do."

Speaker Breslin: "He does. The Gentleman withdraws Amendment #92. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #93, Churchill."

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker. I move to withdraw Floor Amendment #93."

Speaker Breslin: "Withdraw 93. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #94, Vinson."

Speaker Breslin: "Representative Vinson."

Vinson: "Yes, Madam Speaker, would the Clerk read the Amendment?"

Speaker Breslin: "Mr. Clerk, would you read the Amendment, please?"

Clerk Leone: "Amendment #94 amends Senate Bill 525 as amended by

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

76th Legislative Day

October 29, 1985

deleting everything after the enacting clause and inserting in lieu thereof the following: Section 1; Sections 2; 3.02; 3.05; 3.06..."

Speaker Breslin: "Thank you, Mr. Clerk. Mr. Vinson."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. What Amendment #94 does is to offer what I would regard as a fair compromise on this issue. It deletes everything after the enacting clause of the Bill and reinserts the regional banking approach envisioned by 525 and supported by the Illinois Bankers' Association. It adds the four Banking Association consumer Amendments that have been agreed upon, and it enacts the net new funds language that was adopted by an Amendment earlier in this process. So what we have is a regional banking approach combined with protection for the consumers and with net new funds. To refresh Members' recollections in regard to net new funds, net new funds is the approach which would require that in order for a bank to acquire... a bank holding company to acquire a bank in Illinois, they would have to demonstrate in their application to the Commissioner that they would bring new funds and new benefits to the State of Illinois by doing banking in this state. Now we all know that banks can do one of two things. Banks can take money from a community and invest it elsewhere, like the sunbelt, like Latin America, like communist countries in Eastern Europe. That's one thing they can do. Or banks can take deposits from the community and invest them in the community and develop the community. And what the net new funds approach says is that if a bank doesn't invest in the community, if it doesn't make commitment to invest in the community in its application, then we've got no business giving those banks the privilege of doing business in Illinois. It is a pro consumer, pro

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

76th Legislative Day

October 29, 1985

growth Amendment that is in compromise with the IBA's regional approach. I can't see how anybody who's for regional banking could be against this Amendment, because this... for regional banking. But beyond that, it ensures that if we go to regional banking we're going to get the benefits for Illinois and not send the benefits to Latin America. I would urge adoption of Amendment #94."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #94 to Senate Bill 525. And on that question, the Gentleman from Cook, Representative Greiman."

Greiman: "Yes, thank you. Am I a Cosponsor of that Amendment?"

Speaker Breslin: "You are, Sir."

Greiman: "Okay. I would ask that I be removed from that sponsorship only because there is a much better Amendment coming down. The Amendments that are in Amendment #94, which deal with consumer issues, are sort of the... sort of a, oh, early and primitive attempt of the bankers to give us a little concession. There are later Amendments that make significant allowances for consumers, and I know Representative Vinson probably may not even be aware of them. I think they're in another Amendment a few... a few down. And he would probably not want to be associated with watered down versions of this. So I will... I ask that my name be removed from the... this particular Amendment in hopes that this Body will adopt a more stringent consumer measure later on this afternoon. Thank you."

Speaker Breslin: "Mr. Clerk, remove Representative Greiman's name as a hyphenated Sponsor on this Amendment. On the Amendment, the Gentleman from Lake, Representative Churchill."

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

Speaker Breslin: "He will."

Churchill: "Representative Vinson, does this Amendment contain an

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

76th Legislative Day

October 29, 1985

immediate effective date?"

Vinson: "Yes, that's right. And the reason... the rationale behind retaining an immediate effective date is the same rationale as our approach to asking that the legislation be considered immediately. You'll require that the... recall that there was some substantial discussion two weeks ago when we visited this issue about whether we should wait until next spring to discuss this issue or whether we should act on it now. Now, as you know, if we acted on it next spring, the earliest it could take effect would be July 1st. What we did was at the behest of the powerful Illinois Bankers' Association to call for acting on the Amendment... on the Bill now. And the immediate effective date is consistent with that. It says we need modern banking in Illinois now."

Churchill: "To the Amendment. I'm very happy to hear Representative Vinson talk on the issue and that he's in favor of the banking portion that we've be trying to get before this Body for such a long time. But in this particular instance, I'm going to join with Representative Greiman. I think that there are better solutions and Amendments to come. And I think that this is an Amendment that we should defeat at this time. So I'd ask all those of you who have been following this issue and support the Illinois Bankers' position to vote 'no'."

Speaker Breslin: "The Lady from Kane, Representative Zwick."

Zwick: "Thank you, Madam Speaker. Just ask a quick question of the Sponsor if he'll yield, please."

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

Zwick: "Sam, does this knock off Amendment 9 on the capital tax... that ratio that we have on the Bill now?"

Vinson: "It would. But if you'll notice Amendment #95 would put Amendment #9 back on, and I would certainly support

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

76th Legislative Day

October 29, 1985

Amendment 95 to do that."

Zwick: "So it... Amendment 95 fits that into the language as adopted in 94."

Vinson: "That's correct."

Zwick: "Okay, thank you."

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

Bullock: "Thank you, Madam... Thank you, Madam Speaker. One question too, Sam. Sam, I think the most significant part of this Amendment is not so much, the consumer features, which are going to be covered in a later consensus Amendment, but it's your immediate effective date Amendment. Why is it that you insist that we have an immediate effective date? Maybe I missed that somewhere. Understanding the complexity of this problem that we're trying to address, why would propose an immediate effective date?"

Vinson: "Yes, thank you, Representative, I'm glad to have an opportunity to elaborate on that. You'll recall that this Assembly and this House, this institution of the people, last week... two weeks ago acted in disposing of Mr. Greiman's Motion to delay this issue, we... we got rid of that Motion to delay because we felt we needed modern banking in Illinois now. And what this Amendment does is to embody that consensus of this Assembly to act now, to bring modern banking practices to Illinois now. I can't... the concept of delaying that. I think the people who want to delay that just aren't looking at the appropriate future for this state that we can get with modern banking practices now."

Bullock: "Well, Madam Speaker, Ladies and Gentlemen of the House, Representative Vinson is right on one count and certainly in error on the second count. The supporters of this Bill

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

76th Legislative Day

October 29, 1985

and the Bankers' Association intend today..."

Vinson: "That's the best Bullock's ever given me."

Bullock: "Sam, you're my friend. The supporters of this Bill and the Sponsors of this Bill intend to take action on this Bill today because action is needed now. But what we need is responsible action, and I'm sure the Representative from DeWitt fully understands that once the legislation is in effect, that there are certain procedural things that banks must do, Representative Vinson, and those are included in Amendment 102. The provisions of passing the irrevocable resolutions that are necessary, the other start-up procedures that are necessary so that Illinois banks can, in fact, move and have a smooth phase-in transition period into this new era of modernizing the banking structure. We all want that, and we're going to get that here today. But your Amendment, by imposing an immediate effective date would throw the process into utter chaos because it wouldn't give banks the start-up time necessary for this smooth phase-in approach. And for that reason, Ladies and Gentlemen of the House, I stand in opposition Amendment 94. The Banking Association stands in opposition Amendment 94, and we would urge a 'no' vote."

Speaker Breslin: "The question... There being no further discussion, Representative Vinson, to close."

Vinson: "Thank you, Madam Speaker and Ladies and Gentlemen of the Assembly. What this Amendment says is that we're going to go to modern banking in Illinois now, and now means now. It says that in the process we're going to ensure that those banks that come in to do business in Illinois have to invest in Illinois, that they can't simply act as a conduit, as a pipeline, of money to countries like Vietnam, and Poland, and Argentina and Mexico. It says that we care about consumers and business in Illinois and jobs and

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

76th Legislative Day

October 29, 1985

growth in Illinois. And if you vote for the Amendment, you're voting for jobs and growth in Illinois, and if you vote against the Amendment, then you're voting to leave Illinois as a sinkhole of economic despair."

Speaker Breslin: "The question is, 'Shall this House adopt Amendment #94 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 30 voting 'aye', 73 voting 'no' and 8 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #95, offered by Representative Mautino."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you, Madam Speaker. That Amendment is already on the Bill in the form of Amendment #9. I'll withdraw 95."

Speaker Breslin: "Withdraw Amendment #95. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #96, offered by Representative Vinson and Greiman."

Speaker Breslin: "Representative Vinson or Representative Greiman."

Vinson: "Withdraw that Amendment, Madam Speaker."

Speaker Breslin: "Withdraw Amendment #96. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #97, offered by Representative Greiman and..."

Speaker Breslin: "Representative Greiman. Withdraw Amendment #97. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #98, offered by Representative O'Connell."

Speaker Breslin: "Representative O'Connell."

O'Connell: "Thank you, Madam Speaker. Amendment #98 expands the

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

76th Legislative Day

October 29, 1985

mileage restrictions on the ability of a bank to acquire an additional facility. The current law provides for a ten mile restriction outside of the county. This Amendment would expand that to 40 miles outside of the home or the domicile county. The rationale behind the Amendment is that if, indeed, Senate Bill 525 is passed and authorized into law, we will have, in effect, a restricted expansion of the Interstate Banking Act. Accordingly, it is my opinion that we should also expand the ability of an intrastate bank to acquire an additional facility on a restricted basis. I'd ask for its favorable adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #98 to Senate Bill 525. And on that question, the Gentleman from Cook, Representative Capparelli."

Capparelli: "Thank you, Madam Speaker. Last June, the General Assembly passed the Bill that increased the number of allowed facilities from three to five. This will go in effect January of '86. In the legislation we maintained two geographic provisions - home office protection from existing institutions and the ten mile distance for a facility. The Amendment deals with bank branching... branch banking and, therefore, would require probably a three-fifths of vote on all those voting on the question, and I would ask for a 'no' vote on this Amendment."

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

O'Connell: "Madam Speaker, this doesn't deal with branch... This simply expands the existing mileage limitations. It doesn't enable a bank from establishing any more additional facilities. It simply gives them the opportunity to expand beyond the original ten mile limitation. It's totally consistent with the thrust of Senate Bill 525, and I'd ask for its adoption."

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

76th Legislative Day

October 29, 1985

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #98 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 6 voting 'aye', 102 voting 'no', 4 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #99, offered by Representative Bowman, Anthony Young and Turner."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I offer Amendment #99 and in the interest of low income consumers in the State of Illinois. In the alternative consumer proposals, which has been proposed in various Amendments, we have provided a basic checking account for senior citizens. Now that proposal was based on the feeling that senior citizens deserve this because typically they are on fixed incomes and typically their incomes are barely adequate to their needs. The proposal in Amendment #99 expands that concept to other individuals who are similarly situated. For example, any natural person who has been determined to be disabled under federal or state law would also be entitled to a basic checking account, or any natural person who is a recipient of cash assistance for reasons other than disability under various Articles which are mentioned, enumerated in the Bill, for example, the AABD, the SSI, the black lung benefits, railroad retirement, Veterans' Administration Improved Pension Program and so forth. These are persons who are living on fixed incomes every bit as strenuous to the budget as those of senior citizens, and they deserve the same consideration. Therefore, I move that we approve Amendment #66 (sic - 99) to extend the same basic concept

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

76th Legislative Day

October 29, 1985

that is embodied in the basic checking account for senior citizens to those other people living on fixed incomes at the very margin of existence. I move its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #99 to Senate Bill 525. And on that question, the Gentleman from Marion, Representative Friedrich. Excuse me. The Gentleman from Lake, Representative Churchill, for what reason do you rise?"

Churchill: "I question whether it's in order."

Speaker Breslin: "For what reason do you question the Amendment?"

Churchill: "Because it amends Section 45.2 of an Act, and we don't have a 45.2."

Speaker Breslin: "We will check that, Representative Churchill. Meanwhile, the Gentleman from Marion, Representative Friedrich."

Friedrich: "Madam Speaker, even if it's germane, it isn't any good. I think we're mixing banking and welfare here, and I think they're two different subjects. And I think that the presumption that because you're 55 or 60 years old you're broke is a bad assumption to start with. Many people over 55 are better able to pay for their checking account and others. But a lot of banks are doing it voluntarily, and that's their business, but I would not assume everybody over 55 years old is broke."

Speaker Breslin: "Representative Bowman, we have looked at the Bill and the Amendments that have been adopted. There is no Section 45.2. Representative Churchill's point is well taken. Your Amendment is out of order. Are there any further Amendments? Excuse me. Representative Bowman."

Bowman: "Yes, for clarification. You'll notice that the language says, 'amends Senate Bill 525 as amended in Section 3 of the Bill'. Then by deleting Section 45.2 and then inserting in lieu thereof the following. Well, now if...

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

76th Legislative Day

October 29, 1985

if... if it's not there at all, it doesn't need to be deleted, and I would argue that what we are doing here is adding entirely new language. As long as Section 3 of the Bill stands, we may proceed in this fashion."

Speaker Breslin: "The problem, however, Representative Bowman, is that the Section you have added amends... Representative Bowman, I'm sorry, but we don't believe that your point is well taken. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #100, offered by Representative Braun and LeFlore."

Speaker Breslin: "Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. If we're going to reform the banking laws, I would submit to the Members of this Assembly that..."

Speaker Breslin: "Representative Braun."

Braun: "Thank you. I was cut off momentarily. Are we back on? Alright. Thank you. I would submit to the Members of the Assembly that this Amendment gives an opportunity for a reform that will most directly impact low and moderate income people and senior citizens in your area. Essentially Amendment #... Amendment #100 calls for a no fee negotiation of Social Security... out again. It's out again. Okay. It went out again. Of Social Security checks for senior citizens as well as public aid checks. In light of the fact that those types of payments are simply transfer payments, government transfer payments, the money is there. There's no lack of security by the negotiating bank. It seems to me appropriate that we take the onerous burden off of senior citizens who cannot afford to pay, off of public aid recipients who cannot afford to pay and allow the negotiation of those instruments without a fee. This does not put an undue burden on any... any bank and, at the same time, will provide a tremendous boost

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

76th Legislative Day

October 29, 1985

to people who are already living on fixed incomes. I would encourage your support of House Amendment #100."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #100 to Senate Bill 525. And on that question, the Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Madam Speaker. I rise in opposition to Amendment #100. The Section of the Act that this Amendment seeks to change is that Section which relates to banks coming in from out of the State of Illinois. That means that the no fee check cashing services that are required in this Amendment are on only those banks coming from out of the State of Illinois, which is, as we had in a previous Amendment, a restriction on interstate trade, and it is unconstitutional. It also affects our ability to try and have reciprocity between the states, because that would mean that every other state would have to have similar provisions, and they may not end up with those similar provisions. I sympathize with what the Sponsor of the Amendment is trying to do, but I think the Amendment is not proper at this point. And I would ask the Members of the Body to vote 'no' on this Amendment."

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

Turner: "Thank you, Madam Speaker. Will the Lady yield for a question?"

Speaker Breslin: "The Gentleman (sic - Lady) indicates he will yield for a question. Excuse me."

Turner: "Representative Braun, do you have any idea what the savings would be, say, on monthly basis? Let's just take for instance the public aid checks that would be cashed. Do you have any idea, say, in Cook County alone, what that fee is or what the total savings would be?"

Braun: "Thank you. Representative, it can run as much as 10% of

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

76th Legislative Day

October 29, 1985

the total monthly income of a person who is living on a fixed income. This microphone is not working. It can be as much as 10% of the total living allowance for a person who is on Social Security, a senior citizen who is on Social Security, or a person who is living on a public aid check. Right now, many individuals are forced to pay what are essentially exorbitant fees for negotiation of those instruments. At the same time, we don't attach a same... the same kind of percentage negotiation penalty for large scale, big money transactions. This is something to help the little person who cannot afford right now to live on a fixed income and will simply absolve them of what is essentially an economic tax on the poor."

Turner: "Representative, you're absolutely right. In fact, in checking with the Department of Public Aid, I was informed that there is a total of 288,000 checks sent to currency exchanges in the State of Illinois every month. In Cook County, it adds to a total of 72,000,000 dollars, and if you figure 10% of that, it's close... it's well over 700,000 dollars is spent each month in cashing checks, state checks in currency exchanges. And I have to agree with you and concur and rise in terms of supporting this Amendment because I think that 700,000 plus a month can be better spent in the State of Illinois without tying it up in fees to cash checks."

Speaker Breslin: "The Gentleman from DeWitt, Representative Vinson, to... to discuss Amendment #100."

Vinson: "Yes, that's Representative Braun's Amendment, Madam Speaker?"

Speaker Breslin: "Yes, proceed."

Vinson: "I rise in support of the Amendment, Madam Speaker. And I rise in support of the Amendment because ultimately there are two ways of looking at how you should structure banking

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

76th Legislative Day

October 29, 1985

legislation. Either you can believe that banking legislation is something best left to bankers so they can feel most comfortable with it, or you believe that banking legislation is something that the business community and consumers have an interest in. Now, I happen to hold that consumers and the business community have at least as much interest in banking as the banking community does. And I think that Representative Braun has given us a classic example of an Amendment which create proper and appropriate functions for consumers in this particular Bill we're discussing. I would point out that her Bill (sic - Amendment) involves every public aid recipient in your district. But beyond that, it involves every Social Security recipient and every member of the railroad retirement system. If you have somebody in your district who is a railroad retiree or a Social Security retiree and gets that kind of check, they've got an interest in the Representative's Amendment. And you ought to be thinking about that, because I suspect that you have more railroad retirees and more Social Security recipients than you do banks. I would urge adoption of the Amendment."

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

Leverenz: "A small inquiry of the Chair. The boards don't go over 99?"

Speaker Breslin: "It doesn't go over 99 this week. Hopefully..."

Leverenz: "This week."

Speaker Breslin: "This week."

Leverenz: "Well, we better get it fixed for Bills like this and DOT."

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

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the

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

76th Legislative Day

October 29, 1985

House. I rise in support of the Lady's Motion. I would just remind everybody that Senate Bill 525 is a major piece of legislation. It is probably one of the most significant pieces of legislation that we will consider during this biennium. It will, once and for all, change the way in which banking business is conducted in the State of Illinois and perhaps in the Midwest. Therefore, it is very important that this legislation work for everybody, that every citizen of this state must have a stake in the outcome. The problem with Senate Bill 525 in its current form is that it does not affect those people who are living on fixed incomes or those people who are living on marginal incomes. They have no stake in Senate Bill 525. If the Sponsors of this legislation are serious about making Senate Bill 525 work for everybody, I would urge them to join with Representative Braun and myself in supporting Amendment #100, because this Amendment is absolutely essential for broadening the base of support for their legislation. So I rise to support the Lady's Motion, and hope the Sponsors of this legislation will join us together. Thank you."

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

Capparelli: "Thank you, Madam Speaker. This Amendment, of course, is unconstitutional, as Churchill stated before. It imposes an interstate commerce tax on out of state bank holding companies. Also, there would be an equal protection problem since the free check cashing requirement would not apply to Illinois banks. Also this Amendment doesn't impose this burden on savings and loans, credit unions, currency exchanges and anyone else who cashes checks, and I would ask for a 'no' vote on this Amendment."

Speaker Breslin: "There being no further discussion,

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

76th Legislative Day

October 29, 1985

Representative Braun, to close."

Braun: "Thank... Okay. Are we on? Thank you. Madam Speaker, Ladies and Gentlemen of the House, I think that the arguments about the unconstitutionality of this Amendment are spurious. Banking, as it's been pointed out, is a privilege, not a right. And in the event that we're going to allow new banks to locate in Illinois, to acquire Illinois banks, it seems appropriate that we allow also some reform on behalf of consumers. All of you will go back to your home districts and when you are asked about the banking reform, the Social Security retirees, the senior citizens who live on a fixed income, they may not understand all of the goings on that we've talked about all day regarding the structure of banking and the need for expanding and reforming our banking laws and what this Bill does and does not do. They will, however, understand what side you were on when it came down to whether or not they should be charged, again, almost 10% of their living income for negotiation of a transfer payment. All that this Amendment seeks to do is to say that when we are reforming the banking laws we're not... doing so not only for the bankers, doing so not only for the financial markets, but we're also doing it for those retirees and poor people who cannot afford to pay again out of their limited income the cost of a fee for negotiation of these transfer payments. It is an economic tax on the poor that I believe we have an opportunity now to repeal in... with regard to this Amendment, and I encourage your support for Amendment #100."

Speaker Breslin: "There being no further discussion, the question is, 'Shall House Bill 525 pass?' All those in favor vote 'aye'... Excuse me. The question is, 'Shall Amendment #100 to Senate Bill 525 be adopted?' All those in favor vote

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

76th Legislative Day

October 29, 1985

'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Clerk will take the record. On this question, there are 32 voting 'aye', 70 voting 'no' and 7 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #101, offered by Representative Young, Bowman..."

Speaker Breslin: "Representative Young. Representative DeLeo, for what reason do you rise?"

DeLeo: "Madam Speaker, I ask for a ruling from the Chair on Amendment 101. It seems that it should be ruled out of order. It's the same as Amendment 99. It amends a nonexistent Section of the Bill."

Speaker Breslin: "Your point is well taken, Representative DeLeo. Representative Young, your Amendment is out of order. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #102, offered by Representative Capparelli - Greiman..."

Speaker Breslin: "Representative Capparelli."

Capparelli: "Thank you, Madam Speaker. Amendment 102 is now the Amendment that will make the Bill... It provides the interstate banking. It gives us consumer package, and Representative Greiman will now try to explain all the work he has entailed in this Bill at this time."

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

Greiman: "Thank you, Speaker and Ladies and Gentlemen of the House. I said several months ago, maybe an eternity ago, that bank restructuring was essentially a battle of millionaires versus billionaires, and that we were pulled one way or another, and that unless the people of Illinois, the consumers of Illinois, could have a piece of the action, if you will, then we shouldn't give a damn. Whether our bank system can catch up, I don't know."

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

76th Legislative Day

October 29, 1985

Whether it's too late for Illinois to really become a state that can cross geographic... political boundaries remains to be seen. But I do know that Amendment 102 is a beginning of consumer reform in Illinois, as well as the beginning of regional banking and the end to intra... to the intrastate boundaries in Illinois. There are several specific items dealing specifically with consumers. First is the adoption of an expedited checking clearance statute, which applies to savings and loans, to banks, to credit unions, to all the financial institutions. There is parity and equality so that banks will not be at a disadvantage and that savings and loans will not be at a disadvantage. They will all be doing the same kinds of things with instruments. It provides for a 1:4:7 ratio - one day intervening for government checks; four days for Illinois checks; seven days for out-of-state checks. There are banks that are literally making a fortune on our money. You know, if I kite checks, that's a felony. If E.F. Hutton does it, it's not nice to do, and if the banks do it, it's smart cash management. And the truth of the matter is that this will at least restrain banks and require them. And I think it will end up that this will something they will want to sell. I think they'll... they'll announce that we're below the statutory levels. We beat the statute. We'll give you your money in two days, in one day, so that I look forward to this as... as important... as an important victory for consumers. We are, by this Amendment, bringing to Illinois a lifeline Amendment for senior citizens. I would prefer to have had it expanded. I would have preferred to see most everybody that has been discussed as part of that, but I also live in a world of reality. Seniors will be able to have checking accounts with no minimum balance and with ten checks

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

76th Legislative Day

October 29, 1985

without any kind of charges. And that's also at all of the institutions, financial institutions. There will be... There will be a requirement of disclosures, disclosures of the specific items in rules and regulations with respect to the account that the customer wants as well as a brief description of all the accounts. So that when I walk in and I want a certain kind of account, I will have some sense of what's offered, some sense of what's right for me and not just because these are the papers or the documents or the thoughts that a bank officer has as best for me and maybe, in fact, best for the... for the bank. There will be a form of community reinvestment, again, not as broad as I might like it but it sets up... it sets up a criteria for community reinvestment that the Commissioner of Banks can look at when he grants the privilege for the bank to expand. It, also, very importantly defines a community as not being subject to just political boundaries. In other words, a bank in Chicago that's in one area can't just say, 'We're dealing in Chicago, so, therefore, we're dealing with our community.' Community is the contiguous area around that bank. There is... There originally was no provision for hearings. A bank would shuffle papers, give it to the Commissioner of Banks, and bang, there would be a new ownership structure. Under the present Act, we have, one, a publication of the intended acquisition as well as a public posting in the bank; two, a period for public comment; and, three, the right of the Commissioner to call a hearing and impose upon the... the applicants a hearing as to whether they have done the community... kind of community reinvestment that is appropriate and done the kind of giving of net new benefits, which is the last provision for consumers and economic development. This Bill provides a requirement that a new entrant show a plan

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

76th Legislative Day

October 29, 1985

or form of plan of what it is bringing to Illinois so that we will know that there are net new benefits to Illinois. The Gentleman from DeWitt spoke so eloquently about the need for a net new benefit test. Finally, the Bill brings to Illinois regional banking. I suppose I could suggest that if no more states than Kentucky and Indiana adopt a regional banking statute then the Bill will be, as I suggested earlier, somewhat trivial in its interstate aspects and, as a matter of fact, will be about the least one could expect to get. It would be a victory for those who want nothing. That is about as close to nothing as one can get. Having said all that, I believe that this Amendment is what is in the realm of possibility this very day. Should there be an interstate trigger? Some say yes. I think probably there should be down the line. Should we deal with consumer banks? I think, yes, we should. Should we deal with greater consumer Amendments in the future? Yes, we should. But we have to begin some place. We have shamefully allowed the bankers to control banking. Just as one ought not to let the generals control war, the bankers, I suspect, are not necessarily fit to control banking. And we must take over, and we must now control that. And I ask, therefore, for the adoption of Amendment #102 to Senate Bill 525."

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

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

Speaker Breslin: "He will."

Vinson: "Representative, I have just one question. Was that a long-winded announcement that you've made a deal?"

Greiman: "Representative Vinson, you are so perceptive. I suspect when Amendment 102 came by your desk and saw

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

76th Legislative Day

October 29, 1985

Capparelli - Greiman, that that was all you needed. Remember, there were lots of Amendments that said Greiman - Vinson. And there now is an Amendment that says Capparelli - Greiman. When you drive the car like I do you drive down many streets. Some of them are a dead end..."

Vinson: "...wrong side of the road?"

Grieman: "...and some of them are a dead end, Sam."

Vinson: "Is that the tie I gave you?"

Greiman: "Sam, Sam, I have the tie that you gave me back in my office. I didn't wear it because I didn't think it was appropriate to do that."

Vinson: "You should be ashamed to wear that tie after putting this deal together."

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

Churchill: "Thank you, Madam Speaker. This Amendment to Senate Bill 525 becomes the Bill. This is the Bill that we have been working on for a long period of time, through all these Amendments, from all the way from last Session. This is the Bill in a nutshell. It permits banks and bank holding companies to purchase other bank stocks in the State of Illinois and in those states which adjoin Illinois. It provides for a reciprocity so that the banks in the State of Illinois won't be absorbed unless they can also go into other states and purchase bank stock. Preserves the safety and soundness standard. It provides for an opt out for those banks that do not wish to be acquired. It permits increased competition and in doing so will benefit the consumer. It's not... There's no trigger in this. It's a regional concept. It's an expansion of a process that's begun before, but it expands only to the limits of adjoining states, and we don't have any nonbank banks. This is a Bill that has been worked on with

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

76th Legislative Day

October 29, 1985

Representative Greiman, Representative Capparelli and the Illinois Bankers' Association. We've included in it those consumer portions which Representative Greiman has already explained. This is the Amendment that we want to go on this Bill and want to keep it in its purest form by using only this Amendment. On behalf of all those who I previously mentioned, I want to thank the Body for being so patient and so supportive of our efforts to keep this in its purest form. I would ask everybody to vote 'aye'."

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

Flinn: "Yes, Madam Speaker, I would like to have the privilege, if the Gentleman would yield, to ask Mr. Greiman a question."

Speaker Breslin: "The Gentleman will yield to a question."

Flinn: "Mr. Greiman, in your explanation of Amendment 102, you used the term, 'applies to all financial institutions'. Now the original Bill, 525, applied to banks as we know them as a bank. It did not apply to nonbank banks. It did not apply to savings and loans. It did not apply to credit unions. Were you in error when you stated that? Was it a misstatement, or did you mean that it applies to all financial institutions?"

Greiman: "I... I absolutely was not in error. The Bill has been amended to provide that, firstly, because it would be only a fair way to treat people who are essentially engaged in this same business. I should point out that those aspects of the Bill which touch on the Uniform Commercial Code, in that it states that there... uses the word bank. All the other ones in the Bill have been changed to provide savings and loan, and credit unions, et cetera. But on the parts which amend the Uniform Commercial Code, they use the word bank, and banks have been construed and it is the intention

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

76th Legislative Day

October 29, 1985

that banks be used in the generic sense as depositories of money for the purposes of the Uniform Commercial Code."

Flinn: "Madam Speaker, to the Bill... to the Amendment, rather."

Speaker Breslin: "Proceed."

Flinn: "I... Because of his explanation, I originally intended to support the Amendment, because it appeared that there would be some semblance of agreement which would include consumers in the change in the banking laws. But I now intend to oppose the Amendment, and if the Amendment gets on, oppose the Bill. I intend to originally... to... for the Amendment with the understanding that it only applied to banks and also vote for the Bill itself. But I think I'll oppose them both."

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

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

Speaker Breslin: "He will yield to a question. Representative Greiman."

Young: "Representative, in your description of the Amendment, you used the words net new benefits. I was wondering where those... was that the same net new funds provision that we adopted in Amendment #62?"

Greiman: "Yes. Yes, is the same."

Young: "Thank you."

Greiman: "We just... Because some of the... some of the things in it aren't just funds but rather they're plan of spending and plan... It may not be a net new funds only. We want to make sure its benefits."

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

Bullock: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise to join the sentiments of Representative Churchill who indicated that the Bill had, in fact, undergone a very long and laborious process. But I would

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

76th Legislative Day

October 29, 1985

like to say also that this Amendment 102, that is before us is a fitting testimonial to this Body and to the process that we engage in. And sometimes individuals become impatient with the process, but I think this Amendment is indicative that the process works. And the process works because we have, at this juncture, an Amendment before us which amends the Illinois Banking Act, which will join along with the action we took several years ago when we brought about multi bank holding company legislation in Illinois and discarded the dubious distinction of being one of six states that did not modernize their banking structure. I think today or tonight we have before us an Amendment which will make Illinois unique in the United States - unique in the sense that we are requiring in the community reinvestment provisions of this Act, with the adoption of Amendment 102, identical language from the Federal Reserve Board, language that no other state, that no other state, has seen fit to adopt or to protect and to provide the consumers of some degree of respect and some degree of acceptability in the banking system. Representative Greiman explained the community reinvestment provision. He explained the basic checking provisions of this Amendment. This Amendment is a bipartisan Amendment, and this Amendment is an Amendment that I believe the banking industry, in the long run, the banking industry will grow to appreciate because in the long run it not only will increase their consumer support but will be a clear indication that they intend to be good, corporate-responsible citizens in Illinois, and I urge an 'aye' vote."

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

Levin: "Would the Sponsor yield for a couple questions?"

Speaker Breslin: "Representative Greiman will yield for a

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

76th Legislative Day

October 29, 1985

question."

Levin: "Okay. I have two questions, Representative Greiman. The first question is, you indicated that the provision dealing with number of days applies not only to banks but to savings and loans and other financial institutions. What about the provision dealing with senior citizens? Does that only apply to the banks?"

Greiman: "Yes. No, that applies to everybody."

Levin: "Okay, so that would also apply to the savings and loans..."

Greiman: "Absolutely."

Levin: "...and to the... the other financial institutions."

Greiman: "Absolutely."

Levin: "Okay. My second question is, I wonder if you could elaborate a little bit as far as what the community investment disclosure provisions are and how those compare with the provisions currently in federal law."

Greiman: "...They're basically... They're basically the same with a broader definition of community... or a specific definition of community. And what they do, what the impact that they have is that the... they would have to... they are now matters which the Commissioner of Banks would have to consider in the granting or denial of a... of a change and of a new facility. So that now you have a whole new series of criteria and thresholds that will have to be considered by the Bank Commissioner, and that's the significance of them. The material itself, of course, is basically what's in the present Federal Act."

Levin: "Let me go a step farther, though, and say that... suggest that, you know, those provisions in the federal law, I understand, have been extended or are in the process of being extended just till next spring when they'll take it up again whether to make the extension permanent. If for

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

76th Legislative Day

October 29, 1985

some reason the Congress doesn't extend them beyond next spring, we will still, if this passes, have those protections in our state law..."

Greiman: "I think so."

Levin: "...so that we still have that disclosure."

Greiman: "I think they will. It's my intention that they would be in there. Now, there is a... there is a reference, incorporation by reference, but there are also specific items. If you notice, there are a number of issues that are specifically mentioned. It doesn't just mention it by reference, but it goes down and... and lists the things that, in fact, banks do, and so that it talks about the activities and it is those activities which would be covered."

Levin: "So for... as a matter of making the record here, it is your intention that even if the Federal Government were to repeal the provisions or not extend the provisions next spring in terms of disclosure, that the provisions you're sponsoring in this Amendment will continue."

Greiman: "Clearly. Yes, clearly because; otherwise, we could have just keyed it into the Federal Community Reinvestment Act of 1977 and not listed anything. But we listed all the other things that might be applicable. So, all of those things are impacted in there, Mr. Levin."

Levin: "Thank you very much."

Greiman: "Thank you."

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

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

Speaker Breslin: "Representative Greiman will yield for a question."

Klemm: "Representative Greiman, just some clarification for me, if you will. On page 18 of your Amendment you define,

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

76th Legislative Day

October 29, 1985

which is existing in here, financial institutions, including the Illinois Credit Union Act. So, any credit union is a financial institution. And I think you go on to say on page 19... 18 and 19 that all these financial institutions must offer a basic checking account. Is that correct?"

Greiman: "Yes. That's what it says, yes."

Klemm: "Alright... Alright, just out of curiosity, then. The credit unions in Illinois, do they... do we have the safeguards for them to establish the checking accounts type of operations? Do we have insurance that they carry for those depositors? I'm just curious, if you could expand a little bit on credit unions."

Greiman: "Well, if they are... if they are financial institutions within the meaning and they are, I guess, described as such, then they would be."

Klemm: "And there are safeguards for insurance for the F... what, FDIC and all that? Are they mandatorily required to cover that for the protection of those depositors?"

Greiman: "Well, they would be... they would be... have to comply with all the... with all the insurance requirements, if they have it, with everything else."

Klemm: "Where does it say they'd have to comply with all those requirements? I couldn't find it in here, and I was... Well, you could..."

Greiman: "I think the Banking Act requires them to comply with those things, other parts of the Banking Act."

Klemm: "But you don't know since credit unions were never considered?"

Greiman: "Well, I'm not... you may not know this, Mr. Klemm, but I am really a Johnny come lately to the banking... I only sound like an expert. I'm really not. I don't know anything about banks."

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

76th Legislative Day

October 29, 1985

Klemm: "Alright, so... Alright, I don't know anything about it very honestly, and I thought you could enlighten me on it. So, you're not sure then, if the credit unions would have to have this safeguard that other banks would have to since you said you don't know the Banking Act."

Greiman: "Well, but... No, no. You understand that we're not changing that. They are already defined as financial institutions. If you look on page 18, that's not new language..."

Klemm: "I understand."

Greiman: "...that's old language."

Klemm: "But... but you're..."

Greiman: "So, they are financial institutions now."

Klemm: "I understand that."

Speaker Greiman: "Yeah."

Klemm: "But on page 18 and 19, you are creating that they can and must, I guess..."

Greiman: "Yes."

Klemm: "...or shall..."

Greiman: "Sure."

Klemm: "...or offer basic checking accounts, and I didn't know they did that now."

Greiman: "But they could also... they could offer those accounts now."

Klemm: "Alright. Thank you very much."

Greiman: "They could do it now anyhow, whether they have insurance or... I mean, whatever their requirements are. I don't know what they are."

Klemm: "Fine. Thank you very much."

Speaker Breslin: "The Gentleman from Bureau, Representative Mautino."

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

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

76th Legislative Day

October 29, 1985

Speaker Breslin: "Representative Greiman will yield for a question."

Mautino: "Representative Greiman, you've worked long and hard to put together Amendment #2. I noticed that in the Amendment, starting on page 11 and completing on page 12, that you place the information and the satisfactory provisions in the hand of the Commissioner of Banks and Trust, and you use in the new language on page 12 that the acquisition will promote the safety and soundness of the institution to be acquired. There is nowhere in this Amendment where I see the statutory requirements as they pertain to existing financial institutions. I will, once again, mention the 7% provision as it pertains to total capital to total assets in the acquisition process of the assuming bank. I don't see it in your Amendment anywhere. At the same time, I see that you mentioned the safety and soundness provision; yet, you do not mention capitalization, nor asset-to-capital ratios which is the basis of the safety and soundness provisions. Is there a reason for that?"

Greiman: "Well, I think the reason is one that deals with how we regulate regulated industries in America. Seventy-five years ago before the Russia agencies and the Federal Government in the thirties and the forties, Congress and bodies like this had very specific legislation. There, we were the regulators. We were, in effect, the regulators. We had much more to detail even than we do now. In the thirties, we decided that administrative agencies had come about... time had come, and we provided for broad frameworks by Legislatures with interstitial legislation by administrative agencies. The Commissioner of Banks is an administrative agency in Illinois, and so, we leave to his judgment, the judgment of an administrative agency, the

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

76th Legislative Day

October 29, 1985

specific rules and regulations to be developed for determining safety and soundness. We are... we are all interested. I suspect even bankers are interested in the safety and soundness of banking institutions. Even they occasionally think about that subject. And so, we would hope that the Commissioner of Banks will, indeed, develop the kind of regulatory view of this to allow that. Now, I hope someday that we have a single regulatory agency in Illinois for all financial institutions. I think that's the next great push after all this is set aside."

Mautino: "Well, are you telling me that the intent of your legislation is to maintain the same ratio as is necessary in our financial institutions today, which is a minimum of 7%?"

Greiman: "If that, indeed, is what... is what we have... what our Commissioner believes is a matter of safety and soundness, then I certainly believe that his judgment should be followed. If it's... But we're not making a statutory determination. We're allowing a regulatory agency to set their own rules and regulations and standards. He is being charged with making the determination on a finding, if you will, that, indeed, the applicant has proven that they have safety... met the test of safety and of soundness."

Mautino: "Alright. Let's go to the... let's go to the community reinvestment provisions. In your Amendment, you addressed that question. Would you please explain to this General Assembly what the intent is of that paragraph, subparagraph 3 on page 12..."

Greiman: "Right."

Mautino: "... as it pertains to community reinvestment, and what will this legislation do in regard to that Act? That's line 17, page 12."

Greiman: "Well, we are... what we are doing is putting the

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

76th Legislative Day

October 29, 1985

Federal Act into this... into this Section. We are incorporating..."

Mautino: "What does the Federal Act mandate now?"

Greiman: "It's the Community Reinvestment Act of 1977."

Mautino: "Yeah, but what does it mandate now? What percentages..."

Greiman: "It mandates all the things that are after that... that are in this. Now, if you want to... if you want to sit and we talk about the whole Act, we could read it, but it's all there to read it. The idea is that we want to have banks taking money from areas and putting it back in those kind of areas..."

Mautino: "And what percentage is that?"

Greiman: "...in important, socially-responsible ways. And the banks now have to make a showing that they're doing that, that they're supporting the community, that they're not just takers, that they're even givers. And that's what this does."

Mautino: "Well, what that language says is that the extent of participation by the banks board of directors in formulating the banks policies and reviewing its performance with respect to the purposes of the Federal Community Reinvestment Act of 1977 for information purposes. What does that mean in terms of how much funds will be reinvested in that community?"

Greiman: "Well, they have to talk about the extent... You can't just look at that one... Look, for example, the extent of the banks marketing special credit program."

Mautino: "I mean, is that 50%..."

Greiman: "That's in, too."

Mautino: "...60% or 40%?"

Greiman: "No, I don't think there are percentages. It's a disclosure thing. Obviously... Let me give you an example."

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

76th Legislative Day

October 29, 1985

Let's assume that a new bank wants... a bank wants to acquire another bank, and they have put nothing back in, or they have put 10% of their deposits received from an area back into that community. When they go, there will be a period and a public comment and people can say, this bank is not meeting... is not fulfilling the needs of its own community, let alone the needs of a new community that it seeks to enter and; therefore, it should be denied. And if the Commissioner is a person who is sensitive to the needs of community and of a little political pressure, then, indeed, they will deny them that license to acquire a new bank because they have not fulfilled their commitment to their community."

Mautino: "To the legislation, Madam Speaker."

Speaker Breslin: "Proceed."

Mautino: "I think the major interest for many of us in the rural areas in downstate Illinois was the fact of the safety and soundness and the security of the financial institutions. There are many small banks in Illinois that certainly deserve better than what we are offering with Amendment #102. Their concern, as is our concern, is that the situation in Illinois does not become the situation that occurred in Minnesota, whereby 29 financial institutions were purchased by a holding company and now placed on the block for sale based upon the fact that most of the assets available to the acquiring financial institution were not as originally presented and the communities were left in a rather disalarming position. I see nothing in this Amendment that provides statutorily that safety net that is so necessary for financial institutions and the confidence of those individuals using the institutions. I would hope that if Amendment #102 goes on, that additional consideration would be for Amendment 104 which allows that

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

76th Legislative Day

October 29, 1985

7% provision, that all financial institutions in this state must adhere to. For that reason, I cannot stand in support. I do stand in opposition to Amendment 102 to Senate Bill 525."

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

Piel: "Thank you, 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 Greiman to close. Representative Capparelli, to close."

Capparelli: "I ask for a favorable Roll Call."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #102 to Senate Bill 525? All those in favor vote 'aye', those opposed vote 'no'. Voting is open. Representative Zwick, one minute to explain your vote."

Zwick: "Thank you, Madam Speaker. I guess what I want to do is just call your attention to the importance in this Amendment. This is probably the most important vote you've cast since the postponement measure. And a lot of new issues came out in our debate last... two weeks ago when we discussed this issue. I really won't argue with a lot of the consumer proposals that are put in here, but what this Bill does, if this Amendment is adopted, is virtually pass the Bill. This is the shape that the bankers want the Bill in to pass. Right now, it's not in that shape. It has two other Amendments on it. One of which, I think, has some stronger language, the other one which may be almost equal. However, I'd also like to point out that some of the things in this Bill, many of the things in this Bill are good, of course. I won't argue with them, as I said. However, most of them are already being done, most of the services in

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

76th Legislative Day

October 29, 1985

this. There are federal regulations on community reinvestment. Look in your bank when you go in there. They're posted on the walls right now. There are many banks that offer free check cashing. There are many banks that offer free senior citizen services. If you believe that there is some confusion that you are not sure what you want to do on this Bill ultimately, what is the best way for financial services to go in Illinois in the next four or five years, I would recommend that you oppose this Amendment so that we can bring the issue back next year and look at it in its entirety. Thank you."

Speaker Breslin: "Representative Levin. Excuse me. Representative Bowman, one minute to explain your vote."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think Representative Zwick said it very well. This is a significant improvement; however, it does not go far enough. It does not speak to everybody who is on a fixed income, and I believe that the Bill simply does not bring everybody into the process whose interests should be represented and protected. Therefore, until those interests are addressed, I will oppose the Amendments and I will oppose the legislation on Third Reading."

Speaker Breslin: "There any further discussion? Hearing none, Mr. Clerk, take the Roll Call. On this question there are 62 voting 'aye', 42 voting 'no', and 9 voting 'present', and Amendment #1.. Representative Laurino wants to vote 'aye'. There are, therefore, 63 voting 'aye', 42 voting 'no', and 9 voting 'present', and Amendment #102 is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #103, offered by Representative Brookins."

Speaker Breslin: "Representative Brookins."

Brookins: "Thank you, Madam Speaker. I know that... Hello."

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

76th Legislative Day

October 29, 1985

Hello. Hello."

Speaker Breslin: "Excuse me. Representative Mautino, for what reason do you seek recognition?"

Mautino: "Madam Speaker, I believe that a Motion has been filed on that Amendment."

Speaker Breslin: "Representative Mautino, I'm advised that your Motion is out of order at this time. However, we will recognize you before the Bill is moved to Third Reading to make the same Motion. Okay? Representative Brookins, proceed on Amendment #103."

Brookins: "Yes, thank you... thank you, Madam Speaker. I went with Amendment #2 and with that, I know that you can't get everything you want in life. So I withdraw this Amendment #103."

Speaker Breslin: "Withdraw 103. Are there any further Amendments?"

Clerk O'Brien: "Amendment #104, offered by Representative Mautino."

Speaker Breslin: "Representative Mautino."

Mautino: "That's the safety and security provision, the 7% capital asset to... capital-to-asset ratio which everyone has heard before. It was adopted as Amendment #9 originally taken off. Everything is off the Bill with Amendment #2. That's all that's on the Bill. I think this is an important measure for security and safety and ask for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #104. Are there any... is there any discussion? Hearing no discussion, the question is, 'Shall this House... Representative Bullock, on the question.'"

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

Speaker Breslin: "Representative Mautino will yield for a question."

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

76th Legislative Day

October 29, 1985

Bullock: "Okay. Representative Mautino, we've covered most of this Amendment before, and I see that you keep coming back with it. And I basically have a couple of questions which are really rhetorical, so you can answer them if you like or you can just refuse to answer. I'll understand because we've asked them before. The Amendment that you offer here is proposed to make it unlawful for the acquisition of a bank by a bank holding company that has a less than 7% total capital asset ratio. Is that correct?"

Mautino: "Yes... by the Board of Governors and the Federal Reserve System."

Bullock: "This is a 7% non... a 7% nonsolution. Is that what you call it?"

Mautino: "You may call it that. I call it the safety net."

Bullock: "Okay. So, what we have here is a 7% nonsolution and I don't know how many times we've defeated it, but, Rich, I think the Amendment is technically deficient. You are talking about a federal reserve regulation and, in fact, the federal reserve regulation has a 5.5% primary capital asset ratio. And as I look at your Amendment, you're asking for 6%. So, you are not, in fact, tracking the federal reserve language. Are you?"

Mautino: "Representative Bullock, I'm asking for 7%, and I've been informed by many of the CEOs and financial institutions that the state and the feds are requesting an 8%. So, therefore, I don't think 7% is out of order at all."

Bullock: "Well, as I understand it the Amendment was offered up several times, and I think you're slowly, but surely trying to get the strips... the script straight, but the Amendment refers to regulation that doesn't exist. One more question. Is it your intention, under this 7% nonsolution, that you want to impose a standard that is

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

76th Legislative Day

October 29, 1985

higher than the Federal Reserve Board's standards and in requiring that merger that serves the public interest, you're, in fact, saying that the Federal Reserve Board's policy is not flexible enough or is flexible enough?"

Mautino: "Well, first of all, Representative Bullock, we adopted this Amendment before on Amendment #9."

Bullock: "Yes, I was on the floor then."

Mautino: "Currently, with the condition of financial institutions and the financial problems that they have found themselves in over the last few years, I don't think that the 7% provision is out of order at all, if that's the response to your question."

Bullock: "Madam Speaker and Ladies and Gentlemen, to the Bill. As I said it the last time, I have tremendous respect for Dick Mautino and I know that he's a very hard-nosed, stubborn individual and he never really gives up. This Amendment, #104, to the Bill, in essence has about four deficiencies, and I won't belabor the point, but only to identify them for you. The Amendment is technically deficient. It's faulty. If this Amendment goes on the Bill, it certainly jeopardizes passage of the Bill, which we all know because it guts the entire Bill. It also attempts to undermine Federal Reserve Board policies on bank safety and soundness. And by denying regulators the needed flexibility that we've asked for in the Bill as amended, it risks the needless failure of banks that might be rescued. The fact of the matter is the Federal Reserve Board has specifically, specifically not recommended this Amendment - has specifically not recommended it. We've defeated it many times before and perhaps, this time will be the final time that we can defeat it. And I'm sorry that my friend, Rich Mautino, has not heeded the message, but maybe we can send him the message this time once and

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

76th Legislative Day

October 29, 1985

for all and vote 'no'."

Speaker Breslin: "The Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is the most important Amendment on this Bill. It was Amendment #9, now it's Amendment #104. If, in fact, there's a consumer protection provision to be put on this Bill, it's got to be Amendment #104. The consumers that we, as the General Assembly of this state, should protect are the depositors, and this Amendment will do exactly that. Safety and soundness is a primary issue that we should be concerned with as Legislators and members of the public in the State of Illinois. This Amendment will, as we have said before, protect those people and it'll protect banks that are seeking holding companies to have a sufficient amount of capital and reserve for losses. This is the Amendment you voted for before and I'd ask you to vote for it again. I ask for a favorable vote. Thank you."

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

Woodyard: "Thank you, Madam Speaker. I also rise in support of Amendment #104 for most of the reasons that the supportive Sponsors have indicated. Certainly, I want to respond to a comment made by a previous speaker in which he indicated that the Federal Reserve might not care for this 7% asset-to-deposit ratio. Well, maybe it's time, the State of Illinois stood up and determined what that the capital-to-asset ratio should be, rather than the Federal Reserve. And as the previous speakers have also indicated, this is the only consumer protection measure that we have a chance to vote on. This Body a couple of weeks ago adopted this same Amendment, and now it's been stripped from the

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

76th Legislative Day

October 29, 1985

Bill. I think its time to put it back on."

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

Churchill: "Thank you, Madam Speaker. I rise in opposition to Amendment 104. The capital-to-asset ratio that is being discussed here, which is the basis of this Amendment's 7% requirement, takes a three-pronged test today, but that's not to say that the same test will be used in the future. At some point, five or ten years down the line or further, there may be a different test that's required. By imposing a percentage requirement in the Bill today, we are, in effect, limiting what we're going to be able to do in the future. This Amendment is an attempt to gut the reciprocity that we have put into Senate Bill 525 by Amendment 102. It's an attempt to weaken the total Bill, and I would ask those of you who have so kindly supported 525 to rise in opposition and to vote 'no' on this Amendment."

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

Mautino: "Thank you, Madam Speaker. To correct an error that was made by one of the speakers. This Amendment does not delete everything after the enactment clause. It does not take anything away from Amendment #102. What it does do is implement in that Section the 7% provision and it retains everything else that was in 102. I ask for your support."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #104 to Senate Bill 525?' All those in favor vote 'aye', all those oppose vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Gentleman from Cook, Representative Bowman, one minute to explain your vote. No. The Gentleman indicates he does not wish to speak. Have all voted who wish? Have all

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

76th Legislative Day

October 29, 1985

voted who wish? The Gentleman from Marion, Representative Friedrich, one minute to explain your vote."

Friedrich: "I don't see how anyone can object to requiring banks to have proper capitalization in a percentage of their assets. This is a reasonable requirement. If you want the banks to be sound, it gives the examining authorities the vehicle to do it. And if you want protection for the consumer, here it is right now."

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

Piel: "Thank you, Madam Speaker. I wasn't going to speak on this because people have spoken against it, but I received something from the Federal Reserve Board Deputy Director of Division of Bank Supervision today and basically, he says that this Amendment is technically deficient. It refers to regulations that don't even exist. It kills reciprocity. It contravenes federal policy. He went on and... went on about the faulty parts of this Amendment. And he said, basically, that is was... it would jeopardize different federal policies and it undermines these policies and... needless failures of possibly Illinois banks. And so, at this point, I would ask the Members to look at this very closely and vote 'no'."

Speaker Breslin: "Have all vote who wish? The Clerk will take the record. On this question there are 56 voting 'aye', 53 voting 'no', and 5 voting 'present'. Representative Piel, for what reason do you rise?"

Piel: "Poll of the Affirmative, please."

Speaker Breslin: "You mean, poll the negatives. You want to poll the absentees to get more negative votes."

Piel: "No, I... Alright, he can poll the absentees and I'm going to ask for a Verification of the Affirmative. There we go."

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

76th Legislative Day

October 29, 1985

Speaker Breslin: "Okay. Representative Laurino, for what reason do you rise? Representative Laurino votes 'no'. Representative Van Duyne, for what reason do you rise?"

Van Duyne: "I'd like to have leave to be verified."

Speaker Breslin: "That request has not yet been made yet, Representative Van Duyne, so you're not quite timely at this moment. Representative Young, for what reason do you rise?"

Young: "Would you change my 'no' to 'aye'."

Speaker Breslin: "Representative Young changes his vote from 'no' to 'aye'. Representative Flowers votes 'aye'. Representative Barger votes 'no'. On this question there are 58 voting 'aye', 54 voting 'no', and 4 voting 'present'. Representative Piel asks for a verification of the affirmative votes. And now, Representative Van Duyne asks leave to be verified. Representative Piel, does the Gentleman have leave? He does. Mr. Clerk, would you poll the affirmative."

Clerk O'Brien: "Alexander. Bowman. Braun. Breslin. Brookins. Brunsvold."

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

Braun: "Is it timely to request leave for verification?"

Speaker Breslin: "It is."

Braun: "May I be verified?"

Speaker Breslin: "Representative... Representative Piel, there are two people seeking recognition to be verified; Representative Braun and Representative Young. Representative Anthony Young. And two more, Representative Hartke and Representative Matijevich. All those people were given leave. Proceed now, Mr. Clerk."

Clerk O'Brien: "Christensen. Countryman. DeJaegher. Deuchler. Dunn. Ewing. Flowers. Virginia Frederick. Dwight

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

76th Legislative Day

October 29, 1985

Friedrich. Hannig. Hartke. Hawkinson. Hicks. Homer.
Johnson. Keane. Klemm. Koehler. LeFlore. Levin.
Matijevich. Mautino. McCracken. McMaster. Mulcahey.
Oblinger. O'Connell. Olson. Pangle. Phelps. Preston.
Rea. Regan."

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

Regan: "Yes, how am I registered to vote?"

Speaker Breslin: "You're recorded as voting 'aye'."

Regan: "Would you change that to 'no', please?"

Speaker Breslin: "Representative Regan changes his vote from 'aye', to 'no'. Proceed, Mr. Clerk."

Clerk O'Brien: "Richmond. Ropp. Ryder. Saltsman.
Satterthwaite. Shaw. Slater. Stange. Stephens. Tate.
Van Dyne. Vinson. Wait. Weaver. Wolf. Woodyard.
Anthony Young. Wyvetter Younge and Zwick. No further."

Speaker Breslin: "Mr. Piel, do you have any questions of the affirmative votes?"

Piel: "Yes, I do, Madam Speaker. Representative DeJaegher."

Speaker Breslin: "The Gentleman is in his chair."

Piel: "Representative Daley."

Speaker Breslin: "Representative Daley. The Gentleman is in the chamber. In addition to that, the Gentleman is not voting 'aye'."

Piel: "Representative Ropp."

Speaker Breslin: "Representative Ropp. Representative Ropp. Is the Gentleman in the chamber? He is not. Remove him from the Roll Call, Mr. Clerk."

Piel: "Representative Keane."

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

Piel: "Representative LeFlore."

Speaker Breslin: "Representative LeFlore is in his chair."

Piel: "Representative Pangle."

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

76th Legislative Day

October 29, 1985

Pangle: "Representative Pangle is in his chair."

Piel: "Representative Phelps."

Speaker Breslin: "The Gentleman is in his chair."

Piel: "Representative Preston."

Speaker Breslin: "Representative Preston. Representative Preston. Is the Gentleman in the chamber? He is not. Remove him from the Roll Call. Representative Koehler, for what reason do you rise?"

Koehler: "Leave... leave to be verified, please."

Speaker Breslin: "Representative Piel, Representative Koehler seeks leave. The Lady has leave to be verified. Proceed, Mr. Piel."

Piel: "Representative Richmond."

Speaker Breslin: "Representative Richmond is in his chair."

Piel: "Representative Satterthwaite."

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

Pullen: "Madam Speaker, how am I recorded?"

Speaker Breslin: "You are recorded as not voting."

Pullen: "I'd like to vote 'no', please."

Speaker Breslin: "Record Representative Pullen as 'no'. Excuse me, Representative Piel, you had a question of the affirmative."

Piel: "I'm sorry..."

Speaker Breslin: "Representative..."

Piel: "Okay. I'm sorry. Representative Saltsman."

Speaker Breslin: "Representative Saltsman. Representative Saltsman. The Gentleman is in the chamber."

Piel: "Representative Shaw."

Speaker Breslin: "Representative Shaw. Representative Shaw. The Gentleman is in the chamber."

Piel: "Representative Stephens."

Speaker Breslin: "Representative Stephens. Representative

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

76th Legislative Day

October 29, 1985

Stephens. Is the Gentleman in the chamber? He is not.
Remove him."

Piel: "Representative Vinson."

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

Piel: "Representative Countryman."

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

Piel: "No further questions, Madam Speaker."

Speaker Breslin: "On this question there are 54 voting 'aye', 56
voting 'no', 4 voting 'present', and Representative Mautino
requests a verification of the Negative Roll Call.
Proceed, Mr. Clerk, with the Poll of the Negative.
Representative Preston has returned to the chamber. Record
the Gentleman as voting 'aye'."

Clerk O'Brien: "Poll of the negative votes. Barger. Barnes.
Berrios. Bullock. Capparelli. Churchill. Cowlshaw.
Curran. Currie. Daley. Daniels. Davis. DeLeo.
Didrickson. Farley. Flinn. Giglio. Giorgi. Goforth.
Greiman. Hallock. Harris."

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

McGann: "Thank you, Madam Speaker. I have been voting 'present'
on all of the Amendments here due to a possible conflict
being a director on bank boards, but I must change at this
time, my vote from 'present' to green in good conscience
and serve my conscience in order to protect the consumers
of this great state, and I would ask my colleagues to
understand I vote from 'present' to 'aye'"

Speaker Breslin: "Record Representative McGann as voting 'aye'.
Representative Farley."

Farley: "Thank you, Madam Speaker. I'd like to be recorded as
'aye'."

Speaker Breslin: "Change Representative Farley from 'no' to
'aye'. Proceed with the Poll of the Negative, Mr. Clerk."

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

76th Legislative Day

October 29, 1985

Clerk O'Brien: "Hastert. Hensel. Hoffman. Kirkland. Krska. Kubik. Kulas. Laurino. Leverenz. Mays. McAuliffe. McNamara. McPike. Nash. Parcels. Parke. B. Pedersen. W. Peterson. Piel. Pullen. Regan. Rice. Ronan. Soliz. Steczo. Stern. Sutker. Terzich. Tuerk. Turner. Washington. White. Williamson and Wojcik. No further."

Speaker Breslin: "Representative Mautino, I note that the affirmative vote carries at this time, thus a request for a verification is not timely. So, the Gentleman withdraws the request for the verification. On this Amendment there are 57 voting 'aye', 55 voting 'no', and 3 voting 'present'. And the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Representative Mautino, you have filed a Motion which is timely at this time. Representative Mautino is recognized for a Motion."

Mautino: "Thank you, Madam Speaker. Since Amendment #102 was adopted to 525, pursuant to House Rule 36(d) - the title of Senate Bill 525 having been changed by that Amendment in substantive form, I move that the Bill be returned to the Order of Second Reading First Legislative Day. It's filed in writing as of 5:23."

Speaker Breslin: "Representative Mautino, we have looked at the rule. Actually, a Motion is not necessary. The rule specifically says that on the demand of any Member before a Bill is advanced, it can be returned to the Order of Second Reading First Legislative Day. So, the Chair considers that you have made a demand at this time that this Bill be returned to the Order of Second Reading First Legislative Day. And on that request, the Gentleman from... and on that demand, I should say, the Gentleman from Cook, Representative Piel."

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

76th Legislative Day

October 29, 1985

Piel: "Thank you, Madam Speaker. I would move to suspend the provisions of Rule 36(d) at this time."

Speaker Breslin: "The Gentleman has moved to suspend the provisions of Rule 36(d) at this time. And on that question, the Gentleman from Cook, Representative Capparelli."

Capparelli: "I also ask to move and suspend the Rule 36(d) and have the Bill left on Third Reading. Second Reading. I'm sorry."

Speaker Breslin: "You want the Bill moved to Third Reading..."

Capparelli: "No. No. I move to suspend Rule 36(d) not to return the Bill."

Speaker Breslin: "Okay. Representative Piel has already moved, and his Motion is... was heard first and is in order. That Motion is that we suspend the provisions of Rule 36(b)... 36(d). And on that question, we will have a Roll Call vote. All those in favor vote 'aye', all those oppose vote 'no'. Voting is open. Representative Mautino, for what reason do you rise?"

Mautino: "For explanation purposes. Please inform the Membership that an 'aye' vote will bring back... bring that Bill to Third Reading, and a 'no' vote will bring it back First Legislative Day."

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

Bullock: "Madam Speaker, I'm voting 'aye'. I think all of the Members of this House will vote 'aye'. We spent a considerable amount of time on the Bill, which is a testimonial to the importance of the Bill. Delaying the final vote on this Bill serves no purpose. The Gentleman has had his day. We've... to consider at least a half of dozen Amendments that he's offered. And I think in all fairness to the industries affected and to the Governor who

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

76th Legislative Day

October 29, 1985

has asked that we move on this Bill, we should vote green and get the Bill in a posture to take a final vote and the Governor so requests it, and we should join him."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this Motion there are 62 voting 'aye', 41 voting 'no', and 6 voting 'present'. Representative Countryman, for what reason do you rise?"

Countryman: "I rise to request Verification of the Affirmative Roll Call."

Speaker Breslin: "The Gentleman is within his rights. Representative Hastert, for what reason do you rise?"

Hastert: "Ask to be verified."

Speaker Breslin: "Representative Hastert asks leave to be verified, Representative Countryman. Representative Hastert. Representative Countryman."

Countryman: "Inquiry of the Chair. How many votes does this take?"

Speaker Breslin: "It requires 60 votes. Representative Hastert has..."

Hastert: "Yes. Yes. Yes."

Speaker Breslin: "...has asked leave to be verified and Representative Mays and Representative Cowlshaw. Representative Cowlshaw, for what reason do you rise?"

Cowlshaw: "Leave to be verified."

Speaker Breslin: "Very good. You have leave to be verified. Representative Nash is the fourth person to ask leave to be verified, and the Gentleman has leave. All four of these people have leave now to be verified. Representative Piel also asks leave to be verified. And Representative Hoffman asks leave to be verified. Poll of the Affirmative, Mr. Clerk."

Clerk O'Brien: "Poll of the Affirmative. Barger. Barnes. Berrios. Brookins. Bullock. Capparelli. Churchill.

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

76th Legislative Day

October 29, 1985

Cowlishaw. Curran. Currie. Daley. Daniels. Davis.
DeLeo. Didrickson. Dunn. Farley. Flowers. Virginia
Frederick. Giglio. Giorgi. Greiman. Hallock. Harris.
Hastert. Hensel. Hoffman. Homer. Huff. Kirkland.
Krska. Kubik. Kulas. Laurino. LeFlore. Leverenz.
Mays. McAuliffe. McNamara. McPike. Nash. O'Connell.
Parcels. Parke. B. Pedersen. W. Peterson. Piel.
Pullen. Regan. Rice. Ronan. Soliz. Steczko. Stephens.
Stern. Sutker. Terzich. Tuerk. Washington. White.
Williamson and Wojcik. No further."

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

Stange: "Thank you. Would you change my vote from 'no' to 'yes', please?"

Speaker Breslin: "Representative Stange changes his vote from 'no' to 'aye'. Representative Alexander votes 'aye'. Representative Phelps votes 'no'. Representative Saltsman, how do you wish to vote? Vote Representative Saltsman 'no'. Do you have any questions of the Affirmative Roll, Mr. Countryman? Excuse me. Representative Alexander, for what reason... Representative Alexander changes her vote from 'aye' to 'no'. Representative LeFlore changes his vote from 'aye' to 'no'. Representative Rice changes his vote from 'aye' to 'no'. Representative Brookins changes his vote from 'aye' to 'no'. 60 votes are required for adoption of this Motion. Representative Turner votes 'no'. Do you have any questions of the Affirmative Roll, Representative Countryman?"

Countryman: "Representative Huff."

Speaker Breslin: "Representative Huff. Representative Huff. Is the Gentleman in the Chamber? He is not. Remove him from the Roll Call."

Countryman: "Representative Cowlishaw."

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

76th Legislative Day

October 29, 1985

Speaker Breslin: "The Lady has already been verified."

Countryman: "I'm sorry. Representative Didrickson."

Speaker Breslin: "Representative Didrickson. Representative Didrickson. The Lady is in the chamber."

Countryman: "Representative Homer."

Speaker Breslin: "The Gentleman is in his chair."

Countryman: "Representative Berrios."

Speaker Breslin: "The Gentleman is in his chair."

Countryman: "Representative Ronan."

Speaker Breslin: "The Gentleman is by his chair."

Countryman: "Representative Sutker."

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

Countryman: "No further questions."

Speaker Breslin: "Representative Goforth wishes to vote 'aye'. Representative Flowers. Representative Flowers, for what reason do you seek recognition? Representative Flowers changes her vote from 'aye' to 'no'. Have all voted who wish? There are 59 voting 'aye', 48 voting 'no', and 6 voting 'present', and the Motion fails. So, the Bill goes back to First Reading or rather, Second Reading First Legislative Day, Mr. Clerk. Representative Matijevich is recognized for a Motion."

Matijevich: "Yes, Madam Speaker and Ladies and Gentlemen of the House, this is an agreed thing, I understand. I would ask leave and use of the Attendance Roll Call for the purpose of suspending the posting notice for the following Bills so that they could be heard in the Rules Committee: House Bill 1252; House Bill 2553; Senate Bill 212; Senate Bill 263; Senate Bill 913; Senate Bill 994; Senate Bill 1307; Senate Bill 1452; Senate Bill 1468. And also suspend the rule so that the Rules Committee can meet immediately while the House is in Session. The Rules Committee will meet in the Speaker's Conference Room immediately. I ask leave for

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

76th Legislative Day

October 29, 1985

those purposes."

Speaker Breslin: "The Gentleman has moved to suspend the posting rules so that House Bill 1252 and House Bill 2553, Senate Bills 212, 263, 913, 994, 1307, 1452 and 1468 can be heard immediately in the Rules Committee. He also asks to suspend the rule so that the Rules Committee can meet while this House is in Session. Is there any objection? Hearing no objection, by unanimous leave, the Rules Committee will meet to hear those Bills immediately in the Speaker's Conference Room behind the podium. Would all Members of the Rules Committee report to the Speaker's Conference Room for a Rules Committee meeting immediately? 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 concurred with the House in the passage of Bills of the following title, to wit; House Bill #740 together with Senate Amendment #1 and House Bill 1252 together with Senate Amendments #1 and 2, passed the Senate as amended October 29, 1985. Kenneth Wright, Secretary.'"

Speaker Breslin: "Ladies and Gentlemen, we are now going to go to Supplemental Calendar #2. We are going to those Bills that appear under Amendatory Veto Motions that have not yet been heard today. The first one is Senate Bill 244. We're on Supplemental #2, Amendatory Veto Motions, Senate Bill 244. Representative Weaver. Representative Weaver."

Weaver: "Thank you, Madam Speaker. We had a little bit of controversy on this Bill previously. Apparently, there was some error in the language of Senate Bill 244. Hopefully, we've gotten that taken care of. I'd like to read into the record that this Bill and the amendatory veto does not exempt these vehicles from motor fuel tax, but it does

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

76th Legislative Day

October 29, 1985

exempt them from the motor fuel tax reporting requirement.

I would like to move to accept the Governor's veto."

Speaker Breslin: "The Gentleman has moved to accept the Governor's specific recommendations for change in Senate Bill 244. 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 by the adoption of the Amendment in Senate Bill 244?' 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', none voting 'no', and 1 voting 'present', and the House does accept the Governor's specific recommendations for change by the adoption of the Amendment in Senate Bill 244. The next Bill is Senate Bill 486, Representative Soliz. Representative Soliz. Senate Bill 486. Out of the record. Senate Bill 866, Representative Kubik."

Kubik: "Thank you, Madam Speaker. We had a little bit of discussion about Senate Bill 866. I've spoken with Representative Vinson. As it turns out, the recommendation on the underlying Bill were a result of JCAR recommendations, so that the Bill or the... the law that is currently there has always been there and is a part of the Horse Racing Act of 1975. The underlying Bill is just to clean up some language and then, the Governor's amendatory veto also cleans up some of the cleanup language. So, I would ask for a favorable Roll Call on it."

Speaker Breslin: "The Gentleman has moved to accept the Governor's specific recommendation for change in Senate Bill 866. And on that question, the Lady from Lake, Representative Stern."

Stern: "Madam Speaker and Members of the House, I would simply

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

76th Legislative Day

October 29, 1985

like to observe that there is no use our passing legislation which will shore up the horse breeding and horse racing industries if we do not throw a life line to Arlington Park at this Session. May I urge you to consider that?"

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

Kubik: "I would just simply ask that the Members support this Motion."

Speaker Breslin: "The question is, 'Shall the House adopt the Governor's specific recommendations for change by the adoption of the Amendment to Senate Bill 966. 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 110 voting 'aye', 1 voting 'no', and none voting 'present', and the House does adopt the Governor's specific recommendations for change in Senate Bill 966 by adoption of the Amendment. Senate Bill 1029, Representative McNamara."

McNamara: "Thank you, Madam... Madam Chairman (sic - Speaker). Senate Bill 1029 proposes to expand the total allowable area from 10 to 13 square miles for the enterprise zone, which I've divided by municipalities with a population of 1,000. I move to accept the amendatory veto of the Governor, which amends the Bill in the Retailers' Occupation Tax Act to allow building materials used in enterprise zones to be tax exempt. This similar provision was under other legislation already signed by the Governor. And therefore, I move to accept the amendatory veto on Senate Bill 1029."

Speaker Breslin: "The Gentleman has moved to accept the Governor's specific recommendations for change in Senate

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

76th Legislative Day

October 29, 1985

Bill 1029. And on that question, the Lady from Cook, Representative Pullen."

Pullen: "Would the Sponsor yield for a question, please?"

Speaker Breslin: "He indicates he will."

Pullen: "Could you please repeat the effect of the underlying Bill and the effect of the Governor's amendatory veto? I'm sure you meant to explain this to us, but it is absolutely impossible to hear mumble, mumble, mumble, mumble, mumble, except for the sake of the historic record, and I think we should know what we're voting on."

McNamara: "The intent of Senate Bill 1029 was to increase an enterprise zone from 10 to 13 square miles. The reason for this was that a situation existed where there was a municipality dividing a certain portion of the enterprise zone and what... this was done was to expand that portion of the enterprise zone. And it passed out of the Senate and the House unanimously. The amendatory veto was in regards to building materials used in the enterprise zone to be tax exempt. That was also in this Bill. The Governor deleted that provision of this Bill because he passed it in another Bill, and that's what the amendatory veto does is just to eliminate the provision for the building material tax relief, because it was previously passed in another piece of legislation."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change by the adoption of the Amendments to Senate Bill 1029?' 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 115 voting 'aye', 2 voting 'no', and none voting 'present', and the House does adopt the Governor's specific recommendation

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

76th Legislative Day

October 29, 1985

for change on Senate Bill 1029 by the adoption of the Amendment. Senate Bill 1430, Representative Preston. Representative Giglio in the chair."

Speaker Giglio: "Representative Preston, for what purpose do you rise?"

Preston: "Mr. Speaker and Madam Speaker, it's my understanding that we have already considered Senate Bill 1430, and that it was adopted. The... it... the Motion to accept passed."

Speaker Giglio: "Mr. Clerk. The... Senate Bill 1430 has already been adopted. Thank you, for bringing it to our attention, Representative Preston."

Preston: "Thank you, Mr. Speaker, and thank you, Madam Speaker. Thank you, Mr. Clerk."

Speaker Giglio: "On the Order of Total Veto Motions. Representative Hartke, are you ready? Take it out of the record. Representative Ronan, for what purpose do you rise?"

Ronan: "Yeah, they normally don't tell you much, Mr. Speaker, but do you have any idea when we're going to get out of here tonight? Can you check with the real Speaker and give us an idea?"

Speaker Giglio: "The Speaker is in the Chair, and we'll notify you, Representative Ronan, when the time is... Representative Preston, for what purpose do you rise?"

Preston: "Thank you, Mr. 'Real' Speaker. Was that phone call from the other Speaker disputing your ruling on who the real Speaker was?"

Speaker Giglio: "I... It certainly was, and I informed the Speaker, I said, continue what you're doing and don't worry about the Chair."

Preston: "Okay. Thank you."

Speaker Giglio: "Alright, we're trying to expedite this as

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

76th Legislative Day

October 29, 1985

quickly as possible. Is there anybody in the chamber that has a amendatory veto that we didn't call or we did call when they were out and would like to pick it up? How about total veto? Mr. Ronan, for what purpose do you seek recognition?"

Ronan: "Yeah, Mr. Speaker, since it's obvious that there is no further business, I'd like to move that we adjourn right now."

Speaker Giglio: "That Motion is not in order, and you're not recognized for that purpose, Mr. Ronan. Alright. Introduction and First Reading. Mr. Clerk."

Clerk Leone: "Introduction and First Reading. House Bill... House Bill 2553, Vinson, a Bill for an Act creating the Aids Control System. First Reading of the Bill. Senate Bill... I mean, House Bill 2554, Homer, a Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill. House Bill 2555, Rea - et al, a Bill for an Act to repeal Sections of the Illinois Vehicle Code. First Reading of the Bill. House Bill 2556, Ryder, a Bill for an Act in relationship to energy assistance for low income persons. First Reading of the Bill."

Speaker Giglio: "Representative Breslin in the Chair."

Clerk Leone: "Supplemental Calendar #3 is now being distributed."

Speaker Breslin: "Senate Bill 1468 on Supplemental #3. Representative Matijevich is recognized for a Motion."

Matijevich: "Madam Speaker and Ladies and Gentlemen of the House, I'm handling this Motion on Senate Bill 1468 for Representative Carol Braun. I move to advance to Second Reading without reference to Committee, Senate Bill 1468. This is the speed up in the school funds... the school aid formula. We have to discharge Committee and place this Bill on the Order of Second Reading today; otherwise, we can't get the Bill out. So, I would urge the Members of

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

76th Legislative Day

October 29, 1985

the Committee... of the House to support this Motion."

Speaker Breslin: "The Gentleman has moved to advance this Bill, Senate Bill 1468, to Second Reading without reference to Committee. Is there any discussion? Hearing no discussion, the question is, 'Shall the House advance Senate Bill 1468 to the Order of Second Reading without reference to Committee?' All those in favor say 'aye', all those opposed say 'nay'. There are 'nos' being heard. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This Motion requires 71 votes. Have all voted who wish? Representative Hallock, for what reason do you rise?"

Hallock: "I would just like to compliment the printer. We voted on this Bill in Rules Committee 30 seconds ago, and it's already on the Calendar. That's good... good, speedy printing."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 73 voting 'aye', 36 voting 'no', and 1 voting 'present', and the Motion carries. Representative Matijevich is recognized for a Motion."

Matijevich: "Yes, Madam Speaker, Ladies and Gentlemen of the House, this is a similar Motion in behalf of Representative Dennis Hastert on Senate Bill 994. Oh, I didn't know Dennis was there. Thank you very much. He'll handle it."

Speaker Breslin: "Representative Hastert."

Hastert: "Thank you, Madam Speaker. I move to advance Senate Bill 994 to Second Reading without reference to Committee. The Bill deals with the cleanup of the Public Utility Act, and we need to move it there so we can get it on Second Reading so we can get it passed."

Speaker Breslin: "The Gentleman moves to advance Senate Bill 994 to Second Reading without reference to Committee. And on

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

76th Legislative Day

October 29, 1985

that question, the Gentleman from Cook, Representative Levin."

Levin: "Yeah, Madam Speaker, I join with Representative Hastert. This is simply a cleanup on Senate Bill 1021. It will contain just agreed Amendments."

Speaker Breslin: "The question is, 'Shall the House advance Senate Bill 994 to Second Reading without reference to Committee?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and, by use of the Attendance Roll Call, this Motion carries. Representative Matijevich, do you have any further Motions? Representative Keane, for what reason do you rise?"

Keane: "I have a Motion on that Calendar, Senate Bill 1036. Do you want to handle that now?"

Speaker Breslin: "Proceed."

Keane: "Thank you, Madam Speaker. I move to take Senate Bill 1036 from the table and place it on Second Reading Second Legislative Day. The Bill was dealing with the cleanup of the World's Fair. It's a wind down Bill."

Speaker Breslin: "The Gentleman has moved to take Senate Bill 1036 from the table and place it on the Order of Second Reading Second Legislative Day. And on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Madam Speaker, because of some discussions which are going on to try to continue the World's Fair and some speculation that this Bill might be used later as a vehicle for that purpose, I would oppose that Motion."

Speaker Breslin: "The Gentleman from Cook, Representative Bowman, on the Motion. The Gentleman indicates he does not wish..."

Bowman: "On a different Motion."

Speaker Breslin: "Okay. The Gentleman indicates he does not wish

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

76th Legislative Day

October 29, 1985

to speak on this Motion. On this Motion, the Gentleman from Winnebago, Representative Mulcahey. The Gentleman indicates he does not wish to speak. Representative Keane, to close."

Keane: "Thank you, Madam Speaker. I thought that this was an agreed on Bill... or agreed on Motion there's no intention of using it to resurrect the World's Fair. We do have to have a vehicle for closing down the World's Fair. We have given them money and to get the money back from them out of the World's Fair bank account and back into the state coffers, we're going to have to have this Bill. And therefore, I would ask for a favorable Roll Call on my Motion."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House take Senate Bill 1036 from the table and place it on the Order of Second Reading Second Legislative Day?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 71 votes are required. Representative Vinson, for what reason do you rise?"

Vinson: "Yes, Madam Speaker, in the event that this should appear to get the requisite number of votes, which I believe is 71 to request a verification."

Speaker Breslin: "Have all voted who wish? Representative Keane."

Keane: "Just to those of you who are voting 'no', you're leaving 3,000,000 dollars of state funds in the World's Fair account. If you can justify leaving 3,000,000 dollars of state money in a World's Fair account, you're welcome to do it. I think you're going to have a tough time defending the vote. That's all."

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

Mautino: "Thank you, Madam Speaker. I believe that

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

76th Legislative Day

October 29, 1985

Representative Slater had this legislation in the Spring Session. After the Appropriations Committee met with the accountants, et cetera, this is the only way for the state to get their money back, which we authorized in the first World's Fair appropriation. There isn't any other way to get the 3,000,000 dollars back except with this legislation. I recommend a green vote. There is no reason to let that defunct agency have a 3,000,000 dollar bank balance."

Speaker Breslin: "Representative Leverenz, one minute to explain his vote."

Leverenz: "Just to encourage more red votes to change to green as we are entertaining a number of supplemental appropriations. We will need to access all of the money that we possibly can get. They received over 8,000,000 dollars for the World's Fair, and there is something over 3,000,000 there currently. And this would allow us to have a vehicle to bring it back into State Government so that we could appropriate it again. Thank you."

Speaker Breslin: "Have all voted who wish? On this Motion... The Clerk will take the record. On this Motion there are 66 voting 'aye', 47 voting 'no', and none voting 'present'. And the Motion... Representative Hoffman, for what reason do you rise? For what reason do you rise, Representative Hoffman."

Hoffman: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House."

Speaker Breslin: "Excuse me. Are you speaking to this Motion?"

Hoffman: "No. I'm sorry."

Speaker Breslin: "The Motion presently pending before us was on Senate Bill 1036, and that Motion failed. Ladies and Gentlemen, we're going to go to the top of the Calendar and just start at the top and work down. We just want to

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

76th Legislative Day

October 29, 1985

finish all of these Motions, and then we will be ready to go home. On the first one, Representative Hastert, would you take this Bill that you are a hyphenated Cosponsor on, House Bill 740?"

Hastert: "Thank you, Madam Chairman. I ask to move this Bill to take it from the table and exempt rules."

Speaker Breslin: "The Gentleman has moved to take House Bill 740 from the table. Is there any discussion? Hearing no discussion, the question is... The Gentleman from McLean, Representative Ropp."

Ropp: "Madam Speaker, I thought it would just be nice if we knew what all these Bills were. Wouldn't it?"

Speaker Breslin: "Yes. Representative Hastert..."

Hastert: "It's to clean up the ICC, as I understand it."

Speaker Breslin: "Yes. Is there any further discussion? Hearing none, the question is, 'Shall the House take House Bill 740 from the table?' All those in favor vote... say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Motion carries by use of the Attendance Roll Call. House Bill 1109, Representative Wolf."

Wolf: "Madam Speaker, I move to take House Bill 1109 from the table. This Bill was exempt in Rules today. It will be used to correct a flaw in petitions."

Speaker Breslin: "The Gentleman has moved to take House Bill 1109 from the table. Is there any discussion? Hearing no discussion, the question is, 'Shall the House take House Bill 1109 from the table by use of the Attendance Roll Call?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Motion carries. And the Gentleman has leave by use of the Attendance Roll Call. House Bill 1252, Representative Greiman."

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

76th Legislative Day

October 29, 1985

Greiman: "Thank you, Speaker. This Bill passed the Senate today and is in... back in our House with essentially the Amendments to Asbestos Abatement Act, which deals with maintenance of asbestos materials and health hazards and the like. And it passed 58 to nothing in the Senate today, and I know of no opposition to it."

Speaker Breslin: "The Gentleman asks leave to take House Bill 1252 from the table by use of the Attendance Roll Call. Is there any objection? Hearing no objection, the Gentleman has leave. Senate Bill 263, Representative Richmond."

Richmond: "Yes, thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to take from the table Senate Bill 263 for the possible use as a vehicle to... for the Farm Aid Bill."

Speaker Breslin: "The Gentleman asks leave to take Senate Bill 263 from the table by use of the Attendance Roll Call. And on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Madam Speaker, I understand there are series of these Motions, and I wonder if the Sponsor on this one would take it out of the record for just a minute."

Speaker Breslin: "Representative Richmond has agreed. Out of the record. Senate Bill 502, Representative Davis."

Davis: "Thank you, Madam Speaker. I move to take from the table and discharge the Cities and Villages Committee and place on Second Reading Second Legislative Day, Senate Bill 502 that is intended as a vehicle for a compromised negotiation between the counties of Kane and DuPage relative to the DuPage airport."

Speaker Breslin: "The Gentleman has asked leave to take Senate Bill 502 from the table, discharge Cities and Villages Committee and place it on the Order of Second Reading Second Legislative Day by use of the Attendance Roll Call."

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

76th Legislative Day

October 29, 1985

Does the Gentleman have leave? Hearing no objection, the Gentleman has leave. Senate Bill 625, Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker. I'd move to take Senate Bill 625 from the table and place it on Second Reading Second Legislative Day. Senate Bill 625 is a civic center Bill. It is needed to cleanup language in the Civic Center Act that we passed out of the House, 2421, this spring, and their bond council has requested some changes in order to facilitate the sale of the bonds."

Speaker Breslin: "The Gentleman has asked leave to take Senate Bill 625 from the table and place it on the Order of Second Reading Second Legislative Day. He needs use of the Attendance Roll Call to do so. Does the Gentleman have leave? Hearing no objection, the Gentleman has leave. Senate Bill 882, Representative Terzich. Representative Terzich."

Terzich: "Yes, Madam Speaker. I move to take from the table Senate Bill 882 which is going to be used to put some legislation regarding the trading of foreign stocks which would make our Midwest Mercantile competitive with the New York Stock Exchange. I'd move for a favorable vote."

Speaker Breslin: "The Gentleman asks leave by use of the Attendance Roll Call to take Senate Bill 882 from the table. Is there any objection? Hearing no objection, the Gentleman has leave. Senate Bill 907, Representative DeLeo. Excuse me. Representative Zwick, for what reason do you rise?"

Zwick: "My speak light was on, Madam Speaker. I have an objection to taking Senate Bill 882 from the table."

Speaker Breslin: "Representative Terzich, let's go back and take a vote on that Bill - a Roll Call vote on that Bill, okay?"

Terzich: "Let her rip."

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

76th Legislative Day

October 29, 1985

Speaker Breslin: "Okay. Senate Bill 882. The question is, 'Shall the House take this Bill, Senate Bill 882 from the table?' All those in favor vote 'aye', all those oppose vote 'no'. Voting is open. Representative Zwick, one minute to explain her vote."

Zwick: "Thank you, Madam Speaker. Senate Bill 882, as it is in front of me, is a Conference Committee Report. That's why I really don't understand this. It was the Expedited Check Clearing Act, which as you all know has been put onto the Interstate Banking Bill - the Regional Banking Bill. The Conference Committee Report, which I have not signed although I am a Member of, is a very special interest piece of legislation which allows clearing houses to transfer securities without the authorization of the clearing house that has that security on their books. Now, I don't know what this Bill is about, but it is a very suspicious piece of legislation, and I would like to have a lot more information on what is going on here on this Bill before you take it from the table. I would advise everyone to look seriously at 882 before they vote to take it from the table."

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

Terzich: "Well, that certainly is a devious statement, Representative Zwick. I'd mentioned what the Bill was going to be used for. It's unfortunate that you have such, you know, a great... I'll discuss it with you some year, but I explained basically what the Bill would do, and it's not going to be used for that purpose. So... And it also has been agreed to by DCCA. And so, you do what you want to do, but I don't operate that way."

Speaker Breslin: "71 votes are required. The Gentleman from DeWitt, Representative Winson."

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

76th Legislative Day

October 29, 1985

Vinson: "Thank you, Madam Speaker, Members of the House. My understanding in regard to this Bill was conveyed to me by the Director of the Department of Commerce and Community Affairs, who indicated to me that by making certain changes in the Uniform Commercial Code, we would be able to substantially expand the operation to the Midwest Stock Exchange, which he represented to me would be good for jobs - the job environment in the City of Chicago. If, in fact, there is something adverse in regard to this Bill or if this Bill turns out to be some special interest ploy, then I would certainly join Representative Zwick in trying to kill the Bill. But to my understanding, it is a... going to be a completely legitimate effort to improve the job environment in Illinois. And I would urge Members, at this point, to vote 'yes' so that we can see the Amendments and discuss them in detail."

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

Zwick: "Thank you, Madam Speaker. I have been assured by reliable sources that this Conference Committee Report that I'm looking at will not be filed with that Amendment on it, and that it will be used for other intentions which are certainly no where near what I was talking about in relation to this proposed Conference Committee Report. Under that agreement that this Conference Committee Report will not be filed and the Bill will be used for something else, I would remove my objection."

Speaker Breslin: "Do you wish to change your vote, Madam?"

Zwick: "Yes, I do. Please change my..."

Speaker Breslin: "Have all voted who wish? You can change it on the board. Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', 4 voting 'no', and 2 voting 'present', and the Motion

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

76th Legislative Day

October 29, 1985

carries. Senate Bill 907, Representative DeLeo."

DeLeo: "Thank you, Madam Speaker. I move to take from the table Senate Bill 907, discharge from Insurance Interim... Interim Study Committee and place on the Order of Third Reading. It was exempted today by the Rules Committee. It's intended to be a vehicle for a possible current Insurance and Business Crisis Committee."

Speaker Breslin: "The Gentleman asks leave by use of the Attendance Roll Call to take Senate Bill 907 from the table, discharge Insurance Interim Study Committee and place on the Order of Third Reading. Is there any objection? Representative Terzich."

Terzich: "Yes, Representative DeLeo, did you check with Representative Zwick whether this was going to be used for a vehicle? She gives... Oh, alright, I have no objection, then."

Speaker Breslin: "Hearing no objection, the Gentleman has leave. Senate Bill 913, Representative Mulcahey."

Mulcahey: "Thank you, Madam Speaker, Members of the House. I move to discharge the Committee on Elementary and Secondary Education Interim Study Calendar and place on the Order of Second Reading Second Legislative Day. This Bill originally concerned itself with some identification cards regarding school children. It will be used for a vehicle regarding the change concerning unit school districts."

Speaker Breslin: "You have heard the Gentleman's Motion. He wishes to discharge the Committee on Elementary and Secondary Education Interim Study Calendar and place on the Order of Second Reading Second Legislative Day, Senate Bill 913, by use of the Attendance Roll Call. Are there any objections? Hearing none, the Gentleman has leave. Senate Bill 1249, Representative Hoffman."

Hoffman: "Thank you very much, Madam Speaker, Ladies and

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

76th Legislative Day

October 29, 1985

Gentlemen of the House. I move to take from the table and place on Second Reading, Second Legislative Day, Senate Bill 1249. The Bill will be used to increase the level of the General Obligation Bond Act by two hundred and twelve million and a half dollars to cover capital facility construction that was passed during the last Session of the General Assembly, plus legislation that's proposed for this Fall Session of the Supplemental."

Speaker Breslin: "The Gentleman has asked leave by use of the Attendance Roll Call to take Senate Bill 1249 from the table and place it on the Order of Second Reading Second Legislative Day. Is there any objection? Hearing no objection... Representative Pullen notes an objection. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 71 votes are required for adoption of this Motion. Voting is open. Have all voted who wish? Have all voted to wish? The Clerk will take the record. On this question, there are 111 voting 'aye', 3 voting 'no', and 1 voting 'present', and the Motion carries. Senate Bill 1307, Representative McCracken."

McCracken: "Thank you, Madam Speaker. I move that House Bill... Senate Bill 1307 be taken from the table and advanced to the Order of Second Reading Second Legislative Day."

Speaker Breslin: "The Gentleman has asked leave by use of the Attendance..."

McCracken: "I'll explain it. Excuse me. What is now filed as Amendment #2 to Senate Bill 1307 would be considered by this Body and that would designate one dollar of the five dollar... card fee to the exclusive purpose of notifying holders of the cards expiration."

Speaker Breslin: "The Gentleman has ask leave to take Senate Bill 1307 from the table and place it on the Order of Third Reading. And on that question, the Gentleman from Cook,

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

76th Legislative Day

October 29, 1985

Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Bresliu: "He will."

Cullerton: "Representative McCracken, I understood in testimony elicited that the Rules Committee, that the Amendment that you spoke of will be the only thing that would be attached to the Bill and that the original Bill would not be included."

McCracken: "Correct. The original Bill will be deleted. Amendment #1 will be withdrawn. Amendment #2 will be considered."

Cullerton: "And then we would not have to worry about any other Amendments being adopted."

McCracken: "No, Sir."

Cullerton: "Fine. Thank you."

Speaker Breslin: "You've heard the Gentleman's Motion. Does he have leave by use of the Attendance Roll Call? Hearing no objection, the Gentleman has leave. Senate Bill 1452, Representative Bowman."

Bowman: "Thank you, Madam Speaker. I now move that we take Senate Bill 1452 from the table."

Speaker Breslin: "Tell us what the Bill does, Sir, or will do."

Bowman: "Okay, the Bill actually is a vehicle for a number of cleanup measures, most prominently to cleanup some problems in implementing House Bill 19, which caps the public utility tax."

Speaker Breslin: "The Gentleman has asked leave to take Senate Bill 1452 from the table by use of the Attendance Roll Call. And on that question, the Gentleman from Kendall, Representative Hastert."

Hastert: "Would the Representative tell us, does this... Bill have to do with a municipal tax for the City of Chicago?"

Bowman: "No, it does not."

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

76th Legislative Day

October 29, 1985

Hastert: "Thank you."

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

Vinson: "Madan Speaker, I would suggest that this particular Bill ought to be very carefully considered in the full light of day after Members are aware of the proposed changes, and I would urge a negative vote on this particular Motion."

Speaker Breslin: "The question is, 'Shall the House take Senate Bill 1452 from the table by use of the Attendance Roll Call?' Is there any objection? There are objections. The question is, 'Shall the House take Senate Bill 1452 from the table?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 71 votes are required. Representative Bowman to explain his vote."

Bowman: "Well, just to point out that almost all the Bills that we're taking from the table here are vehicles, mostly to cleanup odds and ends that are left over from the Spring Session. That's precisely what this Bill is. The Bill, in its present form, will be gutted and replaced with cleanup language. And if you don't like the language that's being offered, vote against the Bill on Third Reading, but I would suggest that we give this the same treatment that we gave all the other Bills on this Supplemental Calendar and we take this Bill from the table also so that we may proceed with some very important cleanup language. The question that was asked of me, if this has to do with the municipal tax in Chicago - it does not. The... I will make that assurance to anyone who is concerned about that, and so I ask for the 71 votes."

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

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

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

76th Legislative Day

October 29, 1985

Speaker Breslin: "This Motion requires 71 votes for adoption. Have all voted who wish? The Clerk will take the record. On this question, there are 64... 63 voting 'aye', 46 voting 'no' and 1 voting 'present', and the Motion fails. Representative Leverenz is recognized for an announcement."

Leverenz: "Yes, now. The Appropriations I Committee which is in recess will convene one hour prior to Session tomorrow morning in Room 114."

Speaker Breslin: "Staying on the Supplemental #3 Calendar, we have one Bill left. That's Senate Bill 263, Representative Richmond."

Richmond: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. I will simply renew my Motion to take from the table Senate Bill 263 for the purpose of the farm aid... the possible farm aid vehicle."

Speaker Breslin: "The question... You have heard the Gentleman's Motion. Does he have leave by use of the Attendance Roll Call? Hearing no objection, the Gentleman has leave. Representative... Representative Cullerton is recognized to make a Motion to adjourn until 10:00 tomorrow morning. The Gentleman withdraws his Motion. Representative Bowman, for what reason do you rise?"

Bowman: "To make an announcement. I believe... We recessed Appropriations II also, and I believe there are probably... we dealt with all the major issues. If there is anybody who had come from out of town, I think we will... will reconvene the recessed meeting within 10 minutes following adjournment today. And then I'll wait ten minutes, and if no one shows up we will then adjourn the meeting."

Speaker Breslin: "Representative Cullerton for a Motion to adjourn until 10:00 tomorrow morning. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and this House stands

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

76th Legislative Day

October 29, 1985

adjourned until 10:00 tomorrow morning. And now we will call the... And now we will call the Second Special Session to order. Representative Cullerton for a Motion. Representative Cullerton asks leave to use the Attendance Roll Call from the Regular Session for use as the Attendance Roll Call in the Second Special Session. Does the Gentleman have leave? Hearing no objection, the Gentleman has leave, and the Roll Call will be so recorded. Representative Cullerton now asks leave to adjourn the Second Special Session until 10:30 tomorrow morning. Hearing no discussion, the Second Special Session is adjourned until 10:30 tomorrow morning."

12/17/85
11:40

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 1

OCTOBER 29, 1985

HB-0740	MOTION	PAGE	155
HB-1109	MOTION	PAGE	155
HB-1252	MOTION	PAGE	144
HB-1252	MOTION	PAGE	155
HB-2553	FIRST READING	PAGE	150
HB-2553	MOTION	PAGE	144
HB-2554	FIRST READING	PAGE	150
HB-2555	FIRST READING	PAGE	150
HB-2556	FIRST READING	PAGE	150
SB-0039	MOTION	PAGE	21
SB-0113	MOTION	PAGE	47
SB-0114	MOTION	PAGE	39
SB-0158	MOTION	PAGE	40
SB-0190	MOTION	PAGE	49
SB-0206	MOTION	PAGE	51
SB-0207	MOTION	PAGE	53
SB-0209	MOTION	PAGE	25
SB-0212	MOTION	PAGE	144
SB-0239	MOTION	PAGE	29
SB-0244	MOTION	PAGE	54
SB-0244	MOTION	PAGE	145
SB-0244	OUT OF RECORD	PAGE	60
SB-0263	MOTION	PAGE	144
SB-0263	MOTION	PAGE	164
SB-0343	MOTION	PAGE	36
SB-0413	MOTION	PAGE	62
SB-0459	MOTION	PAGE	60
SB-0502	MOTION	PAGE	156
SB-0525	SECOND READING	PAGE	85
SB-0525	MOTION	PAGE	140
SB-0583	MOTION	PAGE	6
SB-0625	MOTION	PAGE	157
SB-0653	MOTION	PAGE	62
SB-0690	MOTION	PAGE	63
SB-0758	MOTION	PAGE	64
SB-0785	MOTION	PAGE	65
SB-0829	MOTION	PAGE	76
SB-0834	MOTION	PAGE	77
SB-0844	MOTION	PAGE	41
SB-0856	MOTION	PAGE	14
SB-0864	MOTION	PAGE	73
SB-0864	OTHER	PAGE	81
SB-0866	MOTION	PAGE	146
SB-0882	MOTION	PAGE	157
SB-0897	MOTION	PAGE	15
SB-0907	MOTION	PAGE	160
SB-0913	MOTION	PAGE	54
SB-0913	MOTION	PAGE	144
SB-0913	MOTION	PAGE	160
SB-0994	FIRST READING	PAGE	2
SB-0994	MOTION	PAGE	144
SB-0994	MOTION	PAGE	151
SB-1021	MOTION	PAGE	152
SB-1029	MOTION	PAGE	147
SB-1036	MOTION	PAGE	152
SB-1132	MOTION	PAGE	15
SB-1156	MOTION	PAGE	17
SB-1183	MOTION	PAGE	44
SB-1249	MOTION	PAGE	160
SB-1295	MOTION	PAGE	81
SB-1307	MOTION	PAGE	54
SB-1307	MOTION	PAGE	144
SB-1307	MOTION	PAGE	161
SB-1430	MOTION	PAGE	82
SB-1452	MOTION	PAGE	54

12/17/85
11:40

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 2

OCTOBER 29, 1985

SB-1452 MOTION	PAGE	144
SB-1452 MOTION	PAGE	162
SB-1468 FIRST READING	PAGE	46
SB-1468 MOTION	PAGE	54
SB-1468 MOTION	PAGE	144
SB-1468 MOTION	PAGE	150
HR-0811 ADOPTED	PAGE	2

SUBJECT MATTER

HOUSE TO ORDER - SPEAKER MADIGAN	PAGE	1
PRAYER - FATHER FRANK O'HARA	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
MESSAGES FROM SENATE	PAGE	2
AGREED RESOLUTIONS	PAGE	5
DEATH RESOLUTIONS	PAGE	5
REPRESENTATIVE GREIMAN IN CHAIR	PAGE	16
REPRESENTATIVE BRESLIN IN CHAIR	PAGE	82
MESSAGES FROM SENATE	PAGE	145
REPRESENTATIVE GIGLIO IN CHAIR	PAGE	149
REPRESENTATIVE BRESLIN IN CHAIR	PAGE	150
ADJOURNMENT	PAGE	150
SPECIAL SESSION	PAGE	165
SPECIAL SESSION - ADJOURNMENT	PAGE	165