

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

12th Legislative Day

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Speaker Madigan: "The House will come to order. The Members will be in their chairs. The House will come to order. Would the Members please take their seats? The Chaplain for today will be the Reverend Dr. Rudolph Shoultz, Pastor of the Union Baptist Church of Springfield. Dr. Shoultz is a guest of Representative Michael Curran. Would the guests in the gallery please rise and join us in the invocation?"

Reverend Shoultz: "Almighty and most loving Father, the... to guide us... because we are pilgrims through this barren land. As we gather this day within these hollowed wall, remember the prophet once said to us that unless you build a house, we're laboring in vain. So, Lord, we are invoking Thy divine presence, especially upon these, Thy servants, whom we have elected to govern our lives. Lord, may they remember as You have called upon Cain once to report of his brother and remarks were, that he was not his brother's keeper. May each of us and as Your children realize that we all are our brother's keeper. Grant, O God, Your divine power, courage and strength for those who will stand while others sit. May we ask of Thee, Lord, to bless these now who have come this day to make their report. Bless, keep and guide. And for him who shall preside, give Your divine blessing we pray. And for all who could not answer to the Roll Call this morning, will You walk with them and give us all the victory as we wait upon You this day. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Ropp."

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

Speaker Madigan: "Roll Call for Attendance. Mr. Greiman, are

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there any excused absences today?"

Greiman: "Yes, thank you, Mr. Speaker. Let your record show that Representatives Levin and White are excused on official business and Representative Huff is ill. I would like also for the record to reflect that yesterday Representative White was excused as well, and we were not appraised of that."

Speaker Madigan: "Let the record reflect those excused absences. Mr. Piel, are there any excused absences?"

Piel: "Yes, all present and accounted for, Mr. Speaker."

Speaker Madigan: "Thank you. Have all recorded themselves who wish to be recorded? Mr. Clerk, take the record. There being 112 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk. Mr. Clerk, do you have any business? Committee Report."

Clerk O'Brien: "Representative Steczo, Chairman of the Committee on Cities and Villages, to which the following Bill was referred, action taken March 3, 1987, reported the same back with the following recommendation: 'Do pass' House Bill 300."

Speaker Madigan: "The Chair recognizes the Doorkeeper for an announcement. Mr. Doorkeeper."

Doorkeeper: "Mr. Speaker, the Honorable President Rock and Members of the Senate are at the door and seek admission to the chamber."

Speaker Madigan: "Mr. Doorkeeper, please admit the Honorable Senators. As designated in House Joint Resolution #22, the hour of 12:00 noon having arrived, the Joint Session of the 85th General Assembly will now come to order. Will the Members of the House and our esteemed guests from the Senate please take their seats? Mr. Clerk, is a quorum of the House present?"

Clerk O'Brien: "A quorum of the House is present."

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Speaker Madigan: "Mr. President, is a quorum of the Senate present in this chamber?"

President Rock: "Thank you, Mr. Speaker. A quorum of the Senate is present."

Speaker Madigan: "There being a quorum of the House and a quorum of the Senate in attendance, this Joint Session is convened. At this time, the Chair would like to recognize certain public officials who have joined us for the Budget Message. First, the Secretary of State, former Member of the House, Mr. James Edgar. Mr. Edgar. The Comptroller of the State of Illinois, the Honorable Roland Burris. Mr. Burris. The Superintendent of Education, Mr. Ted Sanders. Mr. Sanders. From the Supreme Court, Justice Ben Miller. Mr. Miller. Joining us in the gallery, the first Lady of Illinois, Jayne Thompson. The Chair recognizes the Majority Leader, Mr. McPike."

McPike: "Thank you, Mr. Speaker. Will the Clerk read Joint Session Resolution #2?"

Clerk O'Brien: "Joint Session Resolution #2. Resolved, that a Committee of ten be appointed, five from the House by the Speaker of the House and five from the Senate by the Committee on Committees of the Senate, to await upon His Excellency, Governor James R. Thompson, and invite him to address the General Assembly."

Speaker Madigan: "The Gentleman moves for the adoption of the Resolution. All those in favor signify by saying 'aye', all those opposed by saying 'nay'. In the opinion of the Chair, the 'yeas' have it. The Resolution is adopted. Pursuant to the Resolution, the following are appointed as a Committee of Escorts to escort the Chief Executive. The appointments from the House are Representative Giorgi, Representative Leverenz, Representative Bowman, Representative Ewing, Representative McAuliffe."

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President Rock: "The Senate Members of the Escort Committee are Senators Jacobs, Senator Hall, Senator Tom Dunn, Senator Davidson and Senator Fawell."

Speaker Madigan: "Will the Committee of Escort please convene at the rear of the chamber and await His Excellency, the Governor? The Chair recognizes the Doorkeeper."

Doorkeeper: "Mr. Speaker, the Honorable Governor of the State of Illinois, James Thompson, and his party, wish to be admitted to this chamber."

Speaker Madigan: "Admit the Honorable Governor. Ladies and Gentlemen. Would everyone please be seated? Mr. McCracken, would you please be seated? Would you please give your attention to Governor Thompson? Mr. Governor."

Governor Thompson: "Thank you, Mr. Speaker. Mr. Speaker and Mr. President, Leaders and Members of the 85th General Assembly of Illinois, my fellow constitutional officers and my fellow citizens, together we face difficult questions, requiring courageous and innovative answers from this Assembly and from the people of Illinois in just a few short months time. Our answers this year will dictate the future of quality of life in this state for ourselves and our children and their children. This is a cross roads year for Illinois and this is a cross roads budget. I strongly believe that the balanced budget I present to you today provides the right answers to questions about the health of the Illinois economy and our chances for new jobs; the right answers to questions about the depth of our resolve to insist that Illinois schools be the best in the world; the right answers to questions about how to begin the long march from welfare dependency to employment; the right answers to questions about what State Government should do to improve life for those unable to find work, unable to protect themselves from abuse or unable, because

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of mental illness or physical disability, to face life as we, the more fortunate, do; the right answers to questions about protecting the safety of our citizens and about preserving and enhancing our environment on the land, in the air and our water. But those right answers can only be obtained by efficient management of State Government in the form of our tax system to establish a modern revenue structure that is fair, grows with the growth of the Illinois economy and is adequate to meet our anticipated needs for the balance of this decade. And that is the first point to be emphasized today. This is not a one year budget. This is a multi-year spending plan. We do not need to, we should not simply, face this question again next year and the year thereafter. But failure to enact this budget or its equivalent will leave you with the same systemic tax and service dilemmas in 1988 and 1989. The budget I present to you today includes both tax rate reductions and tax increases. You will like the former. You will not like the latter. I am proposing a reduction in the rate of the sales and use tax of Illinois, a broadening of the sales tax to cover certain types of services, computer software and nonprescription drugs, a modest increase in the personal, but not the corporate, income tax, and the 50% increase in the personal exemption on the income tax. I hope that after careful consideration, the majority of this Legislature and the majority of the public will agree that both are needed. They provide ongoing tax reform and the necessary revenues. First, I ask you not for a tax increase, but for your careful consideration of these budget priorities. If you approve of the answers to the critical questions facing this state, then together we must also find a way to pay for them. This budget asks for appropriations of 22.1

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billion dollars in all funds, including 11.5 billion from General Revenue Funds, a nine percent increase. It includes a 8.3 billion five year program to preserve the 60 billion dollar investment we now have in our transportation systems. Alleviate conjection on our urban roads, construct improvements to key arteries throughout Illinois and help the state's poorest counties and townships cope with the rising cost of road repair. This budget expands the 1.3 billion dollar Build Illinois Program to a two billion dollar program in order to improve waste water treatment systems in 236 Illinois communities in every part of our state which must, under federal law, come into compliance with the requirements of the Clean Water Act of 1987, passed just last month over the President's veto, by July 1, 1988, barely a year away. And as of today, those 236 communities do not have the means to come into compliance, and also to keep the promise by paying for the programs which you added to Build Illinois in the past two years. And this budget provides more than 500,000,000 dollars in new state support for local governments across Illinois over the next two years at a time when local governments are feeling the effects of cutbacks in federal programs, including the loss of federal revenue sharing and have nowhere else to turn but to the property tax. And that is the second point to be emphasized about this budget. No one else has appropriately answered the question of how local governments can cope with the loss of federal funds without having to raise property taxes again and again and again. This proposal does. In recent years, I have brought you budgets which guaranteed record spending increases for education. We recognized together that education from preschool through postdoctorate needed our imperative attention with reforms and the money to pay for

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them. In the first two years of our education reform movement, we strengthened our system and devoted 573,000,000 dollars in spending increases to elementary and secondary education and 204,000,000 dollars in increases to higher education. This budget proposal, while recommending increases of a slightly lesser magnitude for Fiscal 1988, offers us, I believe, the best chance to achieve the five year promise of reform. And that is the third point to emphasize. Failure to enact this budget or its equivalent will stop education reform dead in its tracks and doom any chance of revising the school aid formula this year. And then we might as well hand back all the awards we have received across the nation for the past two years for excellence in education in Illinois, because nobody would be fool or hypocrite enough to hang them on their walls, for that to happen. At the same time, we agreed to reform and fund traditional education in Illinois. We took the first bold steps to help working, taxpaying citizens cope with the technological change, industrial reorganization and foreign competition by helping to pay for the training and technology needed to safely take Illinois and its workers into the next century and that economy. Ask the workers at Chuckles in Danville, at Keystone in Peoria, at Northwestern Steel and Wire in Sterling, at Ecko in Chicago, at Revere in Clinton, at Magna in Nashville, at Munsen in Monmouth, at Roadford in Rockford, at Zenith in MelRose Park, at Diamond Star in Bloomington, at Caterpillar in eleven locations around the State of Illinois and at dozens of other Illinois companies whether that bold step was important. And then with this morning's headlines in front of you, ask the forty-seven year old, undereducated, underskilled worker at Sears in Laundale or the workers at Firestone in Bloomington, whether it is

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important that these programs to bring new training and technology to Illinois continue or shall we here and now consign them to the welfare rolls where we, all of us, taxpayer and recipient will pay more? In the last two years, you and I and the people of Illinois have asked for new initiatives, and they were important. Day care has jumped by more than 4,000,000. It is now more than a 50,000,000 dollar yearly obligation. I-Search to find the missing children by 4,000,000, probation funding by 13,000,000, the war against infant mortality by 26,000,000, education by 370,000,000, and the war against substance abuse by 5,000,000, Circuit Breaker initiatives for seniors by 21,000,000 and the list goes on. These new initiatives have at least two points in common. One, they were all adopted by unanimous or near unanimous Roll Calls in the House and the Senate. Two, little or no new revenues were provided to pay for these new programs which are now part of the services State Government provides to the people of Illinois. At the time we did this, you and I both hoped that natural growth in revenues from our existing base of taxes imposed on a healing economy would pay for them. And so we finance them in the meantime by a combination of drawing down the balance to supplement natural revenue growth. We can't do that any longer. The balance, as the Comptroller has told us, cannot go lower without damaging our ability to pay our bills on time and recovery is still too fragile and uneven to depend for the moment on new revenue growth to accommodate all that we have given to the people of Illinois. I took significant corrective action last July, viewing more than 350,000,000 dollars in new appropriations and to your credit, you largely concurred in the fall. Now, however, we face the choice between abolishing these and other new initiatives or paying for

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them. I have chosen to keep and pay for them. They are important to the lives of eleven and a half million citizens in this state. And the final choice is now yours. In the area of education, the future of our children and the future of our state's economy, I propose a budget of more than 5.4 billion for elementary, secondary and higher education, a budget that increases state support of education by 300,000,000 dollars above the current fiscal year. Elementary and secondary education would receive more than three billion dollars, an increase of 200,000,000 in spending or 7.1 percent. With this budget, we can target 62,000,000 for preschool education programs for those three and four year olds who are most at risk of failure in school and failure in life without help before they even arrive in our elementary schools. We can increase summer school programs by 18,000,000 to give additional instruction to kids who might otherwise drop out rather than return for another year of failure. And we can strengthen the skills of those exceptional students who thirst for more than we can provide in the regular school year. We can provide a 10,000,000 dollar increase in the budget for alternative education programs to encourage youngsters to stay in school rather than to drop out and to fail in education and in life. We can double the appropriation for the Illinois Math and Science Academy second year of operation. We can do all of that and more with this budget and new revenue. Without those new revenues, we can do none of that. Schools will have to make do with the same amount of funds they have this year or, to say it plainly, a zero increase. Our efforts to make the teaching profession more attractive will have been dealt a set back. The national recognition that Illinois has justly received for sweeping education reforms will be

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stripped away. Higher education in this budget will receive more than 1.4 billion dollars in General Revenue Funds, an increase of 100,000,000 or 7.5 percent, and with this budget, we can provide an average six percent salary increase for faculty and staff at our colleges and universities, out pacing expected inflation by two percent. We can strengthen the academic quality of our community colleges and improve instruction in occupational and technical programs important to a recovering economy. We can expand the 500 dollar Merit Scholarship Program to include the top ten percent of Illinois high school graduates. Without new revenues, we cannot make any of these important improvements in higher education. This year, we must continue our welfare reform efforts, redesigning the system to better encourage recipients to seek employment and to gain the skills needed to find work. This budget includes an average 3.2 percent increase in grants for recipients of aid to families with dependent children in general assistance. We have not been able to fund a grant increase since January 1985, but we should wait no longer and certainly it's an element of welfare reform. There are those who will say, in fact, they said it yesterday, 'but this is not enough,' but to say that without being willing to change a system which now supports people who neither work nor learn is unacceptable in Illinois and in America. All of us, recipients and taxpayers, have had it with the present system. I will have specific welfare reform proposals for your consideration in this Session, but any rational plan to clean up the welfare mess would propose that recipients be allowed to continue to receive some child care and medical benefits during a transition period from welfare to employment. Our present system encourages the jobless to

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choose welfare over work and that is immoral and unaffordable. We can increase job placements by more than 25,000 over last year through Project Chance, which is working and which gives the unemployed the skills needed by the private sector. We can require that those general assistance recipients who are able to work must participate in accelerated job training programs and help find them jobs, but all of that will cost seed money, and we cannot do any of it without additional revenues. The same is true throughout this budget. We need innovative treatment and prevention strategies to combat abused and neglected children. In fact, additional mandates costing additional dollars are already pending in this General Assembly. The Bills have been introduced. They are being heard in Committee, but no new revenue is attached. We cannot continue to fight the abuse of children by abusing the system of revenue and expenditure. The only thing worse than tax and spend, tax and spend, is borrow and spend as in Washington - unacceptable, or spend and spend or, where the quality of life really counts, refusing to spend our resources today to give us a better tomorrow. So, any time you hear that refrain about tax and spend, tax and spend, consider the alternatives. We need to develop and fund programs to address problems like teen suicide. We cannot do it without added revenues. We need to give cost of living increases for community providers in the Department of Children and Family Services and the Department of Mental Health and Developmental Disabilities. In fact, they are mandated by law. The Grotberg Amendment must be repealed or funded, but we cannot do it without added revenues. We should expand our battle against abuse of senior citizens and begin pilot projects for Alzheimer's Disease victims and their families, but we cannot do that

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without added revenue. While this multi-year spending plan does raise revenue, substantial revenue, for substantial needs, it also continues to achieve tax reform and that is the next point to be emphasized. Together we have made a very good start in recent years by decreasing the Illinois tax burden while state services have increased, one of the best records in the nation. We have granted unprecedented levels of tax relief in Illinois. More tax relief enacted in the last ten years than in all the years of Illinois history combined. You ought to be proud of that. I am. We've begun to shift the burden from those least able to pay. In fact, we have enacted so much tax relief, but concentrated so much of the public debate on possible tax hikes, that already enacted tax relief measures are forgotten or ignored. Now, I know that's the way it is in the real world. None of us get a penny's worth of political credit for that which we did yesterday. But we need to remind ourselves and our people that that has been money in the pocket for a long, long time. In the last ten years, we have eliminated the state inheritance tax, eliminated the state sales tax on machinery and equipment, printing and graphic art equipment, coal and oil exploration, drilling equipment. Sales tax on farm machinery equipment and parts eliminated. Sales tax on food eliminated. Sales tax on prescription drugs eliminated. Circuit breaker grants increased and income eligibility ceiling raised. State sales tax on gasoline reduced. Utility taxes. Oh, what two hated words to put together, utility taxes. Imagine taxing utility bills, probably the most regressive tax in the entire state. This General Assembly took a courageous step, actually it wasn't courageous. It was easy. This General Assembly took the easy step a couple of years ago of restructuring and

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capping the utility tax to make it less regressive and abolishing the tax on tax. That was easy. Easy to pass. Easy to sign, but it cost us 85,000,000 dollars a year in revenue and growing and 85,000,000 dollars worth of programs were not cut, nor was 85,000,000 of new compensating revenue added. That's hard. That's hard. That was a proper tax decision. In the abstract without cuts in spending or balancing new revenues, it was probably a foolish fiscal decision, but still have the chance to... And except for a small and temporary increase, the state income has remained at the same level since it was enacted 18 years ago. Now, I want to say something about that plainly and directly. I'm not one of these guys who says, 'Hey, we got the lowest income tax in the nation, let's raise it.' That's wrong. It's wrong fiscally. It's wrong in terms of economic development. It's wrong politically. It's just plain wrong. Low taxes are very much to be desired so long as they produce revenue adequate to the needs of the people. You've got to finish the sentence, and so I'm proud that the Illinois personal income tax is the next to lowest in the nation. The only lower one is Pennsylvania's at 2.1 rather than 2.5, and if you live in Philadelphia and Pittsburgh, the two largest cities in Pennsylvania, you pay a four or five percent city income tax. So, in the real world, Illinois' personal income tax is the lowest in the nation. There's nothing wrong with that. We ought to be proud of that. We've kept a fiscal discipline for those 18 years. And no state touching our border, our prime job competitors, our border states has a lower income tax than we. And no state touching our border would have a lower income tax than we if this budget were to pass tomorrow. At the most, we'd tie with Indiana. In Indiana, to fund their education reform, this year must

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choose between extending the sales tax services or increasing their income tax. Measure it against personal income. Illinois taxpayers pay less than the national average in taxes to state and local government combined. I'm proud of that. Thirty-one other states have heavier burdens than Illinois and the most recent figures show that the Illinois burden is below the average of the ten largest industrial states and for the nine Great Lake states. I'm proud of that. The time has come to lay rest a great myth which is currently being put forward by some who oppose any kind of tax increases for any purposes and that is that it will stifle the growth of jobs and income. I read that in the Tribune the other day in this 'Heartland' editorial piece. Imagine writing a piece about the economy of Illinois over the last decade and talking only about taxes which have consistently gone down and not saying a word about the national and international recession in agriculture in the nation's number one farm state or the dropping out of the bottom of the market for farm implements in a state which has manufactured more than any other state in the world we're talking about technological change in foreign competition. Imagine writing such a piece of balderdash without taking account of the real world in saying, 'Well, you know, you raise taxes, you'll just discourage growth in income and jobs.' Well, take a look around us, my friends. Which state would you most like to be like, if you were looking at income and job opportunities? And I guarantee you that almost without exception all of those states will have far, far, heavier personal and corporate tax burdens than does the State of Illinois or would the State of Illinois were this proposal to be enacted tomorrow. It is a myth to say that providing revenue sufficient for the health and welfare of the state

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will stifle economic opportunity. In fact the contrary is true. Oh, there's a level beyond which you wouldn't go. Taxes can be oppressive, but income taxes are not oppressive in a state which in the real world is the last on the list in tax effort and has been there for 18 years or who's at the national average in the sales tax rate and wants to go down. And one more point, no tax system can call itself either fair or productive unless there is a match between the tax system and the actual economy. We're proud of our growing service sector, but if it contributes little or nothing to the tax revenues of the state, except through the indirect means of the income tax, the system's out of kilter with reality and will grow more so over the years. And so if it's out of wack today, it'll be worst tomorrow and five and ten years from now. That's why half the states of the nation who impose a sales tax extend it to some form of services and have for a number of years. It is not a radical idea. Even some fiscally-conservative Republican Governors are proposing, our next door neighbor, Bob Orr, a fiscally-conservative Republican Governor in fiscally-conservative Republican Indiana has proposed a service tax. And Governor Martinez, the newly elected, fiscally-conservative Republic Governor of Florida has proposed a service tax. The true measure of fiscal conservatism in 1987 is whether you are willing to end the fraud and hypocrisy of trillion dollar federal deficits which hang like a millstone around the economic neck of states like Illinois and have the guts to make those tax and spending decisions at home by people at home for at home needs. That's my definition of fiscal conservatism, and I wager, you'll get a lot better government for it. I'm tired of building sidewalks in Arizona with federal tax dollar extracted from the citizens of Illinois. I want

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those decisions on tax and spending to come home. We don't need that trillion dollar a year millstone around the necks of the people of Illinois as they struggle to establish the kind of economy and job opportunity for themselves and their children that we need to carry this state, this quintessential American state, forward. Doug Whitley and the members of his Revenue Review Committee performed a good task in pointing out the multiplicity of jurisdictions which now impose and collect, or more precisely, in some instances, impose and try to collect local sales and use taxes. We rank first or second in the nation. First or second only to Texas in the number of taxing districts which we have in this state and it's a mess, as I think all the members of that Committee, including Members of this General Assembly, concluded. We ought to take those important recommendations and enact them into law this Session while we reform taxes and raise revenues. What would be the result of this program? Revenue positive tax reform would add 788,000,000 dollars to the General Revenue Fund in the next fiscal year, slightly more than a billion in Fiscal Year '89. The net increase in Fiscal '88 would result by broadening the sales tax base to include certain services, increasing the individual income tax rate from 2.5 to three percent, the lowest in the nation to the lowest in the nation, and at the same time, increasing the personal exemption, which I've heard for years coming from this side of the rostrum, if my mind doesn't fail me, from a thousand to 1250 in the first year. Fiscal '89, the sales tax rate would be reduced from five percent to 4.5%, and the individual personal exemption would be increased a second time to \$1,500. Some low income tax families after the enactment of this program would end up with less income tax liability than they have today. That's tax reform.

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From its inception in 1933, the sales taxes applied only to tangible items which actually changed hands with rare exception services that escaped taxation. But, as I said, the service industry has expanded greatly in the past ten years, will continue to expand and the fair tax system must apply to what is and what will be. And these changes will provide important new revenues sources for local governments, thus decreasing pressures on local property taxes. The increase in the state income tax will bring 43,000,000 dollars annually to Illinois counties and municipalities and the expanded sales tax base will provide 303,000,000 dollars in new revenues to local governments over the next two years. This budget also includes tax changes which I have suggested previously to enact a new five year transportation program and to expand Build Illinois. I have asked for a gradual increase in the motor fuel tax of less than an average of two cents a year over the next five years. A seventeen dollar increase in the annual fee for a car license plate and a 30 percent increase in truck licence fees. This will be only the second increase in our motor fuel tax and license fees in the passed 18 years. In the last four years, our highway funding has averaged 940,000,000 dollars annually, significantly contributing to the recovery of the Illinois economy, but without action this year by you, the program will drop to an average of 718,000,000 dollars in the next four years, and we still don't have a federal highway built and we don't know what it'll contain. And the Federal Government still continues to sit on federal trust funds, refusing to spend them, even though they're dedicated to that purpose and being collected every day from the citizens of Illinois. Federal support has declined. At the same time, natural growth in our motor fuel tax receipt

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has been cut by a more fuel efficient car. And because of inflation, our dollar buys less to repair a larger than ever system of highways and the continued growth of our suburbs so important to economic recovery and the provision of revenue for services for the whole state, no matter where you live, threatens us with intolerable traffic jams that could detour business development to other states. This highway program also permits a 40 percent increase in state assistance to local governments and begins a special initiative to target 30,000,000 dollars to 37 counties and 672 townships with many road repair needs, but no resources to pay for them. I'm also proposing a two billion dollar program for capital improvements for Illinois mass transit. Every year our mass transit systems in Illinois carry more people than populate 19 states of this nation. There are an enormous needs now and in the future, and there is no substitute, no alternative. This plan would leverage 1,000,000,000 dollars in federal funds to be matched by \$225,000,000 in state Series 3 bonds and would allow a 750,000,000 dollar bond program for the RTA, when they submitted a satisfactory program of capital improvements to you and to me. As you deliberate on these user fee increases, let me remind you that our gas tax today is within the average of all the other states and that more than one half of the states now are considering gas tax increases. My belief is that by the time this program completes in five years, our gas tax likely will remain within the average of all the other states. Secondly, as you compare the Illinois license plate fee with other states, remember that unlike some other states with artificially low registration fees, the plate, Illinois does not impose property taxes or other excise fees on automobiles which in some states with low plate fees drives

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the cost of owning that car up by hundreds of dollars, depending on the make and the model and the year and the value. And as you talk about pennies on the gallon, also measure the cost of not enacting this program or stretching it out beyond tolerable limits, the inflated cost in future years of rebuilding a backlog rather than repairing and maintaining and building new. In truth, in transportation, this book simply contains a list of everything that you've asked me for in the last ten years and what your constituents have asked you to ask me for for the last ten years. So, when did a whole bunch of good ideas become a whole bunch of bad ideas? Surely not just because they were put between the covers of this book. And the price explain surely not. If all those road improvements are truly not needed, this book opens up, we'll take them out. I've seen that done before in Senate Approps. I can do it on the second floor. Appointments will start this afternoon. But, you know, I really don't think so. If the price is too high stretch it out a little. Folks would understand that, but to say you don't need a road or an airport improvement when you've been telling me for ten years and more that you desperately need them doesn't sound right some how. And Build Illinois needs to be expanded because those 236 communities sitting on the federal banned list can't be allowed to stay there, and they don't have any resources to get off, not by July 1st, '88, and this need cuts across regional, geographical, philosophical and political lines of Republican towns, Democratic towns, upstate, downstate, suburbia. Some of you come from them. They need help. Federal Government's getting out of the business. More fiscal conservatism. And so, states must respond, communities must respond. They are our needs. Local waste water treatment facilities are really not a

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national concern, are they? Or to put it another way, are our national concerns greater than that? They're local infrastructure. We're grateful for the federal funds which have come our way, but they aren't going to come here any more. Federal Government has substituted a revolving loan program for the old federal grants. We must match it or lose it to other states. And surely a Legislature which consistently complains about the low return of the federal dollar would not see that happen, nor go home to their communities and say, 'Close up shop.' Not when jobs are at stake, not when lives are at stake. This budget will also provide the money to support our efforts to convince the Federal Government to build the Super Conducting-Super Collider in Illinois. And I think we lead the pack, because we've worked hard for three years together. We put our money where our mouth was three years ago, you and I, and we've lobbied assiduously in Washington to persuade them, (a), to make the decision, (b), to put it in Illinois. (A) has been done, (b) remains. We're the natural host at Fermi Lab in having done the preliminary work and sitting in the middle of the country. In the Los Angeles Times, it said, 'Much as we'd like to see it in California, we believe Illinois is the best site.' Imagine that, while California contends for the project. This budget asks for a 15,000,000 dollar contribution from Illinois next year to keep that work going forward. This budget keeps promises made. That is really the bottom line. It keeps promises made. If there is a better way to do it and keep the promises, I know you'll find it. I've chosen to pay for the answers that we need with a balanced budget. But if you have other answers, I will certainly listen. I always have; but, if those answers don't include a balanced, multi-year plan, they'll be the wrong answers.

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If your answer means there will be no welfare reform, it will be the wrong answer. And if your answer means that education reforms will be stalled dead in their tracks, it'll be the wrong answer. And if your answer means that traffic will be strangled in our transportation system, our single, best economic development incentive will deteriorate, it'll be the wrong answer. And so we do have hard choices to make and no time to waste. I know political leaders can more easily solve crises readily understood as in 1983, but if you really look down deep, the choice we face this year presents long term a greater crisis than fixing a recession of '83. We're really trying to answer the question of what kind of Illinois we want for the rest of our lives and for the generations to come. And the wrong answer could provoke a crises, an enduring crises that will be of a magnitude to dwarf the admiration of '83. It is more difficult to both see and sell the future, but that's part of your job description as it is of mine or you wouldn't be here. If we don't see our future now and persuade others to share that vision and properly and quickly answer its challenges, we may as well shrug our shoulders and sit back and give up, and that's not my Illinois. Our people are quick and right to demand political and governmental leadership. In fact, there is a fire storm whirling around our nation's capitol today over just those issues, political and governmental leadership. We want leadership we say to our elected officials at every level, in every party. But, I think it's time a leader said, leadership requires the courage and wisdom of followership too. Just as our people have the right to demand courage and wisdom from us, we have the right to expect courage and wisdom from them in response or political leadership becomes political rhetoric, dying on

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the next wind. Under our constitution, the responsibility for this document, at least for the moment, and in the end is now yours. The ten years that we've been partners, you've never let me or the people of Illinois down and I know you won't now. Thank you very much."

Speaker Madigan: "Will the Committee of Escort please convene at the rear of the chamber? Will the Committee of Escort please escort the Governor from the chamber? The Chair recognizes the President of the Senate for a Motion."

President Rock: "Thank you, Mr. Speaker. I move that the Joint Session do now arise."

Speaker Madigan: "The President of the Senate has moved that the Joint Session do now arise. All those in favor signify by saying 'aye', all those opposed signify by saying 'no'. The 'ayes' have it and the Joint Session will now arise. The Chair recognizes Mr. Giglio. Mr. Giglio."

Giglio: "Mr. Speaker, the Democrats on this side of the aisle would like a Caucus immediately in Room 114."

Speaker Madigan: "Mr. Giglio, the Chair of the Caucus, has called for a Democratic Caucus in Room 118 immediately (sic - Room 114). So, would all Democrats please go to Room 118 (sic - Room 114) for the purpose of a Caucus? Would all Democrats please go to Room 118 (sic - Room 114) for the purpose of a Caucus? Would all Democrats please go to Room 114 for the purpose of a Caucus? All Democrats, 114. Thank you. Mr. Clerk, do you have Bills for introduction? First Reading of Bills."

Clerk O'Brien: "Introduction and First Reading of Bills. House Bill 411, offered by Representative Shaw, a Bill for an Act to amend Sections of an Act in relation to the rate of interest and other charges in connection with sales on credit and the lending of money. First Reading of the Bill. House Bill 412, Flowers and Shaw, a Bill for an Act

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to add Sections to an Act creating the Department of Children and Family Services. First Reading of the Bill. House Bill 413, Shaw, a Bill for an Act to amend Sections of an Act in relation to the rate of interest and other charges in connection with the sale on credit and the lending of money. First Reading of the Bill. House Bill 414, Shaw, a Bill for an Act in relation to property rendered uninhabitable by fire or explosion. First Reading of the Bill. House Bill 415, offered by Representative Shaw, a Bill for an Act in relation to the maintenance of certain property. First Reading of the Bill. House Bill 416, Leverenz and Olson, a Bill for an Act making an appropriation to the State Board of Elections. First Reading of the Bill. House Bill 417, Hultgren, a Bill for an Act to repeal the Compensation Review Act. First Reading of the Bill. House Bill 418, Hultgren, a Bill for an Act in relation to recreation. First Reading of the Bill. House Bill 419, Hartke, a Bill for an Act to amend Sections of the Wildlife Code. First Reading of the Bill. House Bill 420, Parke, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 421, Curran, a Bill for an Act to amend Sections of the Abused and Neglected Child Reporting Act. First Reading of the Bill. House Bill 422, Wyvetter Younge, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 423, Matijevich, a Bill for an Act to amend Sections of the Illinois Municipal Code. First Reading of the Bill. House Bill 424, Rea and Panayotovich, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 425, Rea, a Bill for an Act to amend Sections of the River Conservancy District Act. First Reading of the Bill. House Bill 426, Rea, a Bill for an Act making an

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appropriation of the Capital Development Board for the Military and Naval Department. First Reading of the Bill. House Bill 427, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill."

Speaker Madigan: "On page two of the Calendar, on the Order of House Bills Third Reading, there appears House Bill 307. Mr. Leverenz."

Leverenz: "Thank you. Mr. Speaker, I would move that we return House Bill 307 back to the Order of Second Reading for purpose of Amendment."

Speaker Madigan: "Is there leave? Leave is granted. The Bill is placed on the Order of Second Reading. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by the Legislative Reference Bureau, amends House Bill 307 as amended in the line and Sections being amended and so forth."

Speaker Madigan: "Mr. Leverenz."

Leverenz: "The Amendment is a technical change by... proposed by the LRB inserting 1-5.39 instead of 1-5.44(b). I would move for the adoption of the Amendment."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. The Chair recognizes Mr. Leverenz."

Leverenz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move for the passage of House Bill 307, which is all technical in nature. It is clean up to the Build Illinois Program so that the monies can be expended for the purposes that were set forth. I ask for your 'aye' vote and will answer any questions you may have."

Speaker Madigan: "Mr. Clerk, would you read this Bill for a third

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immediately: Counties and Townships, Labor and Commerce, State Government Administration. And the following Committees shall meet at 5:00 p.m., Energy and Environment and Natural Resources, Higher Education, Personal and Pensions, Registration and Regulations. So the following Committees will meet at 5.00 p.m., Energy, Environment and Natural Resources, Higher Education, Personnel and Pensions, Registration and Regulation. For what purpose does Mr. Van Duyne seek recognition?"

Van Duyne: "Thank you, Mr. Speaker. Just to a... if I might, tell the Chairman of Pensions... of Personnel and Pensions that we will be out of D-1 in about fifteen minutes. So if all the Members of Counties and Townships Committee would report punctually, will be out in about fifteen minutes."

Speaker Madigan: "Alright, before people start to leave the chamber, we have one more item. On page two, of the Calendar on the Order of House Bills Second Reading, there appears House Bill 71. The Chair recognizes Mr. Black. Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. I believe that the Chief Sponsor of that Bill, Representative Levin, is not here, and I have been added as the hyphenated Cosponsor, so it should read Levin and Churchill. Obviously, Representative Levin is not here to present this Bill at this time. This is a Bill that it relates to the Asbestos Abatement Act. It's a shell Bill. It is being put through the process because there is some need for expediency in the Bill. What we would like to do is vote on it today and send it over to the Senate. At some point along the line when all of the a... I'm sorry, I would like to make a Motion to move it from Second to Third Reading."

Speaker Madigan: "Before we do that, Mr. Clerk, has this Bill been read a second time?"

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Clerk O'Brien: "No, it has not."

Speaker Madigan: "Read the Bill a second time."

Clerk O'Brien: "House Bill 71, a Bill for an Act in relating to asbestos abatement. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill on the order of Third Reading. Did you say the Constitution would prohibit that?"

Clerk O'Brien: "The Constitution would prohibit reading it again."

Speaker Madigan: "All Republican's please be advised that the Constitution would prohibit that. And we will abide by the Constitution, right Mr. Churchill.?"

Churchill: "Absolutely, Mr. Speaker."

Speaker Madigan: "So, the Bill is on Third Reading. We will call it tomorrow. Thank you. Any other announcements? We do plan to take the Agreed Resolutions. Mr. Clerk."

Clerk O'Brien: "Agreed Resolutions. House Resolution 65, McNamara; 67, Johnson; 69, Flowers; 71, McNamara; 72, Ronan; 73, Ronan; 74, Stephens; 75, Steczo; 76, Mautino; 77, Churchill; 78, Terzich; 82, Ryder; 83, Stange; 85, Piel; 87, Matijevich; 88, Matijevich; 89, Matijevich; 90, Matijevich; 91, Matijevich; 92, Rea; 93, Parke; 96, Wolf; 97, Ryder; 98, Giglio; 99, Giglio; 100, Brunsvold; 101, Speaker Madigan; Oh, 103, is Madigan; House Joint Resolutions 20, Kubik; 21, Daley; 24, Hensel; 25, Hasara; and 29, Capparelli; Senate Joint Resolutions 8, DeJaegher and Brunsvold; 11, Hasara; And Senate Joint 12, Homer."

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

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Matijevich: "Yes, Mr. Speaker. We have reviewed all the Agreed Resolutions. They are all of the congratulatory type. I might make note of the fact that a DeJaegher, Brunsvold and Stange, have one, the 150th Anniversary of Deere, and two small villages are celebrating their incorporation, one by Bob Piel, the Thirtieth Anniversary of South Village on March 12, and today is the birthday of another small village, the 150 Birthday of City of Chicago, incorporated 150th years ago, Speaker Madigan's Resolution. I move for the adoption of the Agreed Resolutions."

Speaker Madigan: "Those in favor say 'aye' those opposed say 'no'. The 'ayes' have it. The Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 66, Johnson; 68, Johnson; 70, Countryman; 79, Johnson; 80, Johnson; 81, Johnson; 84, Shaw; 95, Stern; House Joint Resolution 23, Daley; House Joint 28, Weaver; House Joint 30, Tuerk."

Speaker Madigan: "Mr. Matijevich, moves the adoption of Death Resolutions. Those in favor say 'aye' those opposed say 'no'. The 'ayes' have it. The Death Resolutions are adopted. Are there any further matters, Mr. Clerk? General Resolutions."

Clerk O'Brien: "House Joint Resolution 18, Braun. House Joint Resolution 19, Harris. House Resolution 94, Ronan. House Resolution 101, Dunn. House Resolution 102, Ronan. House Resolution 104, Madigan - et al."

Speaker Madigan: "Committee on Assignment. Any further matters? Providing a Perfunctory Session for the Introduction of Bills, Mr. McPike moves that the House stand adjourned until 12:00 noon tomorrow. Those in favor say 'aye' those opposed say 'no'. The 'ayes', have it. The House does stand adjourned until 12:00 noon tomorrow."

Clerk Leone: "Introduction and First Reading of House Bills."

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House Bill ... Introduction and First Reading of House Bills. House Bill 428, a Bill for an Act to add Section Civil Administrative Code of Illinois. First Reading of the Bill. House Bill 429, Rea - et al, a Bill for an Act to amend Sections of the Illinois Municipal Code. First Reading of the Bill. House Bill 430, offered by Representative Pangle, a Bill for an Act to amend Sections of an Act concerning the care and treatment of persons who are mentally retarded and under developmental disability. First Reading of the Bill. House Bill 431, offered by Representative Pangle, a Bill for an Act to amend Sections of Law Enforcement, Civil Defense Workers', Civil Air Patrol Members' and Paramedics' Act. First Reading of the Bill. House Bill 432, offered by Representative Pangle, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill. House Bill 433, offered by Representatives Pangle and Hicks, a Bill for an Act to amend the Sections of the Illinois Vehicle Code. First Reading of the Bill. House Bill 434, offered by Representative Anthony Young, a Bill for an Act to amend Sections of the Election Code. First Reading of the Bill. House Bill for 435, offered by Representative Stern, a Bill for an Act to change the date of the General Primary Election. First Reading of the Bill. House Bill 436, offered by Representative Ewing, a Bill for an Act to amend Sections of the Illinois Public Aid Code. First Reading of the Bill. House Bill 437, offered by Representative Ewing, a Bill for an Act to amend Sections of the Code of Criminal Procedure. First Reading of the Bill. House Bill 438, offered by Representative Capparelli - et al, a Bill for an Act to amend Sections of the Illinois Marriage and Dissolution of Marriage Act. First Reading of the Bill. House Bill 439, offered by Representative Currie, a Bill

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for an Act to add Sections of Act in relationship to the creation, maintenance, operation and improvement of the Chicago Park District. First Reading of the Bill. House Bill 440, offered by Representative John Dunn, a Bill for an Act to amend Sections of the Code of Civil Procedure. First Reading of the Bill. House Bill 441, offered by Representative John Dunn - et al, a Bill for an Act in relationship to tax exemptions for certain businesses and enterprises. First Reading of the Bill. House Bill 442, offered by Representative John Dunn, a Bill for an Act to add Sections to the Unemployment Insurance Act. First Reading of the Bill. House Bill 443, offered by Representative Homer, a Bill for an Act to amend Sections of an Act in relationship to the adoption of persons. First Reading of the Bill. House Bill 444, offered by Representative Parke, a Bill for an Act to amend Sections of the Election Code. First Reading of the Bill. House Bill 445, offered by Representatives Currie and Bowman, a Bill for an Act to prohibit partisan politics... partisan political considerations from affecting the terms and conditions of state employment. First Reading of the Bill. House Bill 446, offered by Representative Krska - et al, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 447, offered by Representatives Currie and Greiman, a Bill for an Act to amend Sections of the Criminal Code. First Reading of the Bill. House Bill 448, offered by Representative Currie, a Bill for an Act in relationship to handguns. First Reading of the Bill. House Bill 449, offered by Representatives DeJaegher and Homer, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 450, offered by Representative Saltsman, et al, a Bill for an Act making appropriations to

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the Department of Commerce and Community Affairs. First Reading of the Bill. House Bill 451, offered by Representative McPike, a Bill for an Act appropriating funds in relationship to Build Illinois Program. First Reading of the Bill. House Bill 452, offered by Representatives Terzich and Capparelli, a Bill for an Act to amend Sections of the Illinois Highway Code. First Reading of the Bill. House Bill 453, offered by Representative Ronan - et al, ... House Bill 453, offered by Representative Matijevich - et al, a Bill for an Act in relationship to licensure of a ophthalmic dispensers. First Reading of the Bill. House Bill 454, offered by Representatives Keane and Weaver, a Bill for an Act to amend Sections of the Public Community College Act. First Reading of the Bill. House Bill 455, offered by Representative Van Duyne - et al, a Bill for an Act to require oral proficiency in the English language among all physicians and psychologists. First Reading of the Bill. House Bill 456, offered by Representative Van Duyne - et al, a Bill for an Act to provide for the election of members the Illinois Commerce Commission. First Reading of the Bill. House Bill 457, offered by Representatives Barger - Hensel - et al, a Bill for an Act to amend Sections of an Act to revise the law in relationship to fences. First Reading of the Bill. House Bill 458, offered by Representative Ropp, a Bill for an Act to amend Sections of the Illinois Educational Labor Relations Act. First Reading of the Bill. House Bill 459, offered by Representative Ropp, a Bill for an Act to amend Sections of the Illinois Purchasing Act. First Reading of the Bill. House Bill 460, offered by Representative Ropp, a Bill for an Act limiting experiments upon the observation, study and dissection of certain animals in elementary and secondary

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school classes. First Reading of the Bill. House Bill 461, offered by Representative Curran, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 462, offered by Representative Brunsvold and DeJaegher, a Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill. House Bill 463, offered by Representatives Cullerton and Greiman, a Bill for an Act in relationship to state occupation and use taxes. First Reading of the Bill. House Bill 464, offered by Representative Parke - et al, a Bill for an Act in relationship to child death, and child abuse and neglect. First Reading of the Bill. House Bill 465, offered by Representatives Satterthwaite and Cowlshaw, a Bill or an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 466, offered by Representatives Didrickson, Myron Olson and Stern, a Bill for an Act to amend Sections of the Election Code. First Reading of the Bill. House Bill 467, offered by Representatives O'Connell and Wolf, a Bill for an Act to amend Sections of the Illinois Notary Public Act. First Reading of the Bill. House Bill 468, offered by Representatives Slater and Goforth, a Bill for an Act in relationship to the purchases of food products by state agencies. First Reading of the Bill. House Bill 469, offered by Representative Slater, a Bill for an Act to amend Sections of the Illinois Marriage and Dissolution of Marriage Act. First Reading of the Bill. House Bill 470, offered by Representative Slater, a Bill for an Act to amend Sections of Illinois Roofing Industry Licensing Act. First Reading of the Bill. House Bill 471, offered by Representatives Slater and Johnson, a Bill for an Act to repeal Sections of the Criminal Code. First Reading of the Bill. House Bill 472, offered by Representative Breslin, a Bill for an Act in relation to

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certain canal lands in LaSalle County. First Reading of the Bill. House Bill 473, offered by Representatives Slater and Countryman, a Bill for an Act to amend Sections of the Code of Civil Procedure. First Reading of the Bill. House Bill 474, offered by Representatives Slater and Countryman, a Bill for an Act to amend Sections of the Code of Civil Procedure. First Reading of the Bill. No further business, the House will now stand adjourned until tomorrow at 12:00 noon."

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time? The... First, the Gentleman requests leave to consider the Bill on the Order of Third Reading. Leave is granted. Mr. Clerk, read the Bill for a third time."

Clerk O'Brien: "House Bill 307, a Bill for an Act to amend Sections of an Act making appropriations and reappropriations to various agencies. Third Reading of the Bill."

Speaker Madigan: "Mr. Leverenz."

Leverenz: "Thank you, Mr. Speaker. House Bill 307, all technical in nature, two word changes and a couple of amount changes in the Build Illinois Program. I ask for your 'aye' vote to pass House Bill 307."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in... those in favor of the passage of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 114 'aye', no one voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of the Speaker's Table there appears House Resolution 86. The Chair recognizes Mr. Matijevich."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Resolution 86 is a Resolution offered by the Committee on Rules. We met last week, and we had met again... last week, we met in Chicago. We met again yesterday in Springfield and recommended the adoption of House Resolution 86 as our permanent rules of this 85th General Assembly. The Rules... House Resolution 86 incorporates these changes from our existing rules. One, it would create a bipartisan task force to study and recommend guidelines to Members on citing conflict of interest issues before the House. This was an issue

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brought up by Representative Peg Breslin because now we have somebody that may get up on the floor and say, I have a conflict of interest and that's it. And because there is a statute which governs conflicts of interest and so that we may possibly be more definitive in looking at this issue to be more helpful both to the Members and the public, we create this bipartisan task force which will recommend certain guidelines. The second change is a technical one, where on the first day that the temporary Clerk reads the roll of Members-elect, where in the present rules it says, 'on file with the Secretary of State', that should be amended to read 'with the State Board of Elections,' because they do have the... on file the official returns. The third change is a, one, amending the rule setting forth the duties of the Clerk and the Speaker making them gender neutral. The fourth change would amend the Consent Calendar to place a limit of 80 of the number of pieces of legislation which may be listed in each grouping of a special... of a Order of Business, not special, Order of Business. The reason for this is 80 is the limit by which the tote board, the new voting board, can have on one sheet, 80 Bills. So, we are, therefore, accommodating the new voting board. Number five, revisions to the Committee notice rule to allow Committee notices to be printed by computer as long as they are authorized by the Committee Chairperson or his or her designee. Again, we are submitting to the practice of the computer. In the old days, we used to have a Committee Chairman sign the notices and then run off copies of those, so this is a submission to the new technology. The fifth change would apply limitations on consideration of Bills in even numbered years to Bills considered in the Special Session during even numbered years. Under this proposed rule, the... for

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example, if Bills were introduced in the Special Session, they would have to go through the Rules Committee just like any other Bills in Regular Session. The seventh change would amend the rule on Senate Bills to make it gender neutral with reference to the Clerk. Number eight, amend the rule on access to the floor so that an administrative assistant to the Supreme Court can have access to the floor. Nine, allows Select Committees to create Subcommittees. Ten, the Committee replacement policy would add that a Member can be replaced sick or otherwise unavailable. The new change would be 'otherwise unavailable'. The eleventh change would reduce the time limit for debate from ten minutes to five Members, except that the Chief Sponsor of the Bill shall be allowed ten minutes to open debate and five minutes to close debate; otherwise, everybody would be limited to five minutes in debate. Number twelve, establish the Committee and Third Reading deadlines for... the 1988. And, thirteen, provide that the first name to appear on a Bill shall be the Chief Sponsor. The Chief Sponsor may be joined by up to four additional Principal Sponsors with the approval of the Chief Sponsor. Those are the new changes in the present existing rules and they all are incorporated in House Resolution #86. And I understand that Amendments are being passed on the floor. The Committee did go over some Amendments yesterday that were rejected, but we will now take up for consideration Floor Amendments."

Speaker Madigan: "Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. A parliamentary inquiry. Will we take up the Amendments after discussion of the Resolution or how does the Chair wish to proceed?"

Speaker Madigan: "I think we're prepared to discuss the Resolution now and then proceed to the Amendments."

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McCracken: "Thank you. Will the Sponsor yield for some questions? Representative, Rule 9 is changed to place a limit of 80 pieces of legislation on any Order of Business on the Consent Calendar. I understand the reason for that, the technological change in the board. In the event there are more than 80 pieces of legislation on any Order, do these rules contemplate a second call of that same Order of any number of Bills? And my only reason in asking is in the event there are more than 80 Bills on a particular Order, any time those Bills move on the Calendar, I think we all want to know that all of those Bills will move until a time when they're called for final passage."

Matijevich: "I understand to handle that technically there would have to be a second Order. So... and that will be..."

McCracken: "So, that will be done?"

Matijevich: "Yes, that's right."

McCracken: "You changed the... or you add the term 'Chief Sponsor' to the rules and in some places use it in lieu of the other term 'Principal Sponsor', and in some places used it in lieu of the term 'Sponsor'. What is the purpose for the title change?"

Matijevich: "We felt that where there was... we changed to Chief Sponsor wherever we felt that there was a decision that had to be made as to who controlled that Bill so that we had to make it clear that it was the Chief Sponsor."

McCracken: "So, if this is adopted, there will not be the problem of two, what are now Principal Cosponsors, fighting over the control of the Bill."

Matijevich: "We hope that that alleviates that condition."

McCracken: "So, when the Democratic Chairman of Appropriations Cosponsors a Bill with the Republican Spokesman of Appropriations, we don't have any control over the Bill. Is that right?"

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Matijevich: "I hope not."

McCracken: "Okay. And for all the purposes in which the new phrase appears, the only person who may act as indicated in the rules is that person, the Chief Sponsor, the first to appear."

Matijevich: "That's correct."

McCracken: "Okay. Rule 13 is amended to add the phrase 'Or if the Member is otherwise unavailable'. What is the purpose of that rule change?"

Matijevich: "Well, the reason for that rule is that there were some obvious reasons other than illness where a Member was unavailable for Committee even though that Member may be in Springfield and everybody knew that Member was here. And so we felt that both the Speaker and Minority Leader probably did bend the present rule, you know, and we thought it ought to be changed so that we are honest about how it is being bent, shall we say."

McCracken: "Is there any definition or clarification of what otherwise unavailable means? Is it determined by the Speaker? Is it determined by the Committee Chairman?"

Matijevich: "I would think that both the Speaker and the Minority Leader would be able to interpret that ruling and make changes as to their interpretation."

McCracken: "Okay. Rule 29 has been changed to make Special Session legislation subject to the standard deadlines contained in that rule, is that right?"

Matijevich: "That's correct. We feel that the Governor should be treated no different than any Legislator. We feel that the Governor, if we have to go through Rules Committee to introduce a Bill, then so should the Governor."

McCracken: "So, the requirements of the Rules Committee and the requirements of Rule 29 generally apply whether the Bill is introduced in Regular Session or a Special Session."

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Matijevich: "That's right. There ought to be an exemption."

McCracken: "Would you agree that historically the Special Sessions almost always are called after June 30th of any year?"

Matijevich: "Not always, but that's more often the case..."

McCracken: "That's typical."

Matijevich: "but not always the case."

McCracken: "But that's typical, wouldn't you agree?"

Matijevich: "No, we... I think Governor Walker called some while we were right in Session to try to call our bluff, I guess, and it can be called either way. If you were going to ask me if most Special Sessions are called for political purposes, I could have answered that one much easier."

McCracken: "No, no, I'm not asking that, John."

Matijevich: "No, they are called both before and after."

McCracken: "Okay. But, if it's called after, it's subject to all those rules of the Regular Session."

Matijevich: "That's right, and I think that it should be."

McCracken: "Okay. Now, Rule 64 reduces debate periods from ten minutes per Member to five minutes per Member, is that correct?"

Matijevich: "Yes."

McCracken: "Was the feeling of the Majority that ten minutes had proven to be too long a time?"

Matijevich: "No. What happened was, oh, Alan Greiman is on the podium quite often, and we evidently made an assessment that most of the time people don't use ten minutes anyway, so maybe we ought to reduce it to move things along and... we think in the end everybody will be happy anyway."

McCracken: "Okay. Thank you. To the Resolution, Mr. Speaker. I concede that many of these changes appear to be technical in nature. Certainly the changes making the duties of the Speaker and Clerk gender-neutral is one we would call

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technical in nature. The 80 pieces of legislation, as long as we have another track for that same Order of Business, is clearly technical in nature. The Principal Sponsor is a big change, though. The Principal Sponsor means that all those hyphenated Cosponsors who now have control over a Bill or concomitant control over a Bill along with the prime Sponsor now will have no standing. And it can work both ways. In the appropriations process, when the Republican is the first name on the Bill, the Majority knows now that they will have no control over that Bill. The same for a typical appropriations Bill which may be done by agreement, but, in fact, relates to or delegates exclusively to the Democratic Sponsor the right to control that legislation. Essentially, it renders meaningless any Principal Cosponsorship which has long been a hallmark of this Body. Now, this... the Gentleman refers to the Special Session and why the Special Session should be treated the same as everything else. I submit that the argument ignores the fact that Special Sessions are provided for by the Constitution, that Special Sessions are just that. They are exceptions to the rule called by the Governor pursuant to the Constitution. In the past there has been no attempt to treat those matters considered in a Special Session the same as the Regular Session. In fact, there's no rational reason for doing so, except if one wants to limit the ability to call meaningful Special Sessions, except if one wants to limit the ability to have us consider important issues which the Governor of this state, Republican or Democrat, feels is of importance enough to call that Special Session. It renders meaningless the constitutional provision allowing the Governor to call Special Sessions. That Special Session authority is integral to the concept of separation and

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balance of powers. It is a check on the Legislature. It is a check which has, time and time again, proven necessary in order to sustain the appropriate balance of powers among our three branches of government. And this attempt to make it appear that we are treating the Special Session only the same as a Regular Session is nothing more than a guise for thwarting that constitutional authority. It is a fact, Ladies and Gentlemen, that typically, maybe in the majority of cases, these Special Sessions are called after June 30th of any given year. The Governor gives the General Assembly an opportunity to pass or consider the legislation by June 30th or by the end of the Spring Session. If we do not do that and he feels it is important to do so, then we are called back. The latest example of that was in the last Veto Session when we were carrying Special Session legislation as well. So, although many of the changes appear to be technical in nature, there are many changes that are very substantial, not the least the last one where Members no longer have ten minutes to address the Body. That has been changed to five minutes. I submit that that works to the disadvantage of both sides of the aisle, and I think that it would be better not to adopt this Resolution, but to go back to the Rules Committee and try for a meaningful process of affecting change. Thank you."

Speaker Madigan: "Mr. Hallock."

Hallock: "Thank you, Mr. Speaker, Members of the House."

Speaker Madigan: "Mr. Matijevich. Mr. Hallock, one second. Mr. Matijevich. Mr. Matijevich."

Matijevich: "Mr. Speaker, I thought for more orderly presentation of this, we ought... maybe ought to go to the Amendments, because I think that John Hallock is going to address the Resolution in its final form, and maybe that's when we ought to get to it. I think the better procedure now would

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be to go to these Amendments that have been passed to the floor and then consider those."

Speaker Madigan: "Is that agreeable? Mr. McCracken."

McCracken: "Mr. Speaker, I think the last Amendment is Amendment #23. Can the Clerk confirm that that is the last one and that all Amendments have been distributed? Thank you. We are agreeable."

Speaker Madigan: "So, let us proceed to the Amendments. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Committee Amendments 1 through 15 lost in Committee. Floor Amendment #16, offered by Representative Breslin, amends House Resolution 86 in House Rules by inserting at the end of Rule 6 the following."

Speaker Madigan: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, if you will note, Amendment #16 would require that the Doorman be restricted from delivering notes to our desks while this Body is on the Order of Third Reading. From time to time, in the contemplation of our rules, we regularly develop systems which would improve the operations and the flow of business on the House floor. That's one of the reasons that we had to limit the introduction of guests from our gallery, for instance. While we might not want to do it, it is important to the operation of the business of this House. I have proposed that since we are on the Order of Third Reading, we are on the Order of final passage. At that time, a Member must be recorded 'yes' or 'no' and has no other opportunity to change one's vote or to get recorded later. So, it is important that you be here, that you listen to the debate, and that you participate in it for this Body to work effectively. The constant interruption by lobbyists or constituents or news people by the delivery of notes during that critical Third Reading

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time, in my view, impedes the operation of this House. To adopt such a change in the rules will help in several methods. For one thing, people will be on the floor when their Bill is called and we will not have to pass over as many Bills as we have had in the past. It will speed debate because there will not be the repetition of asking of the same questions, because people will be here to hear it the first time. It should reduce the number of verifications and those verifications should go more quickly if people are in their seats and responding. It should also improve our participation and understanding of the Bills before us. This rule does not preclude any Member from leaving this Assembly at any time. This rule would not preclude making appointments to meet people at a particular time whether we are on Third Reading or not. Last, but not least, this rule would not preclude having a constituent go to your office when they would arrive and have your secretary call you at your desk and, if you wish to see them, you can make an appointment to see them at the rail five minutes later. On balance, I think this would be a good change for this Body, and I would be happy to answer any questions."

Speaker Madigan: "Mr. Hallock."

Hallock: "Thank you, Mr. Speaker, Members of the House. With respect to the Sponsor, I rise in opposition to her proposal. As I glance at this, it seems to me that the impact, although the merits may be good, the impact is less than that. I think the impact is that during those months when we debate Third Reading issues, most of the month of May, and, of course, with Senate Bills, most of the month of June, we wouldn't have any input from our constituents that are here in Springfield. And although I think she tries to address that by saying that we can meet those

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people in our offices, some of us who come from far away, as in my case 200 miles, we don't always know who's coming down and when. And so they take great pride in the fact that they can come to the Doorkeeper, send a note into us that they are here. So, although I laud the Sponsor for trying to do what she thinks is best to make sure this House runs in an orderly fashion, I think the real impact is that we here on the House may miss out on some constituent contacts here in Springfield through this process. And, therefore, I think this is a bad Amendment, and I urge it be defeated."

Speaker Madigan: "Mr. Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, this change was brought before our Task Force on Rules, and we unanimously felt that the intent was very good and honorable, except that its effect would cause some problems, I'm sure, to all of us and much as what John Hallock has said. I know in my district very often, when I speak to citizens, I say if you're ever in Springfield, drop up and see me or, very often, we're on the floor, just send a note to the Doorman and I'll be happy to talk to you. So, even though I'm sure that... and I noticed when Peg was speaking, her secretary came to her desk and put two notes on her desk. That could just as well have been the Doorman trying to contact her. I very often, when I know I'm on Third Reading, for example, and I get a note from somebody and I know it's a lobbyist who understands when we're here we've got to be on the floor, I just don't come out at the time, because I know they're around here all the time. But if I get a note from a constituent, I know that constituent wants to see me and I've got to come off the floor. So, I try to accommodate that constituent. So, in spite of the honorable and good intent, I would also

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oppose this, even though there's no Party position on it."

Speaker Madigan: "Mr. Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I hold the Sponsor of this Amendment in high esteem, but I think, unfortunately, she misses the point of what a legislative Body is all about with this kind of an Amendment. I've been sent down by the people in my Legislative District to not only be aware of the legislation that we're passing on a Third Reading call, but to be aware of their concerns and the lobbyists that may represent constituents in my district. I think it behooves me to listen and make decisions, adult decisions, on an Amendment or on a Bill that I'm about to vote on. And if there's a constituent, if there's a lobbyist, if there is an individual who has additional information for me, they should have the right to flag me. I have the right, as an adult, to decide at that particular time whether or not I see the time to leave the floor or to pay attention to the floor debate. I understand the position that she's trying to articulate. I, unfortunately, think that it's the wrong approach, and I ask for defeat of this Amendment."

Speaker Madigan: "Mr. Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. I, too, would like to address in opposition to this intent, even though I know the Sponsor has good intentions. The purpose of a good democratic form of government is to allow the people who send us here to have some input. And certainly during the time of very critical issues when we are on Third Reading, that critical input should not be attempted to be eliminated. And I certainly would urge people not to support this Amendment, because I think the rights of the people should always come first here in the Illinois General Assembly."

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Speaker Madigan: "Mr. Johnson."

Johnson: "I guess we're supposed to stand up and support or oppose this, and I don't really know how I feel. I guess I'm standing up to express some inner thoughts on this. I agree with Representative Ropp and Representative Hallock that, you know, we should have democracy at work. Boy, there's a real gut instinct in me that says that Representative Breslin is right. I know these people are well intended. The constituents are well intended and the lobbyists are. But, boy oh boy, when you're in here time after time trying to vote on important Bills and pay attention and vote on the Amendments and analyze things, and all you get is a continual stream of cards and letters and notes in here, it just... it makes the process almost unworkable sometimes. And I really don't know what the answer is. I don't know whether it's a flat prohibition like this or something in between. But I really think Representative Breslin is to be commended for putting her finger, even maybe a little too broadly, on a real problem and a real pain in the neck. Constituents and lobbyists aren't pains in the neck themselves at all. But the process really gets broken down and gets to be a pain in the neck when you spend more time walking in and out from the House chamber than you do voting on Bills and listening to issues. So, I don't know how I'm going to vote, but it's sure a good idea."

Speaker Madigan: "Representative Breslin, to close."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, please be aware that this only prohibits the delivery of notes on Third Reading. It doesn't prohibit it at any other time in this General Assembly. Please also note that the time that we are on Third Reading is less than one-fourth of the total time that we are in this Body. I would suggest that

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constituents presently do not understand that you may not get added to a Roll Call or change your vote if you have been voted incorrectly while you have been absent from the floor talking to them. If the Doorman and if you explain that to them, I think your constituents would much prefer that you be in this Body listening to the debate and voting your switch yourself. We have already seen the Coalition for Political Honesty raise the issue of absenteeism from this Body and absentee voting from this Body time and time and time again. This is just one, little step to improve the process and improve our participation in the process and, I think, get better representation to the people of our districts. I'd appreciate a favorable vote. Thank you."

Speaker Madigan: "The question is, 'Shall the Amendment be adopted?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 34 'aye', 68 'no'. The Amendment fails. Are there any further Amendment?"

Clerk O'Brien: "Floor Amendment #17, offered by Representative Johnson, amends House Resolution 86 on page 23 by inserting the following immediately after line four."

Speaker Madigan: "Mr. Johnson."

Johnson: "There's good and there's bad in this Amendment. The bad is if we adopt this Amendment, we won't be able to make deals at the end of the Session in omnibus Bills with respect to education. We won't be able to use the education budget to either tie up the process or serve as a political hostage or serve as a trade off for some other kind of an issue, because the law will already be beyond our control. The good side of this issue on the other hand is that we'll treat education and the education budget with

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a priority in the structure that it ought to be created... treated with. This Amendment specifically provides and sets a series of deadlines for consideration and voting out of House appropriation Bills on education out of this chamber, specifically the fourth Friday in April and then Senate appropriation Bills on education for the third Friday in May. I've talked to several Senators and there's a general agreement that they're going to introduce a similar rule change if we can get our rule change through here in the House - the bottom line being that we can speed up by up to two months the consideration of education Bills so that we won't have or at least arguably won't have the last minute brinkmanship, the last minute negotiations between school boards and teachers that lead to situations like Homer, where we now have, in my district, the longest teachers' strike in the history of the State of Illinois. Not you, Tom. This is the town of Homer. Not the poet either. The town of Homer that's been ripped apart, torn from within because of this teachers' strike. Teachers agree, school boards agree, administrators agree and, most pertinently, the public agrees that the local taxing bodies, the local school boards ought to know well ahead of when they know now and well ahead of the last minute negotiation process how much money they have. And it's hard to do that by legislation. It's hard to change our collective bargaining Bill because there's arguments pro and con. Some people think teachers ought to be able to strike, some don't. Some make other proposals, and there's all variety of viewpoints in that. But everybody seems to agree, hopefully the Members of this chamber agree, that we ought to know well ahead of where we know now how much money is available for the common schools. And we can do this, not even by legislation and that whole process, but

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by a simple change in our House rules and by a hopeful similar change in the Senate rules. And I would think that this is something that everybody ought to be able to agree on and hopefully we can get it passed and respectfully would urge that the Members of this chamber vote with me to do something in a very positive way that everybody can agree to to address the problem of work stopages and strikes in the schools."

Speaker Madigan: "Mr. Matijevich. Mr. Matijevich."

Matijevich: "Speaker and Ladies and Gentlemen of the House, even if this Amendment were proper as a policy change, it is very glaring in what Representative Johnson even wants to do, because he and I and all of us know that really it's never over till it's over because you refer to Third Reading in House and Senate Bills. And I think you've also heard of the term Conference Committees, I'm sure. So that there can always be a Conference Committee that relates to the education Bills. So, even if you wanted to do what you intended, you couldn't do it by this rule. I would submit even the policy is incorrect. I think if we're going to appropriate in a responsible manner, we can't take any one issue by itself; that we've got to appropriate matters as a whole, and we ought to treat every appropriation Bill uniformly. I think that's good public policy and it is good legislative practice. So, I would urge the Members on both sides of the aisle, even though I think I know what Tim Johnson is trying to do, to defeat this Amendment."

Speaker Madigan: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. I rise to congratulate you, Representative Johnson, for this Amendment. If there's one thing that I hear from the school boards and the school districts in my district is, (a), if you can't send us more money; (b), at least let us

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know what the appropriation is going to be a little bit earlier than July 1st. I think it's a far more responsible way with regards to the education appropriation. I think we look silly down here when we don't make any of these decisions until the last week, particularly regarding education. It's a good Amendment. I think we all ought to be an 'aye' on this one and hopefully the Senate will do the same thing."

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

Johnson: "Well, with... with... what's the right term - due respect, because it's sincere to Representative Matijevich's opposition, it's not well founded. You can always find mechanisms to avoid what we do here or otherwise. But if we do what we've proposed in Amendment #17 and the Senate adopts a similar Amendment, the House appropriation... or the legislative appropriation, both chambers, on education will be out and to the Governor for action to either return to us by a reduction or sign it or veto it so that we can hopefully act on it before we even leave in June. There doesn't have to be a Conference Committee. If the intention, as expressed in this chamber, is to treat education unique for reasons that I want to discuss in just a second, we don't have to worry about Conference Committees and we don't have to worry about those various other ways of avoiding the intention of the Legislature. Representative Matijevich says he doesn't think it's good policy because we've got to consider things as part of a greater whole. Education is unique. It is unique because of the timing of school, when it starts and how that juxtaposes with when this Legislature votes on its appropriations and adjourns and has those various appropriations acted on by the Governor. And it is unique because school children and our children are unique as a

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precious asset of this state and each one of us as parents or otherwise, and it's unique because of the collective bargaining system and the fact that we've got to deal with strikes, we've got to deal with negotiations, we've got to deal with contracts in the context that they are. And so, unlike some of the various other areas of state spending, there's a specific need for a specific rule and a specific time limit that doesn't exist at all with respect to those other areas. And, again, respectfully I urge that this is something that can do a whole lot with no downside other than avoiding making deals near the end of June to improve the educational system and to make our collective bargaining system work a lot better. And I urge a 'yes' vote."

Speaker Madigan: "The question is, 'Shall the Amendment be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 49 'aye', 62 'nos' and the Motion fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #18, offered by Representative Terzich and Dunn, amends House Resolution 86 in lieu of the House rules by inserting after Rule 63 the following: 63.1, Smoking prohibited."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, this Amendment attempts to resolve a conflict between the right of the smoker and the right of the nonsmoker to breathe clean air and it involves a determination of when smokers rather than whether or not a smoker may legally smoke. It is not to deny anyone the right to smoke; however, the right of the nonsmoker to breathe clean air should certainly supercede the right of the smoker to

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smoke. In addition to the dilatorious effect upon smokers, tobacco smoke is, one, at least an annoyance and a nuisance to a substantial percentage of the nonsmoking public and also a substantial health hazard to a segment of the nonsmoking public. I'm sure that everyone knows that tobacco smoke has been proven harmful to humans because it can cause cancer and lung and heart disease. And, according to the U.S. Surgeon General, smoking causes 350,000 deaths per year and, therefore, is the single most preventable cause of death in America today. For those of you who are not familiar with the hazards of smoke and especially the involuntary digestion of that, there are at least 60 identified carcinogens in cigarette smoke including benzene, arsenic and formaldehyde and sidestream smoke from the burning end of a cigarette is more noxious than the smoker ingests. It contains twice as much tar and nicotine, three times as much benzene, five times as much carbon monoxide and 50 times as much ammonia. The basic premise of this Amendment is that it should not be confronted with the health hazard of tobacco unless they reasonably choose to be around it. And by setting up this guideline regarding the places where smoking is prohibited, each person can make that decision. And I would urge your adoption of this Amendment."

Speaker Madigan: "Mr. Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. I was in agreement with the nonsmoking law within small confines of Committee rooms; however, it's interesting that Representative Breslin doesn't want us to be disturbed and go outside so we miss testimony, but that's what's going to happen in some of those Committee rooms. This room, however, is considerably larger than the Committee rooms, and I don't think anybody here can have any problem

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whatsoever with catching a disease in the confines of this room. I mean, we've gone far enough. This is going too far. If this passes, I will put an Amendment on that says no coffee is aloud on the House floor because caffeine is dangerous to your health, and certainly no junk food. I'm please advised that I vote against this Amendment."

Speaker Madigan: "Mr. Terzich... excuse me. Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, a few moments ago Representative Breslin spoke about House Members leaving the floor to speak to constituents. If Representative Breslin is really concerned about keeping House Members on the floor, this Amendment should not be adopted because that's exactly what's going to happen. Every smoker in the House would have to leave the floor of the House regardless of whatever Reading a Bill was on and would have to go out to the hallway and in the gallery and in the rotunda and smoke. And while they do it, they could talk to their constituents, even though it might be on Third Reading. If the purpose of this Body is to keep Members on the floor to attend to legislative duties, this Amendment should be defeated and I urge the Members of this House to grant the individual freedoms to the Members of this honorable Assembly who smoke. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Inquiry of the chair. Who was that guy? I don't think he's a Member, Mr. Speaker. I think you should look into this."

Speaker Madigan: "Dunn. Representative John Dunn from Decatur."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Amendment. I think we... we hear the arguments and it's understandable from the standpoint of smokers that they feel that if this Amendment

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should pass that somehow they will have to leave the room to satisfy the smoking habit. I'd like to see everybody quit. I think it would be better for their health, but some people smoke, some don't. Some choose to smoke, some don't. But the point that is being overlooked is that the current situation requires those of us who are nonsmokers to remain in the room, to remain in Committee rooms and to suffer blurred visions, to suffer headaches to accommodate the citizens of our district to stay here and be responsible. A lot of us, most of us, for that fact, come in here when the Session begins, stay till the end. A lot of us downstaters never leave the room. And I can tell you from very sad experience as a nonsmoker that by the end of the day my headaches and my vision is blurred, and it's, I'm just sure, because of the smoke. I don't want anybody inconvenienced, but I also don't want my own health jeopardized just because I'm sitting in this room to serve the taxpayers. The ventilation is pretty good in here right now, because we haven't been in here very long. But when we're in here all day and into the evening, everyone knows that it gets hot, it gets clammy and a... of smoke, a cloud of smoke descends from the ceiling and comes and lower and lower. I've indicated earlier that I have checked with the buildings and grounds people about what can be done about this, and without tremendous expense on behalf of the taxpayers, there's not much that can be done because the air that we breathe in here is circulated and recirculated. It's kept in a holding tank and the system only has so much capacity, and it just can't keep up with the long days that we have in here. We won't have... I think if we ban smoking, we may have shorter hours here. There may be pressure upon the Leaders and upon the Members to be brief with their remarks, to be more orderly, to get

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on with our business. And this is not an innovative thing. The State of Minnesota has had a Public Anti-Smoking Act in place since 1975. As recently as 1984 they communicated with our Illinois Legislative Council and indicated that there had been overwhelming statewide compliance with their Public Anti-Smoking Act. There had been very few complaints. There had been general... widespread general acceptance of their legislation. We know that smoking is harmful. We know that inhaling the ambient smoke from cigarettes and tobacco has adverse affects upon those who are nonsmokers. I think we should take a leadership position and send a message to the general public that we were, in fact, sent here to lead. We will do things which are not easy. They are difficult. It will be difficult for smokers to withhold their smoke or to step outside to have a cigarette. It will be difficult for them to step outside a Committee room. But it is no more difficult than it is right now for nonsmokers to remain in the Committee room for nonsmokers to remain on the floor of the House. I would observe... ask everyone, both smokers and nonsmokers alike, to support this progressive Amendment, an idea whose time has come, and I would urge an 'aye' vote for this Amendment to our House rules."

Speaker Madigan: "Representative Goforth."

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

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

Goforth: "Bob, are you sitting in a nonsmoking area?"

Terzich: "Excuse me?"

Goforth: "Are you sitting in a nonsmoking area?"

Terzich: "I would hope so. Unfortunately, it doesn't develop that way, but supposedly this area is a nonsmoking area."

Goforth: "Well, I kind of thought here a year or so ago I heard you get up and speak and say that that area down there was

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designated as nonsmoking. You had all agreed to it. I know it's the same here on our side. Down in the front row area its nonsmoking and everybody agreed to it. We didn't have to pass an Amendment on rules to get that involved. I think everybody is here. I've went out with you before, Bob, and I didn't smoke out of respect for you. But I didn't see you come at that time and tell me in that restaurant, 'Wayne, I don't want you smoke and I'm going to pass a law saying that you can't smoke.' I just can't see no sense in this. Everybody tries to get along with you and all you are doing now is taking our rights away. I'm sure that this Amendment - your intent is real good. But have you ever took an air control quality in here? What is the smoking in this room? Do you know?"

Terzich: "I'm sorry. I didn't hear the last part..."

Goforth: "Do you know what the smoking is in this room. Have you ever had the Health Department come in here and take an air test?"

Terzich: "No, I do not."

Goforth: "Well, otherwise then, this air could be perfect in here and you don't know. Is that right?!"

Terzich: "Well, I've never checked the... I've never had the Department of Public Health come out and check the air."

Goforth: "Well, you know, to the Bill... to the Amendment, Mr. Speaker."

Terzich: "I... I do know, however... I do know, however, of what affect that the smoking pollution does have in the House chamber from my own personal feelings. And, as a matter of fact, the flagrant use of tobacco in the House chamber, whether it's in this section or outside this section, or whether it's in by the newspaper people or the press people, there's a basic violation, I think, of that particular rule."

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Goforth: "Okay, thank you. To the Amendment, Mr. Speaker. You know, I agree with you. I think we all should protect our health. But the City of Chicago alone, the air control out in the middle of Main Street up there is a lot worse than it is in this chamber. We kill thousands of people every day out on the highways in our automobiles. Are we going to pass a law that says nobody can't drive? Think of all the laws we would save if we didn't use the automobile. You know, we can't protect everybody from everything. And all we're doing in this Assembly is taking everybody's rights away from them. We've already taken the public's rights away. Now we're also taking our own rights away. People, we've got to wake up. Let's get this government off the people's back."

Speaker Madigan: "Vote 'no' on that tax. Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, sometimes the most sanctimonious member of the congregation is the reformed profligate. And in this situation I can empathize with Representative Terzich's arguments about not smoking. I've been a cigarette smoker now for almost... over 20 years. As of today, I haven't had one. I'm going to stop. However, however, whether I continue to stop smoking or I go back to smoking, the fact of the matter is you have no right to force people who are here to serve their constituents to sit in this chamber for ten, twelve, fourteen hours, as we do, without having a cigarette, without... that's right... the freedom - without having the ability to smoke. If that is an individual's choice, then it seems to me as Members who are elected we should respect that individual's choice. We should perhaps set up no smoking sections. If a person doesn't want to smell it, be near it, or whatever, let him move over to where Representative Terzich is. In fact, we

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can even put him outside the door, but let them... move out... but don't tread on the rights of other people to not only smoke because they enjoy smoking, but, for many people, to stop smoking becomes a physical, psychological problem. I mean, I know right now I'm more nervous than I normally am because I haven't had a cigarette. You can't... you can't force people to do that which they ultimately are going to choose to do. We have an obligation to serve our constituents. To force a Member to leave this chamber during extended debate over something like cigarette smoke is not only un... ludicrous, but, in my opinion, is ultimately unfair and inconsiderate of other Members' rights. I would encourage a 'no' vote on this Amendment."

Speaker Madigan: "Representative Pullen."

Pullen: "Thank you, Mr. Speaker. I sit in the no smoking section. I was fortunate enough to be designated to sit here when the Leader chose where I was going to sit four years ago, but I used to sit in the back. And in the first Session that I spent here, I had the privilege of sitting next to two people, whom I admired very much, but whose right to smoke they exercised with extreme enthusiasm, particularly toward the end of June when we were in Session for twelve and fourteen and eighteen hour days. And they exercised their right to smoke and I got pneumonia from it and have never been quite the same since. In fact, since that time, not only have I had a problem with chronic cough, but I also have developed a much greater sensitivity to smoke than I ever had before, and so it has become a real problem for me. It's not just simply a matter of preference and of taste. But it's a matter of real need for me to be in a smoke-free environment. That means not only those of us who sit in no smoking areas but also those

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of us who don't smoke, who may be sensitive to it who sit near smokers in the House or who are visited at our desks by staff people and other Members who are carrying a cigarette in hand at all times. By not having ashtrays on our desks, we discourage that somewhat. But there is still smoke brought around us frequently during the Session day. This is certainly an issue that is very emotional and divisive for the House because it has to do with our working conditions here. And I hope that everyone will vote the way they truly feel about it, whether they are smokers or not, whether they think that people should be able to smoke in the chamber or not. I simply wanted to rise and talk about the fact that there are rights of people who do not smoke who are being violated every day in this chamber. And I think the right to breathe and to be healthy is a rather important right. Thank you."

Speaker Madigan: "Representative Panayotovich."

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

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

Panayotovich: "Bob, are you talking about... when you talking about the House floor, you're also talking about the washrooms?"

Terzich: "Why? Do you smoke in there?"

Panayotovich: "Well, I'm looking... talking to people right around here. They're asking about where can they go and have a cigarette real quick if they wanted to. Can you..."

Terzich: "Yes, I would suggest that there be a designated smoking area. I think that's in the power of the rules and also the Speaker to designate an area for smoke, just as well as you can designate an area for no smoking."

Panayotovich: "So, the House floor is considered the washrooms then... by..."

Terzich: "Maybe with you in it, but I don't know."

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Panayotovitch: "Well, I'm just asking. This is a serious question. People asked..."

Terzich: "Well then, let's be serious about it. I said that the... you know, you're talking about a public area and that the Speaker or we can designate the area where you can and cannot smoke. And, therefore, the people should have a freedom of choice of whether or not they want to partake in that. If you want to go smoke in the washroom, if that's an area, then, fine, then go smoke in the washroom. If it's on the House floor, then smoke on the House floor. If it's not, then don't smoke on the House floor. Should be able to abide by whatever the rules are."

Panayotovitch: "If this Resolution passes and it becomes part of the rules, who's going to enforce somebody telling Representative Peterson that he can't smoke his cigar on the floor?"

Terzich: "Hopefully, you would."

Panayotovitch: "No, I wouldn't, because I'd be firing mine up along side of him."

Terzich: "Well then, we'd probably get Representative Rice or some other big guy."

Panayotovitch: "So, in other words, we have no enforcement on this, so we're just talking about passing something that we would not be able to enforce."

Terzich: "Representative Panayotovitch, you know, we have rules, I mean, the same way that we have laws. Laws are broken and so forth. If the person is that, you know... would like to break the rule or law, that's entirely up to them. I'm not the enforcer, but certainly, if that's the type of conduct that they want, then let them do it. You know, as far as I'm concerned, they can throw him out of the place. But I would hope that people obey the rules and laws. We got rules and regulations in the House that we abide by. Some

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people violate them and some don't."

Panayotovich: "Thank you."

Terzich: "Mostly they do. They're good people."

Panayotovich: "Thank you. Thank you. To the Resolution. As somebody said on the other side of the aisle. We've always respected the wishes of people that do no smoke. There's been areas that have been so-called, quote, 'designated' nonsmoking areas on the floor. We're talking about ourselves here. We're talking about putting rules on ourselves. We have Members that sit on either side of us that would like to have a cigarette, like to be on the floor to conduct their business. I think that we should consider this, whether you are a smoker or a nonsmoker, whether it bothers you or not. You're talking about the person you sit next to. And I hope we see a lot of red votes up there."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I don't think there's any question but what the research shows that smoking is harmful to your health, but the most recent research which has come out indicates that secondary smoke is even more harmful because, for those people who use the filtered tip, at least they get that - the rest of us standing around, we get it unfiltered. That's not fair. We want to talk about rights, we want to talk about rights, you have to look at the priorities. There are a priority of rights here. And I don't think there's anyone here on the floor of the House that would argue with the research. They might argue from their own particular point of view as far as they see their rights. The rules are adopted by all of us to give us guidance and direction in terms of how we will go about carrying out our business. There is no question in anyone's mind that from

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a health point of view, we would all be better off if no one on this floor was allowed to smoke. Those people who are concerned about their role in representing their populus, their constituents, will be here at the proper time, even with this rule... after this rule is adopted. And for those reasons, Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this Amendment to the rules because I truly believe it's in all of our best interests, even those who are objecting to it."

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

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I do not take this particular Amendment lightly. I have... many, many of my friends are smokers, and I happen not to smoke and, also, being a firemen certainly doesn't help the cause with regard to smoking. But I recognize the fact that it is a problem between the smoker and the nonsmoker. We have to set up the example. There's been a number of Legislatures that prohibit smoking in the House chambers. As a matter of fact, I believe the United States Congress prohibits this, and we have to set up a certain amount of decorum as well. The mere fact of the tobacco industry went and manufactured 668 billion cigarettes and is probably the biggest polluter of indoors of anything in the United States, and I think that we should all recognize this fact; that the nonsmoker does not have any alternative. That there were comments made of whether... about the Committee room or what have you. Well, you know, I don't particularly care to sit around in a smoke-filled room getting smelled like a camel or a nuisance or my eyes watering or even get the hazard effects of sidestream smoke. There's not necessarily any consideration for the nonsmoker by saying they'll quite smoking here and there. Even in the House chamber, whether they're sitting here by

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the gallery or coming around smoking, I personally feel that this should be off limits, that we should conduct our business and if you have to have a cigarette, if you're that hard up for it, then go outside and grab one or wherever it's designated. But I think for the benefit of the public and also everyone's health and also the decorum of the House, that we should support this Amendment and we should live by it. And I'm sure you can live by it with a clean breath of fresh air. So, I would urge your support."

Speaker Madigan: "The question is, 'Shall the Amendment be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 45 'aye', 64 'no'. The Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #19, offered by Representative Churchill, amends House Resolution..."

Speaker Madigan: "Mr. Churchill. Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. Floor Amendment 19 is an attempt to correct one of the rules changes that you have proposed on your side of the aisle. It relates to that portion of the rules which deals with the effect of Special Sessions called by the Governor. Under the old rules, a Special Session called by the Governor was to adopt its own rules to follow the procedures of the Special Session. The rules change which you have sought to put into the rules would subject any Special Session to the deadline requirements that we follow normally here in the House. I think that because a Special Session is a call to consider a special question, it is an emergency type of procedure here in the House, it becomes an exemption to all rules, and it should have its own special rules to deal with a

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Special Session. It's provided for in the Constitution. I doubt whether we can constitutionally limit what happens in a Special Session. It's a proper check and balance of the Executive Branch over the Legislative Branch. What this Amendment seeks to do is to return the rules to the rules as they were prior to your changes. I would ask for your support of this Amendment."

Speaker Madigan: "Mr. Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to Amendment #19. Representative McCracken and I have sort of discussed this issue already. But let me just say that it is very often that Governors, for political purposes, may like to come in... call us into a Special Session after we adjourn just to rehash old issues because they may make him or her look better. I recall vividly one time when Governor Walker was the Governor and all of us were very tired after a long Session and he had threatened to call a Special Session and I got up on the floor and raised holy heck saying we've done our work. And he didn't call that Special Session, but I don't think we ought to make it any easier for Governors to call a Special and consider Bills any easier than for ourselves. And I think the rule, as we've changed it, is a fair rule. It puts him on the same plane as us and; therefore, I would urge the Members and particularly those on this side of the aisle to oppose Amendment #19."

Speaker Madigan: "Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. What the argument ignores is that the Constitution of 1970 gives the power to the Governor to call the Special Session. We don't have the power to call the Special Session. So, he should have a power that is easier for him to exercise than us, a power to exercise that, in fact, we cannot exercise. And by

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adopting a rule by a Simple or Constitutional Majority, you thwart not any particular House function - you thwart the Constitution. We're not talking about a statutory change. We're not talking about something with which we deal everyday. We're talking about the Illinois Constitution. And the rule change has the effect of nullifying the Governor's power to call a Special Session and it should be... this Amendment should be adopted to restore that balance in respect for the Constitution."

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

Churchill: "Thank you, Mr. Speaker. Mr. Hatijevech suggests that the Governor ought to be treated like any other Member around this place. This morning we had a special circumstance in the Revenue Committee, and we were asked to consider the comments of yourself, Mr. Speaker, and you came before the Body and you asked for special treatment to present your policy positions, which was granted, and we were asked at that point, as Republican Members, to give you that special treatment and we did give you that special treatment. I'd say whatever is good enough for the Speaker ought to be good enough for the Governor. He deserves to have this special treatment. You should vote 'yes' on this Amendment."

Speaker Madigan: "The question is, 'Shall the Amendment be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 51 'ayes', 53 'nos', and the Amendment fails. The Chair recognizes Mr. Hultgren concerning Amendment #18. Mr. Hultgren."

Hultgren: "Amendment #18, apparently there was a malfunction in my switch. If I could be recorded as voting 'no'."

Speaker Madigan: "Is there leave? Leave is granted. The

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Gentleman shall be recorded as 'no' on Amendment 318. Mr. Clerk, are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #20, offered by Representative McCracken, amends House Resolution 86 on page 37 by deleting line 26 and so forth."

Speaker Madigan: "Mr. McCracken."

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment to the Resolution pertains to the similar subject matter call. Under current rules, the Speaker has the discretion to call Bills in a number of ways. One of those ways is by similar subject matter. The Speaker can group together those Bills which have that similar subject matter and call them if they're all on the same Order of Business. This has been used commonly and not for any improper purpose. It's to deal with legislation which is important to all us. A good example of the use of it last year was to call Bills dealing with airports or aeronautics, something of that type. What this Amendment to the Resolution would provide for is that when the Speaker uses the similar subject matter call that he call all Bills with the same or similar subject matter. We define same or similar subject matter in addition to its obvious meaning to include all Bills that amend the same chapter of the statutes. Now, the reason for this is that often times there will be a opposing views on the same or similar subject matter. In the case of the airports last year, that was one example. Certain Bills were called of that subject matter. Certain others which represented an opposing or different point of view were not called. We think that it's fair to everybody, both sides of the aisle, to require that when the similar subject matter call is used, that it be used evenly and to everybody's advantage. I'm not contending that the Democratic Bills are being

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called more regularly than the Republican or vice versa. That is not my point. The point is that the similar subject matter rule should be used to take into account all of those Bills on a particular Order of Business and I request the adoption or I move the adoption of Amendment #20."

Speaker Madigan: "Mr. Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House, I would urge the Members to oppose Amendment #20. This would profoundly restrict the flexibility that a Speaker of the House rightfully has, I believe. It would tie his hands where he would have to consider many more Bills, I think, than any of us want to hear and probably would also keep us on the floor much longer than any of us would like to be on on a particular evening. We've... because of the flexibility we've allowed in our rules to the Speaker, most of us have felt that this Speaker has lived up to what we think are reasonable periods on the floor of the House and we live a normal, at least somewhat normal life, compared to what many of us did in the past. I think this is because what he has done within the rules and has not abused those rules. So, I would urge the Members to oppose Amendment #20."

Speaker Madigan: "Mr. Hallock."

Hallock: "Thank you, Mr. Speaker. I rise in support of this Amendment. It seems to me that as we look at this that this is an area that truly needs some reform. Last Session and in the previous Session, as well, I'm sure we all can recall instances wherein Bills on a certain subject were being called but, yet, our Bills, each of our Bills which were on that very same topic and virtually identical to some other Bills were being placed on a different Order and, yet, that Order wasn't going to be called. So,

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clearly, if you want to resolve one of the problems of this General Assembly, you should say, in fact, that all similar subjects should be called on the same day at the same time. It would make this place run better, and I would urge that this be adopted."

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

McCracken: "Thank you, Mr. Speaker. You know, this is a means of winnowing down those Bills that are going to be called before the deadlines and it is a proper use of that vehicle. We do not contend that the Speaker's discretion should be limited so that he cannot use this. There are, by necessity, because of the number of Bills introduced, many, many needs or requirements that can be used to hear only those matters which are important, because some Bills are never going to be heard. It happens to both sides of the aisle. We're saying that the similar subject matter should not be used to do that if the effect is to close out or forestall the consideration of opposing viewpoints on those important subjects. Let's decide whether a subject is important or not. Let's give it priority if that's the will of the chamber. But if we're going to do it, let's give all points of view on that subject matter the opportunity to be heard. That's what we're asking for here. And I ask your support."

Speaker Madigan: "The question is, 'Shall the Amendment be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 50 'ayes', 64 'nos', and the Amendment fails. Is there any further Amendments?"

Clerk O'Brien: "Floor Amendment #21, offered by Representative McCracken and Pullen, amends House Resolution 86 on page 11, line 13 and so forth."

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Speaker Madigan: "Representative Pullen."

McCracken: "May I withdraw..."

Speaker Madigan: "Mr. McCracken."

McCracken: "May I withdraw that Amendment, Speaker?"

Speaker Madigan: "The Amendment shall be withdrawn. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #22, offered by Representative Pullen and McCracken."

Speaker Madigan: "Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. Amendment #22 considers the use of the Special Calls or Special Orders. Under the Calendar requirements of our current rules, the Special Orders have to be on the Calendar for three days and the date of their consideration given. As a matter of practice, the Speaker has also included in the Calendar the time when the Special Orders will be called. This Amendment would essentially codify that practice and, in addition, would require that in the event the business on the Special Order is not finished the day it is to be considered, that it revert to the Daily Calendar and by that I mean if it's scheduled for May 22nd and it's called but not concluded on May 22nd, the remainder of those Bills cannot be continued by oral Motion to the next day, cannot be continued by any Motion to merely the next day, but the three day requirement would then again pertain. Now, again, I'm not citing this example as requirement would then again pertain. Now, again, I'm not citing this example as an abuse of power or discretion. We have often acquiesced in these matters. But on reflection, I think that this is not an appropriate way to conduct that process of reducing the number of Bills we will consider before deadlines. The purpose of the Calendar requirement is not just for us. The purpose of the Calendar requirement is

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for the public. The Daily Calendar is the general rule. The Special Orders are the exception to that rule. At the deadline period, as it draws to a close, we find that the Special Orders become the rule and the Daily Calendar the exception. We propose that we continue the use of these Special Orders; but, if the Calendar requirements are not to be met because we cannot conclude that Order of Business that day, then we need to reschedule them and recalendar them. And that's all that this matter seeks to do. And I respectfully urge its adoption."

Speaker Madigan: "Mr. Matijevich."

Matijevich: "Speaker, Members of the House, I would also urge the Members on this side of the aisle to oppose Amendment #22. It is a very difficult task, at best, to move the Order of the Business of this House and nobody knows that more until they become a Majority in this Legislature. The Special Orders of Business have been used, I think, in a responsible way to move very high priority issues in the Session. And, again, the Speaker hasn't abused that, because we've researched the matter and both sides of the aisle - in fact, if anything, I think our research has found that your side of the aisle done a little bit better than our side of the aisle on these Special Order Business calls. But what this would do would hamstring the ordinary and orderly process of the House. So, I would, therefore, urge the Members to defeat it."

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

McCracken: "Thank you, Mr. Speaker. We did a study of this to see if, in fact, the Special Orders were concluded on the day they were scheduled. And, as I said earlier, they were often continued on oral Motion. The fact of the matter was that that became the rule and finishing a Special Order on the day it was scheduled to be considered and concluded

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became the exception. You know, I have no quarrel with that side of the aisle. The fact of the matter is if it's going to be a Special Order, if it's going to be an exception to the Daily Calendar requirements, then we ought to comply with the rule. It requires three days notice. The effect of continuing it by oral Motion is to obviate or not to comply with the spirit of the law... of the rule. So, I think that we should just do that and this process will still allow us to prioritize remaining Bills as deadlines approach."

Speaker Madigan: "The question is, 'Shall the Amendment be adopted?' Those in favor of the Amendment will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 50 'ayes', 65 'nos'. The Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #23, offered by Representative Steczo, amends House Resolution 86 in the House rules by deleting the third paragraph of Rule 16."

Speaker Madigan: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. When this House last met, one month ago, we adopted a rule... a former temporary rule as a permanent rule and that rule provided that in our Committee hearings that there shall be no smoking. And I don't mean to belabor the point about smoking or nonsmoking or the positive or minus... negative effects of that. As we could tell from the debate just a few minutes ago and as we could tell from the debate a month ago, it's a very divisive question. And there was a great deal of consternation by smokers after that... that debate and that vote in February. And what I bring before you as Amendment 23 is a sort of a Solomonesque attempt to

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provide fairness into the whole question of who may or who may not smoke in Committee hearings. We, as a Body, just a few moments ago, chose to allow smokers smoke on the House floor. What Amendment #23 does is provides that in each Committee, that Committee would say yes or no to smoking during Committee hearings of those particular Committees. We would be treating the Committees as separate entities, as we ourself are a separate entity and addressed this question just a few moments ago. So, in an attempt to be fair, we are... Amendment 23 specifies that a vote may be taken in Committee as to whether or not to permit smoking during hearings of that particular Committee. It's... those of us who have been here for a while realize that in many cases it's tough enough during the crunch days of the Session to try to find Members. And if the Committee Members of a particular Committee have no objections, there should be no reason, really, not to allow Members to smoke. I would answer any questions, Mr. Speaker, but would encourage the House to adopt what I consider is a fair attempt to try to deal with the issue."

Speaker Madigan: "Mr. Terzich."

Terzich: "Yes, I'd like to ask the Sponsor a couple questions."

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

Terzich: "I assume... what happens to the Members who prefer not to smoke or don't want to be involved with that... that they have to leave the room because of all of the smoke and everything in these small Committee rooms? What do you do with them when they miss these Roll Calls because they can't stand the smoke in there?"

Steczo: "Representative Terzich, I'm not sure if that's a serious question or not, but..."

Terzich: "It is a serious question. I'm for one... I'm one of the serious questions."

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Steczo: "I haven't... I haven't seen any evidence of people leaving rooms, and it would be at the behest of the Members of that particular Committee who would choose, as we did a few moments ago, to allow or disallow smoking during those Committee hearings."

Terzich: "Do they allow smoking in the Committee rooms for people who attend the Committee hearings?"

Steczo: "I'm not certain exactly what the rules specify on that."

Terzich: "Do they allow people to testify in front of the Committee smoking cigarettes and chewing gum or whatever the case may be? I mean, how about the people... how about all of the people in attendance in that Committee room?"

Steczo: "The witnesses and the public that are in attendance have more... have more flexibility in terms of leaving the Committee room than we do as Members. Sometimes we, as Members, are stuck there for two hours, three hours and four hours at a time. And it's much more difficult if we're expected to be there and decide questions of public policy."

Terzich: "So that we should have the exception because we have to sit there for two hours or so and that, you know, you don't have an opportunity to leave; that if you had to have a cigarette or a cigar or whatever the case may be, that it's alright for you to go and do that with the other Member around, but it's not alright for the other Members who don't want to be involved with that to leave the Committee room."

Steczo: "Representative Terzich, it's no difference... no different really than the situation in the House chamber itself. We have just voted to allow Members to be able to smoke on the House floor, while visitors to the gallery cannot do that."

Terzich: "Well, what's the problem? I mean, is the smoke the

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problem or the people who don't smoke the problem?"

Steczo: "I'm not certain. I don't have a problem with... with smoke."

Terzich: "Smoking, right. How about the people who don't smoke? Do they have problems?"

Steczo: "I'm a smoker, so I couldn't answer for those people who don't smoke."

Terzich: "Do you assume that they have problems?"

Steczo: "Some may, some may not."

Terzich: "Does smoke emit... I mean, you have these here cigarettes and everything. I mean, what do they put out? Is it like incense at church or something like that that you know... What does the smoke do?"

Steczo: "Representative Terzich, not to belabor the point. The point is we're trying to provide some degree of fairness in the way that this issue can be settled by each Committee. In the Committee that you chair or the Committees that you serve on, you can try to convince those Members that smoking should not be allowed. And I'm sure, in most cases, that probably would be adopted."

Terzich: "How... have we already adopted... I mean, if it says no smoking in a Committee room, then it's no smoking in a Committee room. There shouldn't be any question of whether or not you can or cannot. If that has to be the case, then, you know, I mean that's basically what it amounts to, is that we set up the rules also in the Committee rooms that you can't bring any eating material in there, you can't... smoking material or anything of that nature. So, we've got the general public in there that their supposed to be exposed to this. Then why shouldn't everybody do it? I know these here Committee rooms are extremely small and the smoke and everything in there are actually intolerable. I mean, not just the fact that... certain things I can

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tolerate and certain things I cannot. And there are certain Committee rooms that are too small, let alone to get the bodies in, let alone smoking. And so now you're going to say, well, we'll sit down at each day or each meeting and determine whether or not this is a smoking area or a nonsmoking area. I think this is a very, very bad precedent and that those Members, as well as the people that are in attendance, should not be exposed to all of the pollution, whether it's a harmful smell or odor or a health hazard or whatever and that we did pass the rule and that we should abide by that rule and not to go back and forth in trying to determine whether or not you can do it because it will cause a very serious problem for me personally; because, if that would be the case I would have a tendency to leave the Committee room because I don't have to put up with that stuff, and neither should anybody else. And I would urge you to vote 'no' on this Amendment."

Speaker Madigan: "Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. I think that the Sponsor of this Bill is correct. I think it's about time we started treating Committees as bodies of authority in this General Assembly, and I am all for this Amendment. And I would ask everyone to vote with me on it."

Speaker Madigan: "Representative Stern."

Stern: "Mr. Speaker and Members of the House, when the other Resolution came before us, I voted for it, but I could understand why it did not pass. This is a reasonably large, reasonably well-ventilated room. The Committee rooms are considerably smaller and, as Representative Braun dignified me by calling me a former profligate, one who hardly misses smoking - I have not smoked in about 12 years now - I am, however, a reformed smoker and I would like very much to be able to say to the Members or the folks who

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are my constituents and to the rest of Illinois that I had brought a breath of fresh air to Springfield. And I urge very much that you support this Amendment. No, oppose this Amendment. Correction."

Speaker Madigan: "Mr. Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. I rise in support of Representative Steczo's Amendment. Actually what it does, it's the highpoint of federalism. It brings down democracy to its lowest level. Those that are in a Committee structure, depending on the size of the room - it may be a larger room. I think it brings democracy back to our Committee structure, and I am totally in favor of it."

Speaker Madigan: "Mr. Dunn."

Dunn: "Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the Sponsors Amendment and would like to ask him a question."

Speaker Madigan: "Sponsor indicates he will yield. Mr. Steczo."

Dunn: "I've spent 12 years and I'm in my 13th year sitting in Committee rooms as a nonsmoker, and there's no way that I can get away from cigarette smoke; and, if your Amendment passes, and I either serve upon or present legislation before a Committee which has adopted a rule to authorize smoking during its meetings, how am I to protect myself from what I perceive and have some good reason to believe is physical harm to me from inhaling ambient cigarette smoke?"

Steczko: "Representative Terzich, in response, I..."

Dunn: "No, I'm the other guy. We both look Croation, but..."

Steczko: "In response, I would just..."

Dunn: "I can mumble like him."

Steczko: "Oh, Representative Dunn, I'm sorry. The hair is both gray. I got mixed up. I would anticipate, as most of us would, that if a Committee had voted to allow smoking and a

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Member either serving on that Committee or a Member coming before that Committee would respectfully ask Members to refrain because of some health problem that they might have, that the Committee Members would certainly do that. I don't think it needs to be an act of the House of Representatives, and I think a simple request would suffice and probably would be concurred with."

Dunn: "I kind of thought that might be the case myself, until I listened to the debate today, and I hear representations, including by you, about the rights of smokers. Smokers inhale and exhale air which they choose to inhale and exhale. But nonsmokers have no choice. If we're locked into a Committee room; and, as Representative Terzich has said, some of them are small and when you're in there for an extended period of time, they do get not only hot, but full of smoke, what are we to do? Are you saying that you are confident that any nonsmoker who says please put your cigarette out, that all the smokers will put them out? I doubt if that's the case, because to nonsmokers who are sensitive to smoke, cigarette smoke six, eight feet away is troublesome. So, what are the rights of nonsmokers? I'm in here now. I'm a nonsmoker. There's smoke in here. I wish I wasn't here. What about Comm... Maybe a lot of you wish I wasn't here, but I wish I wasn't in here right now. It's bothersome. What are my rights? That's a question, a serious one. What are my rights?"

Speaker Madigan: "Mr... Mr. Dunn, are you ready for an answer?"

Dunn: "Yes."

Speaker Madigan: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker. We always in the House of Representatives have used our personal persuasions to try to attempt to accommodate our Members. Representative Dunn, the debate between smokers and nonsmokers is one that

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there's no easy answer to. We can... we can do what we can to refrain. As a smoker myself, I would do what I could to refrain, and I think most people would try to accommodate. And certainly not all will. Be it to abstain altogether at the request of a Member, or to certainly curtail at the request of a Member would certainly be in order. And I think that most people would attempt to accommodate that, but to address the issue between of rights of smokers and nonsmokers is a difficult question to deal with in any circumstance. The purpose of the Amendment isn't one to define that issue. It's an attempt to address the issue in a fair way, by allowing our Committees and the Members of those Committees to take votes as to whether or not they prefer to have smoking or nonsmoking at the Committee hearings."

Dunn: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House, to the Amendment. I hope we defeat this Amendment. But whatever happens, perhaps some good will come from this debate. I know nonsmokers feel that for a period of many years they have been tolerant, because we've sat here and we've sat on the Committees in the Committee rooms and done that under what maybe is thought by some to be perceived as adverse conditions and by some it's real. Nevertheless, it's at the very least unpleasant and at the very worst unhealthy for nonsmokers in these situations. And now that nonsmokers ask for some consideration, they are perceived as militant in trampling upon rights. I think the smokers need to grow and need to develop a greater sensitivity. Good people. But I really don't think they understand what they do to nonsmokers. So, I hope this Amendment is defeated. If it is not, I hope there will be a greater consideration for the physical well being of nonsmokers, both in here and in Committee rooms. I urge a 'no' vote

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on this Amendment."

Speaker Madigan: "Representative Barnes."

Barnes: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker Madigan: "Sponsor indicates that he will yield?"

Barnes: "Representative, is it your intent that each time the Committee would meet that they would take a vote on whether or not there would be smoking at that hearing that day?"

Steczo: "Representative Barnes, no, that is not the case. We in the Committees now are organizing, and we've been holding our organizational meetings this week. It would be my intent that once at the beginning of the Session that those Committees would vote and that vote would be binding on the entire remainder of the two year Session, not... it would be... it would just be an unbelievable problem to have to go through a vote like this either every week or every time a Member leaves or walks in the room. No, this was intended to be once and then the matter would be closed."

Barnes: "Representative, do you recall what the Roll Call was when this rule was adopted?"

Steczo: "Representative Barnes, no, I do not."

Barnes: "It was 69 to 38. To the Amendment, Mr. Speaker. I would like to remind the Members of this chamber that we did vote 69 'aye', 39 'no' when we adopted this rule. I think when you think about being in Room 122A or 122B for a meeting, there are many, many times when everybody's in that room, in fact, people are standing outside the door, because that Committee hearing is so small and does not really adequately accommodate the Members and those that wish to attend the hearing. For that reason, I have never smoke myself. In all the 13 years I've been here, I've never complained about anybody that smokes, but there are enough people on this House floor that I think deserve the

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right not to have smokers sitting next to them in Committee. I would urge the defeat of this Amendment."

Speaker Madigan: "Mr. Goforth."

Goforth: "Thank you, Mr. Speaker. I'm probably the most blessed person in this House floor due to my Committee of Assignments. Thanks to your great wisdom, Mr. Speaker, I have the best Chairman of any Member of this floor on my Committees, and I am perfectly willing to abide by anything that my Chairman says. And so I support this Amendment. Thank you."

Speaker Madigan: "Mr. Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen, we just passed this rule not too long ago, and if this Bill is defeated, this Amendment is defeated, I would like to have it posted in the rooms that, in fact, no smoking can be done because I have already had the experience of asking people not to smoke in the Committee rooms and they've ignored it. I think it's time that we enforce the rules that we pass as a Legislature, and I think this Amendment, though well intended, should not pass and we should enforce the rules that we just voted on and to make sure that the courtesy of a small meeting room with improper ventilation does not make it a difficult place to do business for three, four hours in a row. I ask for defeat of this Amendment."

Speaker Madigan: "Mr. Kirkland."

Kirkland: "Thank you, Mr. Speaker. I would just say a careful reading of this Amendment would seem to me to clearly indicate that it indicates that there would be a vote at each hearing, really, by a Committee and whether it be that way or a vote at the beginning of the Session by each Committee, I just think the inconsistency that would be set up by each Committee deciding for itself whether there

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would be smoking or not would be unfortunate. If you're going to have some kind of vote like this, I suppose you ought to get in there and let the public vote on, you know, vote who are in the room. Especially if it has to be hearing by hearing, let the public vote too and have a nice majority rule on whether there should be smoking. I think we took a real step forward with the vote a couple of weeks ago or... to prohibit smoking in Committees, and I think we ought to stay that way. And, therefore, I oppose the Amendment."

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

Steczko: "Thank you, Mr. Speaker and Members of the House. First, I would like to... I appreciate the time the House has taken discussing this issue it is not an easy issue I did not mean to belabor the point of discussing smoking versus nonsmoking. However, we did adopt a rule approximately one month ago. Amendment #23 does not mean to repeal that rule at all. When that rule was being considered, many people who voted for that rule came to me and came to others and said, 'Gee you know we voted for it, but we wish that there were a fairer way or another way, instead of all or nothing.' Amendment #23 is an opportunity to do that. Amendment #23, is an attempt at least to try to provide some fairness as to who can smoke and when and what Committee rooms by allowing Committees either to say yes or no to those who do. In response to some people's questions about Committee hearing rooms, I am a smoker and if I had to sit in a Committee hearing room in 122A or 122B, I would be the first one to vote for no smoking in those rooms, because they are way too small to do that. And, I think most other people who serve in this House would do that. Representative Dunn had mentioned that there should be more tolerance of nonsmokers, in the rights of nonsmokers and I

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think if there is anything that's happened in the debate either one month ago or the debate earlier today or just now, it's that those people who do certainly do have some consideration and extra-consideration for those who do not. Even outside this chamber, my consideration for those people who do not smoke has gained tremendously. So this is an attempt to be fair and address the issue in a fair and equitable manner. If you want to say federalism or patriotism or just plain fairness, I think at least this allows some more flexibility with still the option... the option of each Committee voting on its own to allow or disallow smoking during those Committee hearings. I would appreciate an 'aye' vote."

Speaker Madigan: "The question is, 'shall the Amendment be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there is 50 'ayes' and 57 'nos'. The Clerk shall poll the absentees."

Clerk O'Brien: "Poll of those not voting. Berrios. Harris. Leverenz. Terzich. Williams."

Speaker Madigan: "Record Mr. Terzich as 'no'."

Clerk O'Brien: "Williams. Wolf. Wyvetter Younge. And Mr. Speaker."

Speaker Madigan: "Mr. Harris. Record Mr. Harris as 'aye'."

Clerk O'Brien: "No further."

Speaker Madigan: "On this question there are 51 'ayes' 58 'nos'. The Amendment fails. Are there any further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "We shall now consider the main Resolution. Mr. Matijevich, on Resolution 86. Mr. Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentleman of the House. We have now for our approval the Committee Resolution #86 for

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adoption and I would so move. I am sure that all that will be reported from our last couple plus hours of work will be whether we can smoke on the floor or in Committees. But what we have done the last two hours is very important for the business of this House. The Amendment has been explained and... the Resolution has been explained. No amendments have been adopted. I would commend all the Members of the House Rules Committee for their cooperation and also a commend the Republican Members of that Committee. In spite of our differences, we understand your concerns and I know that you understand our concern that we are the Majority Party and we have the responsibility of moving the business of the House in an orderly fashion. So with that and appreciation of all, I would urge the adoption of the Committee Amendment #86... Resolution."

Speaker Madigan: "Mr. McCracken. Mr. McCracken"

McCracken: "Thank you, Mr. Speaker. We have already addressed this issue. I would like to incorporate those remarks in my dialogue with Representative Matijevich, at this time. Just let me emphasize to our side of the aisle that none of our suggestions have been acceded to by the Majority. A number of Amendments which were thought we technical in nature were not acceded to by the Majority. The time for debate is no longer ten minutes, its five minutes unless you are the Chief Sponsor of the Bill Chief Sponsor is a new term by the way, means that all Principal Cosponsors no longer have any control over the Bill. There are many changes here that are not necessary just to ensure the orderly conducting of the House's business. The net effect of the rules changes has been to very... in a very sophisticated manner to limit further our ability to affect the outcome of legislation. Not only is it us who have less power as a result of this Resolution, but it is

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the Governor and the Constitution of Illinois. The Special Session is being thwarted by a mere rules change of one body of the Legislature, rules which have to be subservient to statutes which have to be subservient to the Constitution. I'm asking people on this side of the aisle to vote 'no' on this because many of the changes here are not necessary for only the orderly consideration of business. Thank you."

Speaker Madigan: "Mr. Hallock."

Hallock: "Thank you, Mr. Speaker and Members of the House. I also rise in opposition to HR 86, for numerous reasons. Some have been alluded to by Mr. McCracken already, but a couple more I would like to embellish upon a bit. First of all, Rule 13 points out that a Member can be removed from a Committee if he is not only sick but also otherwise unavailable. Well, yesterday in Committee I sought to have a definition of that term because it seems to me a bit ambiguous. Clearly to say that is otherwise unavailable means essentially that a person can be on and off a Committee at any moment in time. That's not really a fair way to do. I think over years we have evolved the fact that if a Member is sick he has a right to be absent and be replaced. But now we are in a situation whereby cavalierly and, I think capriciously we are probably going to find that Members will yanked off Committees at a moments notice and substitutions made. That's truly unfair and doesn't benefit the process. We going to have Committees being packed at certain points in time because a vote may be hard to make. I think that's also unfair and really defeats the purpose of the General Assembly Sessions here. Secondly, on Select Committees, we've also, I should say you have also sought to amend that provision by saying that Select Committees can have Subcommittees. Well, the abuse

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here it quite apparent. First of all, Select Committees right now don't even have a set time or place for meeting. So how is the public going to find out when they are going to meet? And secondly, now with Subcommittees being established under Select Committees, you further obfuscate the purpose of which these Committees are supposed to meet for in the first place. If Committees are supposed to meet and debate issues so everybody has notice as to what is going to go on in that Committee they should be given notice. But Select Committees don't give notice other than just a random six day schedule ahead of time. All other Committees have select deadlines and we can meet those. But when you let Select Committees appoint Sub-committees you have really taken the step one more step, and I believe that you are, in essence, saying that a you don't care whether the public has input into these things or not. On the Special Session aspect, we could go on and on about this one for a long time, but I suppose in the essence of the Special Session issue is that clearly any Governor and every Governor should have the right to call a Special Session and debate his agenda. Whether it is a Democratic Governor or Republican Governor, clearly any Governor should have a right to call a Special Session. Your changes in this area really limit that, and I think it truly unfair and should be changed. I guess lastly and probably most onerous of all these and not only most onerous but also the most audacious of all these changes is the changes you suggest in Rule 64. And that deals with the debate on the floor. By seeking to limit debate of Members from ten minutes to five minutes, you really have slapped all Members in the face. There is a short speaker up there. You have slapped all Members in the face. You know, Mr. Speaker, the merits of issues have to be debated

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here, and we deal with some weighty issues. We have here in Illinois a state of 11 million people with a 20 billion dollar budget. How can you say that in every case we are going to limit each Member to a five minute discussion of the issues? Look at the issues. We are talking about a four billion dollar plus Public Aid Budget, four billion plus for education, transportation. Some of those budgets are bigger for those specific agencies than the budgets of most states in this country. But yet you're saying we are going to limit ourselves to just five minutes. Truly that's unfair, and that's unwise as well. But stop and think, stop and think over time of some of the famous debates you have heard in this General Assembly process. You know, clearly we don't have the debators here I suppose we had here at one point in time, but the more you move away from debate the more you move away from a truly process wherein the public can really speak. Five minutes, five minutes time, is not even enough time to pose your questions. By the time a Member has posed his questions and had the answers given to him there is no time to debate. Five minutes is about the time it takes just to thank the Speaker for calling on you. Stop and think about it. five minutes debate on the lengthy issues and the heavy debates that we have here in the General Assembly, they just won't occur. You know Abraham Lincoln gave his House divided speech here in this chamber. Was he limited to five minutes in time? Stop and think about it. How can you give a good debate on a important issue, and we have many here in this General Assembly, in five minutes time? You can't do it and it can't be done. Clearly, Mr. Speaker and Members of the House, this Resolution is deficient in many ways. We have tried on our side of the aisle to make it better, and in clearly many of our issues we have

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presented here today were more of a partisan line. But for the most part most of our presentations were based on what we thought would be better for the process as a whole. It would have better benefit all the people of Illinois and, of course, both... both sides in this chamber. We did that and all those were defeated. You have made your changes and I think they are bad ones. So for those reasons I would say this should be defeated. Vote 'no'."

Speaker Madigan: "Mr. Ewing."

Ewing: "Mr. Speaker. Ladies and Gentleman of the House. I'm indeed sorry to see, Mr. Speaker, that you are promoting particularly three changes, which have been addressed by Members on this side of the aisle. But I wanted to say, just a few things, about those three changes, while I still had ten minutes, and that's, number one, ten minutes to speak is very short time. But I would imagine, Mr. Speaker, if you went back to the first day of this Session, you didn't like the fact that the Republicans could have some control over the action here because we had ten minutes. So its very simple to cut the Minority back to five. Let's just clip our wings on this side. Let's make us less powerful. Let us have less influence on what we're doing. Number two, you've made the Special Session a mockery. You will have the Governor sitting in your chambers, in your office, asking permission to have a Special Session. And I see you shaking your head, yes that's right. Well, Ladies and Gentlemen, remember, the Speaker shook his head, yes, that's right. The Governor of this State, whether he is Republican or Democrat, will have to go to the Speaker's chamber to get permission to have a meaningful Special Session. This, Mr. Speaker, this proposal and your rules is just right out of the mini series 'Amerika'. The closer you get your hands around us,

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the more influence you have, Mr. Speaker. Your power is great, but you want more. Mr. Speaker, give us a little freedom. Don't make this 'Amerika'. Vote down this bad rules. Let's change them. Let's put a little freedom back and save this great country of ours."

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

Matijevich: "Appreciate the 'aye votes'. Thank you."

Speaker Madigan: "Mr. Countryman. Mr. Countryman. On debate, Mr. Countryman."

Countryman: "Thank you, Mr. Speaker, I had my light on. Representative Ewing is a hard act to follow, but I am concerned over the five minute limitation. I think that most of us have dealt with our ability to speak on the floor with a very conservative mind; that we have not wanted to take the time of the other Members unless we've had something important to say. And I have seen very few instances where that's occurred. But, you know, I can think of the nights that we sat here on medical malpractice and some of us in the Minority Party being a Minority within a Minority wanted to be heard on those issues and we had important things to tell the other Members of this General Assembly. And I think that five minutes is too short, in many of those cases, in order to articulate those views. And my seatmate, Representative Johnson, can sometimes articulate well, but brevity has never been one of his attributes. Brevity in ten minutes, and as a lawyer I have been in court and sometimes a Judge will put a constraint on you, and he will give you ten, fifteen, twenty minutes to say something. And as you get into you realize to cannot convey that message in that brief period of time. I realize that there has to be a rule, a rule that says you can only talk for so long. But that rule really should be a fair rule, and I think five minutes is

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just not fair. I think it denies the Members of this Body, and I think it denies the people of this state, whether than be on one side of the aisle or the other, the opportunity to have their views heard. And most of the Bills that we debate are really... and the issues that we hear are not things that we need to look at from a partisan point of view. Certainly we get into those arguments here. But, I'm looking at the nonpartisan sorts of things. I want to hear what the other people in this state have to say about things. I represent a district that has certain needs and desires and each of us do. And those needs and desires need to be articulated in this House floor or we don't know what those other areas of the state's needs and desires are, with reference to the agenda for the State of Illinois. And by allowing a full and open debate on these subjects, then we can all take into the views of southern Illinois if were from northern Illinois, and from Chicago if were from downstate and vice versa. I think that's the purpose of debate. I think that's that's what's made this country great. And, until you can change this to make... to return this to ten minutes, I urge a 'no' vote. Thank you."

Speaker Madigan: "The question is, 'Shall the Resolution be adopted?' Those in favor will signify by voting 'aye' those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 72 'ayes' 43 'nos'. The Resolution is adopted. The Chair recognizes Mr. Wolf."

Wolf: "Thank you, Mr. Speaker. For the purpose of two announcements. The House Election Contest Committee will meet thirty minutes after adjournment in Room M-1 of the Stratton Building. The Pension's Committee will meet at

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4:30 in Room D-1 of the Stratton Building. Thank you."

Speaker Madigan: "Thank you, Mr Wolf. On page two of the Calendar on the Order of the Speaker's Table, there appears House Resolution, excuse me, there appears House Joint Resolution 1. The Chair recognizes, Mr. Matijeovich."

Matijeovich: "Yes, Mr. Speaker, Ladies and Gentleman of the House, House Joint Resolution 1 would create the Joint Committee on State Regulation of Health Professions and Occupations and it has been amended and it would be composed of twenty-three members; sixteen members of the General Assembly, five each appointed by the Speaker of the House and President of the Senate, three each appointed by House Minority Leader and Senate Minority Leader, six members of the public, two each... appointed two each by the Speaker of the House and the President of the Senate, one each by the House Minority Leader and Senate Minority Leader and the Director of the Governor's Office of Planning or his designee would be a nonvoting member. The joint Committee's responsibility on December 31, 1987, pursuant to the Regulatory Agency Sunset Act, nine Acts are scheduled for repeal. Prior to the end of the year, the General Assembly must authorize new statutory policies and procedures for regulation of these professions and occupations or extend the sunset dates. It would be the responsibility of the Joint Committee to review and evaluate these Acts, hold public hearings and make recommendations to the General Assembly. And the Resolution also does have reporting dates, May 29, 1987, on all the Acts. Any Acts not completely reviewed by that date shall be reported no later than September 30, 1987 in the Joint Committee's final report. I move the adoption of House Joint Resolution 1 as amended."

Speaker Madigan: "Mr. Farley."

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Farley: "Just to remind the Members of the House, Labor and Commerce Committee that we'll meet right after Session. It will be very brief."

Speaker Madigan: "Thank you. Mr. Hallock."

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

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

Hallock: "It appears, John, as I suggested in Committee yesterday, that we are now setting up another Committee. I think it has been a problem of this Session. So far this year we are setting up one Committee after another. What's the purpose? Why do we need this Select Joint Committee as opposed to the current Committee structure?"

Matijevich: "Well, we felt that and I think all would agree that the procedure was used with the last sunset review that we've had to adopt, and we think that it would better serve the purpose. The Committees eventually will have the final determination, but we think that this is a proper review procedure. It's worked well and we think it will work well in the future too."

Hallock: "So you are saying the process would be... these licensing provisions would go to this Committee first, be reviewed, a position would be taken, and they would advance that position to the R and E Committee?"

Matijevich: "That's right. You know we think that these a... you know, these sunset Acts relate to a very important professions and occupations. And a by this process there is a greater input, and we think the a recommendations in the past have been good ones that we could follow, and hopefully the same result will happen with this process."

Hallock: "Mr. Speaker, to the Resolution. Succinately, I would say I think this Resolution suggests that we set up one more superfluous Committee and I would suggest this be

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defeated."

Speaker Madigan: "Mr. McCracken."

McCracken: "Parliamentary inquiry, Mr. Speaker. Has this a... has the synopsis of this Resolution been published in the Legislative Synopsis and Digest?"

Speaker Madigan: "Mr. McCracken, I have in front of me the Legislative Synopsis and Digest, dated February... or rather indicating action on all Bills and Resolutions received through February 27, 1987, on page 97, HJR 1, creates the Select Joint Committee on State Regulation of Professions and Occupations."

McCracken: "I'm sorry, what is the date of your synopsis?"

Speaker Madigan: "There is no date on this book, but it deals with action... it's number one. It's book number one. It deals with all action through February 27. Is that the old book that your staffer is reading? Mr. McCracken."

McCracken: "I don't know. We are looking at it. It is a real thin one."

Speaker Madigan: "Right, here it is."

McCracken: "If it is in there, that is fine. Thank you. The point of order was going to be that it wasn't in the Digest. Thank you."

Speaker Madigan: "Thank you. The question is, 'shall the Resolution be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 63 'ayes', 51 'nos'. The Resolution is adopted. For the purpose of an announcement, on page three of the Calendar concerning the Committee hearings for today, the following Committees will meet immediately: Counties and Townships, Labor and Commerce, State Government Administration. So the following Committees will meet

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