

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

67th Legislative Day

June 24, 1987

Speaker Greiman: "The hour of 10:30 having arrived, Members, the House will be in Session. Members will be at their chair. Those not entitled to the Floor will please withdraw. The Chaplain for today will be the Reverend Prosper Tournier, Pastor, Hanna City United Methodist Church. Reverend Tournier is a guest of Representative David Hultgren. The guests in the gallery may wish to rise and join us in the Invocation. Reverend Tournier."

Reverend Tournier: "Let us pray. We thank Thee, O God, our Father, that we are sit here amidst a rich fellowship of kindred spirits, united in the quest for truth, and for the radiance of the law. Here may we commit ourselves to the high task which await our hands, to the fulfillment of duties seen in moments of vision, and to the building of a nobler life for mankind. Grant unto us we beseech Thee the confidence of a valiant faith, the comfort of a reasonable religious and Holy hope, and that spirit of charity which enables all human relationships. Direct us, O Lord, in all our doings with Thy most gracious favor that in all our works begun, continued and ended in Thee we may glorify Thy Holy Name. Amen."

Speaker Greiman: "The Gentleman from Henry, Mr. Sieben to lead us in the Pledge to the Flag."

Sieben 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 Greiman: "Roll Call for Attendance. Mr. Matijevich, are there excused absences on the Democratic side?"

Matijevich: "Yes, Mr. Speaker. Let the record reflect the excused absence of Representative Doug Huff. There was a death in the family and we give him our condolences on the

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passing away of his father."

Speaker Greiman: "Thank you. Let the record so reflect with respect to Democratic Members. Mr. Parke, for what purpose do you seek recognition?"

Parke: "Thank you, Mr. Speaker. On the Republican side Fred Tuerk will be absent and Dave Harris and Myron Olson. They are excused."

Speaker Greiman: "Thank you. Let the record so reflect their absences. They are excused this morning. Mr. Clerk, take the record. On this... 114 Members having answered to the Call of a Quorum, a quorum is present. Ladies and Gentlemen, we have, this morning, a yellow supplemental #1 Calendar... Consent Calendar, which has been distributed. It is the intention of the Chair to go to the Order of Senate Bills Third Reading, Consent Calendar, to allow the Clerk to read the Bills on Third Reading. We will not vote on these until much later in the day. It is the further... direction of the Chair that the Democratic and Republican Leadership advise the Clerk as to those Bills which are going to be removed from the Consent Calendar so that we will have an opportunity of removing those Bills from the Consent Calendar to which there has been objection. We will... later I would like... we would like to have those in by about 11:30 this morning, which would allow you an opportunity to examine the Bills. So by 11:30 this morning, please advise us of objections to the Consent Calendar. At that time, or thereabouts, we will take up the issue of Senate Bills on Second Reading in the Consent Calendar. You might also advise the Chair as to Senate Bills Third Reading which may need a technical Amendment, remembering that when the Bill is amended, it will probably... it may be removed from the Consent Calendar if there is a substantial substantive Amendment. Now having

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said that, yes, Mr. LeFlore, for what purpose do you seek recognition?"

LeFlore: "Yes. Mr. Speaker, Senate Bill 256, I have a technical Amendment just to clean up the language of the Bill."

Speaker Greiman: "Yes, we're... we're going to go to the Order of Senate Bills Second Reading, Consent Calendar, later on. Many of the Bills do require Amendment. We understand that."

LeFlore: "Okay. Thank you."

Speaker Greiman: "We'll get to those Bills. Mr. Clerk, on page 3 of the Supplemental Calendar #1 appears Senate Bills Third Reading on the Consent Calendar. Would you read those Bills?"

Clerk O'Brien: "Senate Bill Third Reading, Consent Calendar. Senate Bill 39, a Bill for an Act to amend the Law Enforcement Officers, Civil Defense Workers, Civil Air Patrol Member, Paramedic and Fireman Compensation Act. Third Reading of the Bill. Senate Bill 62, a Bill for an Act to amend the Prairie State 2000 Authority Act. Third Reading of the Bill. Senate Bill 123, a Bill for an Act in relation to testimony of children in criminal proceedings. Third Reading of the Bill. Senate Bill 187, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 220, a Bill for an Act in relation to domestic relations. Third Reading of the Bill. Senate Bill 222, a Bill for an Act to amend an Act in relation to fire protection districts. Third Reading of the Bill. Senate Bill 232, a Bill for an Act to amend the Township Law. Third Reading of the Bill. Senate Bill 370, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill. Senate Bill 468, a Bill for an Act to amend an Act to regulate ground water use. Third Reading of the Bill. Senate Bill 484, a Bill for an Act to amend the

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Unemployment Insurance Act. Third Reading of the Bill. Senate Bill 495, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Third Reading of the Bill. Senate Bill 535, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill. Senate Bill 548, a Bill for an Act to amend the Flood Control Act. Third Reading of the Bill. Senate Bill 551, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. Senate Bill 553, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 556, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill. Senate Bill 630, a Bill for an Act to amend the Comprehensive Health Insurance Plan Act. Third Reading of the Bill. Senate Bill 655, a Bill for an Act in relation to construction contracts of public agencies. Third Reading of the Bill. Senate Bill 720, a Bill for an Act to amend the Beer Industry Fair Dealing Act. Third Reading of the Bill. Senate Bill 798, a Bill for an Act to amend the Illinois Dental Practice Act. Third Reading of the Bill. Senate Bill 822, a Bill for an Act to amend the Probate Act. Third Reading of the Bill. Senate Bill 912, a Bill for an Act to amend an Act creating the Department of Children and Family Services. Third Reading of the Bill. Senate Bill 918, a Bill for an Act to provide for and regulate the administration of trusts by trust companies. Third Reading of the Bill. Senate Bill 931, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill. Senate Bill 935, a Bill for an Act to amend the Illinois Bank Holding Company Act. Third Reading of the Bill. Senate Bill 953, a Bill for an Act to amend the Toxic Substance Disclosure to Employees Act. Third Reading of the Bill. Senate Bill 961, a Bill for an Act to amend

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an Act in relation to location of regional pollution control facilities. Third Reading of the Bill. Senate Bill 977, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 1096, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 1136, a Bill for an Act to encourage peer review of health care providers. Third Reading of the Bill. Senate Bill 1177, a Bill for an Act to amend the Minority and Female Business Enterprise Act. Third Reading of the Bill. Senate Bill 1235, a Bill for an Act to amend the Mental Health and Developmental Disabilities Confidentiality Act. Third Reading of the Bill. Senate Bill 1270, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 1295, a Bill for an Act to amend the Illinois Controlled Substance Act. Third Reading of the Bill. Senate Bill 1322, a Bill for an Act to repeal certain Sections of the Illinois Clinical Laboratory Act. Third Reading of the Bill. Senate Bill 1390, a Bill for an Act in relation to the merger of special districts into townships. Third Reading of the Bill. Senate Bill 1417, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. Senate Bill 1421, a Bill for an Act to provide for the regulation of bed and breakfast establishments. Third Reading of the Bill. Senate Bill 1436, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. Senate Bill 1498, a Bill for an Act to amend certain Acts in relation to toxic chemical reporting. Third Reading of the Bill. Senate Bill 1502, a Bill for an Act to amend the Illinois Nuclear Safety Preparedness Act. Third Reading of the Bill. Senate Bill 1514, a Bill for an Act to amend the Illinois Human Rights Act. Third Reading of the Bill."

Speaker Greiman: "Alright. Ladies and Gentlemen, with respect to

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Bills on the Order of Supplemental #1 Consent Calendar, we will be voting... having an opportunity to later in the day... to vote 'aye' or 'nay' or 'present', or, of course, to not cast a vote on each of the Bills individually, so they will not be on one Roll Call. You will have an opportunity to vote against these Bills. Let me advise the Membership that your objection should be directed to the Leadership on the Republican and Democratic side, rather than to the Clerk, with respect to removal of Bills from this Consent Calendar. So that if you would follow the procedures, we would be a little more orderly. Okay? We would now like to run through some of those Bills that are on the Senate Bills Second Reading Consent Calendar that require Amendment. On this Order appears Senate Bill 256. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 256, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1... Amendment #1 was withdrawn. Floor Amendment #2, offered by Representative LeFlore."

Speaker Greiman: "The Gentleman from Cook, Mr. LeFlore, on Amendment #2."

LeFlore: "Withdraw."

Speaker Greiman: "Amendment #2 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative LeFlore."

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

LeFlore: "Thank you, Mr. Speaker. Amendment #3 is a technical Amendment and it clears up the language in the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. LeFlore, moves for

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the adoption of Amendment 3 to Senate Bill 256, and on that, is there any discussion? There being none the question is, 'Shall the Amendment be adopted?' All in favor 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Yes, Mr. LeFlore."

LeFlore: "Mr. Speaker, will the Bill stay on the Consent Calendar? It's on the Consent Calendar... "

Speaker Greiman: "Yes, unless it... unless it's taken off through the usual procedures it would stay... "

LeFlore: "Thank you, Sir."

Speaker Greiman: "... on the Consent Calendar, yes. On this Order appears Senate Bill 537. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 537, a Bill for an Act concerning the regulation of Optometry. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Representative Steczo, on Amendment #2."

Steczko: "Thank you, Mr. Speaker. The Department of Registration brought to my attention the need for a technical Amendment on Senate Bill 537. That's all that Amendment #2 does, and I would move for its adoption."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #2 to Senate Bill 537, and on that, is there any discussion? There being none, the question is, 'Shall this

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Amendment be adopted?' Those in favor 'aye', opposed 'no'.  
In the opinion of the Chair the 'ayes' have it. The  
Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment 33, offered by Representative  
Steczo."

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo, on  
Amendment 33."

Steczo: "Thank you, Mr. Speaker. Because the Department of  
Registration probably wasn't thorough enough, our staff  
discovered a need for a few more technical Amendments, and  
those are contained in Amendment 33 and I would move for  
its adoption."

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo, moves for  
the adoption of Amendment 3 to Senate Bill 537, and on  
that, is there any discussion? There being none, the  
question is 'Shall the Amendment be adopted?' Those in  
favor 'aye', opposed 'no'. In the opinion of the Chair the  
'ayes' have it and Amendment 33 is adopted. Are there  
further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Now Mr. Clerk, this Bill has  
not been read a Second Time previously, so this Bill will  
not be passing on the Order of Third Reading on the Consent  
Calendar today, Mr. Steczo. Mr. Hicks, for what purpose  
do you seek recognition?"

Hicks: "Thank you, Mr. Speaker. I would like to take this moment  
to introduce to the House former State Representative Bob  
Walsh, who is with us today. I'd like everybody to greet  
Bob."

Speaker Greiman: "On this Order appears Senate Bill 929. Mr.  
Ryder, do you wish to proceed with 929? Out of the record.  
On this Order appears Senate Bill... Yes, Ms. Wojcik, for  
what purpose do you seek recognition?"



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Wojcik: "Yes, Mr. Speaker, for a point of personal privilege. We have two distinguished guests on our side of the aisle. 'Cal Terrell', County Commissioner, and Dick Seebolt, County Commissioner. Cook County."

Speaker Greiman: "Nice to have you with us. On this Order appears Senate Bill 1158. Mr. O'Connell, do you wish to proceed with that? Out of the record. On this Bill... on this Order appears Senate Bill 1234. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1234, a Bill for an Act to amend the Child Care Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Will, Mr. Regan, on Amendment #1."

Regan: "Thank you, Mr. Speaker, Members of the House. Amendment #1 was suggested by Committee. It's strictly changes the language slightly to satisfy some complaints, and I urge its adoption."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #1 to Senate Bill 1234, and on that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On this Order appears Senate Bill 1253. Mr. Dunn, do you wish to proceed with that Bill? 1253. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1253, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill."

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No Committee Amendments."

Speaker Greiman: "Are there Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order appears Senate Bill 1261. Mr. Countryman, do you wish to proceed with that Bill? 1261, on the Order of Second Reading. Out of the record, Mr. Countryman? Proceed. Alright. Mr. Clerk, read the Bill."

Clerk O'Brien: "House (sic - Senate) Bill 1261, a Bill for an Act to amend the Revised Uniform Limited Partnership Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order appears Senate Bill 1277. Mr. Daley. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1277, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order appears Senate Bill 1314. Mr. Kulas. Mr. Kulas. Mr. Clerk, read the Bill. I'm sorry. Out of the record. Take it out of the record. On this Order appears Senate Bill 1332. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1332, a Bill for an Act to amend the Revised Uniform Reciprocal Enforcement of Support Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order appears Senate Bill 1359. Mr. Bugielski. 1359. Mr. Clerk, read the Bill."

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Clerk O'Brien: "Senate Bill 1359, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order appears Senate Bill 1377. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1377, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments... are there any Floor Amendments?"

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

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

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 deletes provisions of the original Bill regarding certain evidence in child prosecution and hearsay statements and puts the Bill in the same form as House Bill 192 was, which passed the House dealing with subpoenas of attorneys regarding client information and I move for its adoption."

Speaker Greiman: "The Gentleman from Cook, Mr. Young, moves for the adoption of Amendment #1 to Senate Bill 1377, and on that, the Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Mr. Sponsor.... or thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Greiman: "Indicates he will."

McCracken: "There were two parts to this Bill, I guess, as it came over, admitting hearsay testimony of a child under 13 and regarding the... the state's attorney's use of the grand jury. Why are you deleting the hearsay exception?"

Young: "When the Bill was presented in Committee, I made a

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promise to the Members of the House Judiciary Committee that the hearsay exception would be deleted on Second Reading."

McCracken: "And why... why was that requested?"

Young: "I think some members of the Committee had problems with the hearsay testimony part of the Bill."

McCracken: "Is this hearsay as in the Bill limited in any way? Is it limited to, you know, statements to a treating physician, which would be current law, or is it expansive so that any out of court statement can be introduced?"

Young: "I'm not sure, Representative."

McCracken: "Well, okay. Thank you."

Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Young, on Amendment 2."

Young: "Thank you, Mr. Speaker. Amendment #2 does three things. The first thing it does, it corrects a technical error. The original Bill says that a state's attorney shall not issue a subpoena. The Amendment says that the grand jury shall not issue a subpoena or the state's attorney cause to subpoena be issued. It also deletes the part for an ex-party hearing and just says that there shall be a hearing. And the third thing it does is it provides that any information obtained during the hearing will have the same confidentiality requirements that apply to any other grand jury proceeding. I move for its adoption."

Speaker Greiman: "The Gentleman from Cook, Mr. Young, moves for the passage... for the adoption of Amendment #2 to Senate

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Bill 1377, and on that the Gentleman from DuPage, Mr. McCracken."

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

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

McCracken: "This is consistent then, I take it, at least as to the requirement of prior judicial approval for the issuance of a subpoena to an attorney as... as a Bill you had which passed out of here?"

Young: "Yes, it is."

McCracken: "And it's not different in any other respect except for the... well, let me ask you this... In the original Bill, the state's attorney was empowered to seek that judicial approval and an ex-party proceeding?"

Young: "Yes, he was."

McCracken: "And you're eliminating that, so how would you propose this system would work? Would the proposed target have to be given notice and a court date set?"

Young: "Notice and a hearing date, yes."

McCracken: "And are there any guidelines for that hearing?"

Young: "No, there are not. I would presume that the same guidelines that would apply to any grand jury hearing would apply."

McCracken: "Well, now, this is the... this is the judicial hearing for the purpose of authorizing the subpoena."

Young: "That's correct."

McCracken: "Well, now, you say there is secrecy, which is fine, I think that should be secret, but what guidelines will the court use to determine whether or not the subpoena should issue? I mean, do you have something that sets forth guidelines by which the court's discretion should be exercised?"

Young: "No, we don't. We leave that up to the discretion of the

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court."

McCracken: "Does it say that the court may issue in its discretion?"

Young: "I think what it says is that the subpoena shall not be issued without court approval. So I... I... that's pretty much the same thing."

McCracken: "Okay. Well, I think that except for the fact that the subpoena can not be granted in an ex-party hearing, you know, the other Sections of this Amendment are acceptable, but I think that I'm willing to have a judge determine whether an attorney should be subpoenaed, but I think that it should be ex-party, because the ex-party proceedings are used in the issuance of search warrants, ex-party proceedings are used in the issuance of arrest warrants. This is similar to that. You have the judicial protection by the requirement of prior judicial approval, but it should be ex-party. The... all of the other proceedings of the grand jury are essentially ex-party, and I think to make this subject to a hearing really dilutes the investigative powers of that grand jury. So I rise in opposition to the Amendment on the basis that that hearing should be ex-party."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall the Amendment be adopted?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. Would you like a Roll Call, Mr. McCracken? Well, Mr. McCracken, I don't... not under my auditory powers. Is there a request for a Roll Call? The question is, 'Shall the Amendment be adopted?' Those in favor vote 'aye', those opposed 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 71 voting 'aye', 39 voting 'no', none voting 'present', and the

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Amendment is adopted, and the Chair's auditory power's again sustained. Alright, I'd like to go back on the Calendar to... Are there further Amendments?"

Clerk O'Brien: "No further Amendments?"

Speaker Greiman: "Third Reading. On the Calendar appears Senate Bill 1314. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1314, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. No Committee Amendment."

Speaker Greiman: "Are there any... yes, are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order appears Senate Bill 1399. Out of the record. On this Order appears Senate Bill 1409. Mr. Dunn? Mr. Dunn in the chamber? Out of the record. On this Order appears Senate Bill 1472. Mr. Countryman. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1472, a Bill for an Act to amend the Illinois Identification Card Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order appears Senate Bill 1482. Out of the record. On this Order appears Senate Bill 1487. Yes. Mr. Countryman, do you wish to proceed on that Bill? Alright. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1487, a Bill for an Act to amend an Act to revise the law in relation to criminal jurisprudence. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there Floor Amendments?"

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

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

Sutker: "Mr. Speaker and Ladies and Gentlemen of the House. This Amendment merely provides in the Insurance Code that physical handicap be defined. And it's defined in this Amendment in a manner which is acceptable to the consumers and acceptable to the insurance companies. This Amendment was a Bill initially, Ladies and Gentlemen, that didn't get called previously when we were in Session on House Bills. But it's an Amendment that received the universal support of the Insurance Committee at the time it came up. I'm prepared to answer any questions."

Speaker Greiman: "The Gentleman from Cook, Mr. Sutker, moves for the passage... for the adoption of Amendment #1 to Senate Bill 1487, and on that the Gentleman from Cook, Mr. Parke."

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

Sutker: "Yes."

Speaker Greiman: "He indicates he will."

Parke: "Representative Sutker, you say it's agreeable to the insurance companies."

Sutker: "Yes, Sir."

Parke: "You did check with their representatives and they agreed to this?"

Sutker: "Yes, as a matter of fact, Representative Parke, the language used to describe physical handicap was the language submitted by the insurance companies after consultation and meetings with them."

Parke: "Thank you. I appreciate that."

Speaker Greiman: "The Gentleman from Cook, Mr. Sutker moves for the adoption of Amendment #1 to House (sic...Senate) Bill 1487. The question is, 'Shall the Amendment be adopted?' Those in favor say 'aye', those opposed 'no'. In the



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opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On this same Order... on that order appears Senate Bill 1409. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1409, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Oh, yes. Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On page 19 of the Calendar on Consent Reading... Consent Calendar Second Day. Mr. Clerk, Second Reading ..."

Clerk O'Brien: "Consent Calendar Second Reading, Second Day. Senate Bill 1373, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill."

Speaker Greiman: "Third Reading. On the Order of Special Call, Consumer Protection Second Reading, appears Senate Bill 378. Mr. Keane? Mr. Keane? Out of the record. On this Order appears Senate Bill 1287. Mr. Keane... Mr. O'Connell. Mr. O'Connell. Out of the record. On this Order appears Senate Bill 1328. Mr. Saltsman, 1328? Mr. Clerk, read the Bill. We will take this Bill out of the record and come back to it. Okay. And now on the Order of Consumer Protection... Yes, Mr. Keane? What is your pleasure, Sir? Would you like to return to 378? Mr. Keane? I think, Mr. Keane, your microphone is not working. Alright, Mr. Clerk, read Senate Bill 378."

Clerk O'Brien: "Senate Bill 378, page 14 of your Calendar, a Bill for an Act in relation to State occupation and use taxes. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment #1?"

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Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. McGann, on Amendment #2."

McGann: "Thank you, Mr. Speaker. I ask you to withdraw Amendment #2."

Speaker Greiman: "#2 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Hasara."

Speaker Greiman: "The Lady from Sangamon, Ms. Hasara, on Amendment #3."

Hasara: "Withdraw Amendment #3."

Speaker Greiman: "Withdraw Amendment #3. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative Hasara."

Speaker Greiman: "The Lady from Sangamon, Ms. Hasara, on Amendment #4."

Hasara: "Thank you, Mr. Speaker. Amendment #4 clarifies that items sold by not-for-profit senior citizens' organizations are exempt from sales tax. This affects the hand-made craft items that the seniors make and sell in their own centers. It has been very unclear in the Statute as to how that's been handled. They, in fact, have not been paying the taxes, and this simply clarifies that."

Speaker Greiman: "The Lady from Sangamon moves for the adoption of Amendment #4 to Senate Bill 378, and on that, the Gentleman from Cook, Mr. Keane, at Mr. Farley's mike."

Keane: "I have no opposition, no problems with that and I support the Amendment."

Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' Those in favor say 'aye', opposed 'no'. In the

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opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amend... yes. Amendment #5, offered by Representative McGann."

Speaker Greiman: "The Gentleman from Cook, Mr. McGann, on Amendment #5."

McGann: "Mr. Speaker, I'd ask you to withdraw Amendment #5."

Speaker Greiman: "Amendment #5 withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative McGann and Keane."

Speaker Greiman: "The Gentleman from Cook, Mr. McGann, on Amendment #6."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. Amendment #6 addresses the motor vehicle of the second division, which is of the configuration designed for the transportation of not less than 7 nor more than 16 passengers. It will provide that, in car rentals, there would be no sales tax, but then we would be having an advantage of receiving the rental tax, so actually, we would be receiving more dollars to the state, rather than less dollars, and I would..."

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

McGann: "Mr. Speaker?"

Speaker Greiman: "Yes, Mr. McGann."

McGann: "Yes. I wonder if we could go back and address Amendment #5 to 378. We had just tabled that Amendment. Could we go back to that?"

Speaker Greiman: "Well, it had been withdrawn. You have withdrawn it."

McGann: "Could we reconsider it, Mr. Speaker?"

Speaker Greiman: "Alright. The Gentleman from Cook, Mr. McGann, wishes to take this Amendment out of the record. He asks leave to reinstate Amendment #5. On that leave is granted."

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And now, Mr. Clerk, Amendment #5, the Gentleman from Cook, Mr. McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. I'm sorry about that error. Once again, I will repeat that Amendment #5 to Senate Bill 378 addresses the motor vehicles of the second division, which is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers. What it does in regards to automobile rentals is that it would take away the sales tax, but then the state would receive the rental tax, which is of a greater amount, so we would actually bringing revenue positive picture to the state and the Department of Revenue has no position on this. We have worked this out with them and I would ask for the adoption of Amendment #5 to Senate Bill 378."

Speaker Greiman: "The Gentleman from Cook, Mr. McGann, moves for the adoption of Amendment #5 to Senate Bill 376 (sic - 378), and on that the Gentleman from DuPage, Mr. McCracken."

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

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

McCracken: "I don't understand. If...Does this apply to the purchase from a dealer of a new van, that the sales tax would not apply, but a renter's tax would apply?"

McGann: "No. It's only for those persons who will purchase a van for lease or rent, which would be a rental agency..."

McCracken: "So this is..."

McGann: "... such as an automobile rental agency, like Avis or Hertz or one of them."

McCracken: "Well, why is this not already the law, if that's who it's designed to? You mean these vans are subject to a sales tax even though they are used for lease or rental?"

McGann: "Right. The existing law only covers first division

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vehicles such as automobiles and so forth. It does not cover the vans."

McCracken: "So are vans currently not subject to a renting tax?"

McGann: "That is exactly right."

McCracken: "And, of course, there would be no sales tax because there's not a sale."

McGann: "That's correct."

McCracken: "Okay. How much is the renting tax, or renter's tax?"

McGann: "It would be... the rental tax would be 5% of the gross amount."

McCracken: "And the gross amount would be the lease contract?"

McGann: "The lease contract. Correct."

McCracken: "Okay. And do you have an opinion or an idea of how much revenue this would bring in?"

McGann: "Well, the Department of Revenue was vague on it, but they stated that it would be a revenue positive rather than a negative because of the fact that we are getting the greater amount from the rental tax versus the sales tax."

McCracken: "Okay. Thank you."

Speaker Greiman: "The Gentleman from Cook, Mr. McGann, moves for the adoption of this Amendment. The question is, 'Shall the Amendment be adopted?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair the 'ayes' have it and Amendment #5 is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative McGann and Keane."

Speaker Greiman: "The Gentleman from... Mr. McGann wishes to withdraw Amendment 6. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Committee Reports."

Clerk O'Brien: "Representative Matijevich, Chairman of the Committee on Rules, to which the following Resolutions were

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referred, action taken June 24, 1987, reported the same back with the following recommendations: 'be adopted' House Joint Resolution 83 and Senate Joint Resolution 60; 'be adopted as amended' House Joint Resolution 104."

Speaker Greiman: "Ladies and Gentlemen, let me remind you. If you have a Bill on the Order of Consent Calendar Third Reading that will require being brought back to the Order of Second Reading for an Amendment, hopefully technically in nature, advise the Clerk. There will be a list here at the well. Advise us of the number of that Bill on the Order of Consent Calendar Third Reading, on the Special Supplemental Calendar No. 1 so that Bill may be brought back to the Order of Second Reading for purposes of an Amendment. Representative Breslin in the Chair."

Speaker Breslin: "The next Order of Business will be a Special Order dealing with Consumer Protection. The first Bill is Senate Bill 400. Representative Ronan. Representative Ronan. Clerk, read the Bill."

Clerk Leone: "Senate Bill 400, a Bill for an Act regarding credit and interest. Third Reading of the Bill."

Speaker Breslin: "Representative Ronan. Would you turn on Representative Ronan's microphone? Thank you."

Ronan: "Thank you, Madam Speaker. I'd like Senate Bill 400 brought back from Third Reading. I've got some additional Amendments that we'd like to see have added."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of Amendments. Does he have leave? Hearing no... Representative McCracken."

McCracken: "Thank you. Would the Sponsor yield on that?"

Speaker Breslin: "Representative Ronan will yield on... to questions."

Ronan: "Sure."

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McCracken: "Your Amendments don't have credit card cap or limitations on interest?"

Ronan: "No. Not at all."

McCracken: "It's just about information and consistent... "

Ronan: "These are... These are requests from... I know one is from American Express Corporation. They have a problem with it, and the other one... the other one, Tom, I can't remember. But I had two different requests. Has nothing to do with caps on credit cards."

McCracken: "Okay. Thank you."

Speaker Breslin: "The Gentleman has leave to bring this Bill back to the Order of Second Reading. Are there any Amendments filed, Mr. Clerk?"

Clerk Leone: "Floor Amendment #5 is being offered by Representative Ronan."

Speaker Breslin: "Representative Ronan on Amendment #5. Representative Ronan, you are taking the time of this Assembly. Would you like to take it out of the record at the moment and we'll get back to it as soon as we can?"

Ronan: "... Well, hold on. I'm waiting for our... Representative McGann has one Motion he'd like to make."

Speaker Breslin: "Representative McGann."

McGann: "Thank you, Madam Speaker and Members of the Assembly. I would like to withdraw Amendment #3 to Senate Bill 400. This was an Amendment which was passed, but I would like..."

Speaker Breslin: "Okay, then your Motion is to table."

Ronan: "To table..."

Speaker Breslin: "Representative..."

Ronan: "Excuse me, to table the Amendment #3 to Senate Bill 400."

Speaker Breslin: "The Gentleman moves to table Amendment #3 to Senate Bill 400, and on that question, is there any discussion? Hearing none, the question is, 'Shall

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Amendment #3 be tabled?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is tabled. Are there any further Motions or Amendments?"

Clerk Leone: "Floor Amendment #5 is being offered by Representative Ronan."

Speaker Breslin: "Representative Ronan."

Ronan: "Thank you, Madam Speaker. Amendment #5 makes a few technical changes to the Bill and it deletes a provision dealing with business offenses."

Speaker Breslin: "The Gentleman has moved for the adoption of..."

Ronan: "It gives the Attorney General and state's attorney the right to enforce this Act."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #5 to Senate Bill 400, and on that question, the Gentleman from Cook, Representative Levin."

Levin: "Would the Gentleman yield?"

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

Levin: "Okay. Representative, there is some confusion with this Bill, and I'm wondering if either this Amendment or the next Amendment corrects the confusion. It was the impression of many that this Bill, as amended with Amendment #1, included the print media disclosure. In other words, the newspaper disclosure that appeared in the House Bill. It turns out... at least we can't find it in Amendment #1. Does either of these Amendments that you are proposing today add the print media disclosure?"

Ronan: "I don't think so, Representative Levin. In other words, the Amendments I'm doing today... this one appears to be a request from the Attorney General's office. The Amendment #6 is a request from American Express Corporation, and #7... and #7, when we get to it I'll explain to you what that does. But it doesn't deal with the issue that you're



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talking about."

Levin: "Okay. Is it your intention to, you know, add any further Amendments to deal with the print media disclosure?"

Ronan: "Well, here's what I understand at this point, Representative Levin. I understand the Senate doesn't agree with these Amendments, so that they are going to recede from the Amendments and ask for a Conference Committee. So this Bill is destined for Conference Committee, from what I understand talking to the Senate Sponsors. Right now the two Senate Sponsors don't agree on what the content of this Bill should be, so that I have a sneaking suspicion that this Bill's going to end up in Conference Committee if the Senate doesn't agree with what our House actions are."

Levin: "Okay, because, you know, I, you know, the House Bill, I think we made many major compromises on, but I think one of the key features that is not in this Bill, which I think people generally have agreed upon, was that in newspaper ads there be disclosure in terms of interest rates, and, you know, I would hope that that would be something that would be added to this legislation."

Ronan: "Representative Levin, I understand your concerns. I have no philosophical problem with what you are asking for. Just...The staff reminded me that the Senate Sponsors have a problem with what you're asking for. So that will make for an interesting Conference Committee."

Levin: "Thank you."

Speaker Breslin: "Any further discussion? The question is, 'Shall Amendment #5 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #6, being offered by Representative

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Ronan."

Speaker Breslin: "Representative Ronan."

Ronan: "Thank you, Madam Speaker and Members of the House. Amendment #6 is a request from American Express Corporation. They feel that their credit cards should not be subject to... their charge cards should not be subject to this legislation. So it's a clarification they requested. It deals with their charge cards, exempts charge cards. They don't have a finance charge."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #6 to Senate Bill 400, and on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #6 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #7, being offered by Representatives Ronan and Capparelli."

Speaker Breslin: "Representative Ronan."

Ronan: "Amendment #7 says that if the Federal government acts and supersedes the Act of the State, there is no need for double disclosure. Right now it's a... Basically, it looks like a pre-emption Amendment. It says that, hey, if the Feds move in and set national standards, then companies aren't going to be required to file under national standards and state standards, if the state standards aren't any more strict."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #7 to Senate Bill 400, and on that question, the Gentleman from Winnebago, Representative Hallock."

Hallock: "Yes, Madam Speaker. I believe the Amendment is out of order. It doesn't reference to the right page and line number."

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Speaker Breslin: "Representative Ronan."

Ronan: "Yes, Madam Speaker. After we looked at it we realize that this Amendment is out of order. It's amending the original Act as opposed to the Bill. Since it's going to go to Conference anyway, why doesn't this issue get addressed in the Conference Committee."

Speaker Breslin: "So you are withdrawing #7?"

Ronan: "I withdraw Amendment #7."

Speaker Breslin: "Okay. The Gentleman withdraws #7. Are there any further Amendments? Mr. Clerk?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Representative Ronan now asks leave for immediate consideration of Senate Bill 400, as amended. Does he have leave? Hearing no objection, the Gentleman has leave. Read the Bill on Third, Mr. Clerk."

Clerk Leone: "Senate Bill 400, a Bill for an Act regarding credit and interest. Third Reading of the Bill."

Speaker Breslin: "Representative Ronan."

Ronan: "Thank you, Madam Speaker. House Bill... Senate Bill 400 is the Disclosure Act. There are obviously a number of Amendments that we've gone through in the House. It's similar to the House Bill that we sent to the Senate, but there are obviously differences that have to be worked out. I would hope that the House would send Senate Bill 400 back to the Senate. I know they are not going to concur with some of our Amendments and then we can get a Conference Committee going to address some of these issues between the two Chambers, so I would move for the passage of Senate Bill 400."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 400, and on that question the Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Madam Speaker. I'm also in favor of this."

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It's comforting to think that Representative Ronan will have a credit card Bill in a Conference Committee. We're all looking forward to it, and it will be a nice surprise for everybody. Vote 'yes'."

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

Levin: "I'm for moving this Bill on into Conference, you know, as I indicated on Second Reading. I've got problems with the absence of the print media disclosure, as I think several other parties and consumer groups do as well, so I hope that that can be worked out in Conference."

Speaker Breslin: "The question is, 'Shall Senate Bill 400 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', none voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 454, Representative Giglio. Representative Giglio, do you wish to call this Bill? Representative Giglio. Do you wish to call this Bill? Read the Bill, Mr. Clerk."

Clerk Leone: "On page 3 of the Calendar, Senate Bill 454, a Bill for an Act to amend an Act to provide for the regulation and practice of esthetics and the registration thereof. Third Reading of the Bill."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 454 separates the duties and responsibilities of the estheticians versus the cosmetol... cosmetologists and it also has the Amendment that was talked about the other day pertaining to the... what the farmers wanted to do to their equipment. I would ask for your favorable support."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 454. This Bill is on the Order of Short

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Debate. Does anyone stand in opposition? The Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Madam Speaker. I'm not standing in opposition, but I want to at least bring the body up to speed as to what is going on. Several of us had some concern relative to the fact that the Limit Law Bill was too narrowly drafted, and so a couple of Amendments were drafted to broaden that. In retrospect, then, people who, namely the Farm Bureau and John Deere people and others who were involved, said that they had an agreement on the initial concept of the first Bill, and that they would prefer not to broaden it at this time, even though there was some full understanding that it is too narrow and it needs to be broadened, but in order to expedite this process, we will not offer any of those Amendments, or even ask for it, and urge the support of this Bill."

Speaker Breslin: "Is there any further discussion? Representative Sieben."

Sieben: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise to concur with Representative Ropp's remarks concerning the expansion of the definition of farm implements and I would ask for a favorable vote on this Bill."

Speaker Breslin: "The question is, 'Shall Senate Bill 454 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 497, Representative Greiman. Clerk, read the Bill."

Clerk Leone: "On page 6 of the Calendar, Senate Bill 497, a Bill for an Act in relationship to child support. Third Reading

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of the Bill."

Speaker Breslin: "Representative Greiman."

Greiman: "Yes, thank you, Speaker. Under this Bill, this revises the Child Support Bill, which provides for the method of withholding on delinquencies. Presently, if there is a delinquency of one month, it may take 10%... at 10% per month, it may take ten months under the law for that to be made up, notwithstanding the fact that perhaps the person has it immediately. So this cuts that down to provide for delinquencies to be cut down in a shorter period of time, and that's what it provides, basically."

Speaker Breslin: "The Gentleman moves for the passage of Senate Bill 497, and on that question the Gentleman from DeKalb, Representative Countryman."

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

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

Countryman: "Representative Greiman, I want to be clear on this in my mind and also make sure that we establish the proper legislative intent with regard to what a delinquency is, so can you tell me what amount is considered a delinquency under the Bill?"

Greiman: "Well, a delinquency is determined by the present method of the law, as I understand it, where there is a Notice of Delinquency and there is a hearing if the defendant...if the respondent or payor or obligor wishes it, and that's how delinquency is set, so that he has adequate notice in the same way that he now has notice."

Countryman: "Well, my understanding is delinquency differs from the term that you and I commonly know as arrearages. That is somebody might be ten or twenty thousand dollars in arrearages. The delinquency is only from the time that you go in for the Order and you're coming up to the date of the

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hearing and it's the time..."

Greiman: "Exactly."

Countryman: "... the lag time in terms of getting to court..."

Greiman: "Absolutely."

Countryman: "Is that right?"

Greiman: "You are exactly correct."

Countryman: "So by going from 10% to 20%, it shouldn't be 10%...  
or it shouldn't be a great amount of money that you're  
increasing."

Greiman: "No. No. That's correct. That's correct. This is  
really an effort... It's an effort to make sure that a guy  
kind of stays current. That's the idea."

Countryman: "Right. That he doesn't fall down in the time from  
when the case is brought until the time it gets to court.  
Is that right?"

Greiman: "Right. That's exactly correct."

Countryman: "And there is a distinction between the term  
arrearages and delinquency. Is that correct?"

Greiman: "Absolutely."

Countryman: "Thank you. I have no further questions and stand in  
support of the Bill."

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

McCracken: "Is the current law of a 10% requirement, or I guess  
that's the question. Is current law to make up the  
delinquency a 10% withholding requirement?"

Greiman: "Yes. That's correct."

McCracken: "And this would raise it to 20%?"

Greiman: "Yes. That's right."

McCracken: "Does the court have any ability or discretion to  
modify those terms or are those required by law?"

Greiman: "They are required."

McCracken: "And at the time the withholding order is entered to

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make up the delinquency, is there a hearing held or does the respondent have an opportunity to appear and be heard?"

Greiman: "Yes. In fact a finding has to be made by the court. There has to be a finding made."

McCracken: "And what finding is that?"

Greiman: "Pardon?"

McCracken: "What finding is that?"

Greiman: "A finding of what the delinquency would be."

McCracken: "Okay, and is there a consideration at that time of his ability to meet a 20% withholding order?"

Greiman: "Yes. Yes. He can... he can traverse that issue by when he gets the first notice of delinquency. He then raises that issue, so that issue would be there if he raises the issue. Yes."

McCracken: "Would it be there at that..."

Greiman: "It would be there before the delinquency is determined. He could raise that even before the issue is determined."

McCracken: "He could... he could raise the issue of ability or inability to pay the 20% before the 20% is ordered?"

Greiman: "Yes."

McCracken: "Okay. So the court could... is empowered to not enter the 20%..."

Greiman: "Not enter the delinquency... to not enter the Delinquency Order. Once it enters the Delinquency Order, it makes the finding... then it has to do the 20%."

McCracken: "Then it has to be 20%."

Greiman: "Yes. That's right. But..."

McCracken: "Okay."

Greiman: "... it could reduce the amount of the Support Order, for example. That's another option it would have."

McCracken: "Okay. Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 497 pass?' All those in favor vote 'aye', all those opposed vote 'no'."



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Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1115. Representative Rice. Representative Rice. Clerk, read... Out of the record? Out of the record. Ladies and Gentlemen, we said that we would go to the Order of State and Local Construction at 12:00 noon. It is 11:59. Do we have leave to begin one minute early? Hearing no objection, we will begin with State and Local Construction. The first Bill is Senate Bill 117, Representative McPike. Out of the record. Senate Bill 130, Representative McNamara. Clerk, read the Bill."

Clerk Leone: "On page 10 of the Calendar, Senate Bill 130, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. Amendment #1 was withdrawn. Amendment #2 lost previously. Floor Amendment #3 is being offered by Representative McNamara."

Speaker Breslin: "Representative McNamara."

McNamara: "Thank you, Madam Chairman, Members of the House. Amendment #3 has to do with the Braidwood II Nuclear Power Facility. This power facility is not fuel loaded as of this time. What this Amendment would do would be to take that power facility and take it out of the rate base for the people that are paying the exorbitant rates in the State of Illinois. The estimated savings to us would be over a half a billion dollars over the operation of the facility and it brings about an immediate savings to Illinois rate payors. It stabilizes the rates and will reduce costs to Illinois business and it stimulates the Illinois economy. I think this is a very, very important issue. I would like to have a Roll Call vote on it and

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I'll be happy to answer any questions."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 130 and on that question the Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to Amendment #3 to Senate Bill 130. This responsibility rests with the Illinois Commerce Commission. Two years ago we put in place a new Public Utility Act. This issue is also part of the discussion right now in terms of the rate request and... which is related to the restructuring of this particular plant from an administrative point of view and it ill-behooves this General Assembly to get involved in those kinds of decision making. It's easy for us to stand here and attack a process which is already in place, to play to the public, if you will, in terms of lack of information on their part. It is unfair and it is wrong, and I believe that we should stand up for the decision made by the Legislature two years ago to leave this issue in the hands of the... of the Commerce Commission. And so I rise in opposition to Amendment #3 and ask you to support my position on this."

Speaker Matijevich: "The Gentleman from Cook, Representative Kulas."

Kulas: "Thank you, Mr... Thank you, Mr. Speaker. Will the Sponsor yield to a question?"

Speaker Matijevich: "He indicates he will. Proceed."

Kulas: "Representative McNamara, if your Amendment is adopted, how many people will lose their jobs?"

McNamara: "Representative, since Braidwood II is not powered up at this time, this Amendment is specifically designed so that people will not lose their jobs. It is also specifically designed so that there is a reasonable

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management decision that will be made by Commonwealth Edison Company in shutting down the facility with little impact on the job economy of Illinois other than to increase it because lower rates will result."

Kulas: "Yes, but isn't it a fact that if your Amendment is adopted hundreds of construction jobs will be lost to the people of the State of Illinois?"

McNamara: "My understanding is that the Braidwood II facility is approximately 85% complete. If that is correct, there is 15% left to do before nuclear loading. It is... I am not telling Commonwealth Edison that they have to close that down before mothballing that plant. It's nothing to do with trying to make their decision for them. It's trying to make a logical management decision that will save all of the taxpayers of the State of Illinois. There are some construction jobs that possibly would be lost, but weighing that against the overall good that it will do the entire State of Illinois, those jobs are very small."

Kulas: "Mr. Speaker, to the Amendment. I rise in opposition to Amendment #3. First of all, we have to realize that nuclear energy is here to stay, whether you like it or not, nuclear energy is here to stay. Let's deal with it and let's deal with it in the correct way. Now stopping construction is sticking your head in the sand. What we need... people complain. We don't want to use Illinois coal because it pollutes the air, and now we don't want to use nuclear energy because maybe that we might have an accident someplace down the road. Well, let's be realistic. Let's deal with the problem and let's vote 'no' on this Amendment."

Speaker Matijevich: "Representative McNamara to close."

McNamara: "Thank you, Members of the House. First of all we heard in the arguments that the responsibility rests with

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Commonwealth Edison. It is a controlled vehicle by the State of Illinois, the utility company is. When those companies make decisions or fail to make decisions that are correct for the citizens of this state, then it is our responsibility to make sure that we make those decisions for them. The term of 'sticking your head in the sand'...it would be unconscionable for us to stick our heads in the sand and allow this travesty of justice to continue on in this state. It is a good Amendment because what it really does is takes a look at what has happened now in Braidwood I right now, with that on line, in 1987, it will be over 34% in excess capacity above peak demand. When that facility is totally on line on Braidwood I, it will be over 37% excess capacity. We are not touching any of those nuclear powered plants that are in operation today. What we are doing is, we are saying, 'Commonwealth Edison, make your management decision that will allow you to power up that plant if the need ever comes before it is nuclear fueled.' If we allow that plant to be nuclear fueled at that time, over it's useful life it could cost an excess of 320 million dollars to decommission that particular plant. When capacity is necessary, an evaluation of the methods of generation may allow the plant to start up at a relatively fast place... pace. This Amendment has specifically taken out of the area... it has taken out the idea that conservation methods would be used to pit it against, and the reason for doing that is it is allow... it isn't a damaging Amendment, what it does, it allows Commonwealth Edison to make the decision that any businessman in the State of Illinois would make. For instance, if a business had overcapacity and he was working and his rates were not controlled, what would he do? He would mothball that excess capacity until demand is there.

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Not continue to produce and then force those excess rates, that excess capacity, on his customers. If he did that, he would be driven out of business. Commonwealth Edison should be run like a business and continue on the same premise that any moderate business should carry on. We also have to take a look at one other very, very important point. That is that this rate decrease will affect maybe everyone's bill in the State of Illinois by a decrease of in excess of \$200.00. It will also immediately take almost two billion dollars out of the rate increases. This is important for all of us. It is important that we make the correct decisions, that we support the people of the State of Illinois and we get this state moving again. Our rates are at least 25% higher in the Commonwealth area... Edison area... than any of the surrounding states. Any businesses coming to this state will take a look at that and say 'That's our production cost.' It is one of the biggest deterrents to our businesses in this state. It is an important measure. I think that we should all be very happy to support this Amendment and I urge your 'aye' vote."

Speaker Matijevich: "The Gentleman from Cook, Representative McNamara, has moved for the adoption of Amendment #3 to Senate Bill 130. Those in favor say 'aye', or vote 'aye', those opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 54 voting 'aye', 53 voting 'nay', and the Gentleman from DuPage, Representative McCracken, for what purpose do you rise?"

McCracken: "For a Verification of the Affirmative."

Speaker Matijevich: "The Gentleman asks for a Verification of the Affirmative vote, and Representative McNamara asks for a Poll of the Absentees."

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Clerk O'Brien: "Poll of those not voting: Berrios, Deuchler, Farley, Goforth, Krska, and Martinez."

Speaker Matijevich: "Representative... Representative Parke, for what purpose do you rise? Terry Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to introduce past Senator and past State Representative and current Cook County Republican Chairman, Don Totten. Don."

Speaker Matijevich: "Welcome, Don. The Clerk will Poll the Affirmative Votes."

Clerk O'Brien: "Bowman, Braun, Breslin, ..."

Speaker Matijevich: "Representative McGann, for what purpose do you rise?"

McGann: "Mr. Speaker."

Speaker Matijevich: "Yes."

McGann: "Yes. How am I recorded?"

Speaker Matijevich: "You are recorded as voting... How is he recorded, Mr. Clerk?"

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

McGann: "Kindly record me as 'no'."

Speaker Matijevich: "Change McGann from 'aye' to 'no'. Representative Deuchler, for what purpose do you rise?"

Deuchler: "Record me as 'no', please."

Speaker Matijevich: "Record Representative Deuchler as 'no'. Hyvetter Younge, for what purpose do you rise?"

Younge: "May I have leave to be verified?"

Speaker Matijevich: "Leave? Leave is granted. Representatives Williams and Turner ask leave to be verified. Leave. Proceed with the Affirmative Vote."

Clerk O'Brien: "Bowman, Braun, Breslin, ..."

Speaker Breslin: "Representative Richmond, for what purpose do you rise?"

Richmond: "Change my 'no' to 'yes', please."

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Speaker Matijevich: "Change Richmond from 'no' to 'yes'.  
Representative Farley, for what purpose do you rise?"

Farley: "Vote 'aye', please."

Speaker Matijevich: "Representative Farley wishes to be recorded  
as 'aye'. Continue with the Affirmative Vote."

Clerk O'Brien: "Brunsvold, Bugielski, Capparelli, Cullerton,  
Curran, Currie, Daley, Davis, DeJaegher, DeLeo, Farley,  
Flowers, Giorgi, Granberg, Greiman, Hannig, Hartke, Hicks,  
Homer, Jones, Laurino, LeFlore, Leverenz, Levin,  
Matijevich, Mautino, McNamara, McPike, Morrow, Mulcahey,  
Novak, O'Connell, Panayotovich, Phelps, Preston, Rea, Rice,  
Richmond, Saltsman, Satterthwaite, Shaw, Steczko, Sutker,  
Terzich, Turner, Van Duyne, White, Williams, Wolf, Anthony  
Young, Myvetter Younge, and Mr. Speaker."

Speaker Matijevich: "Representative Levin, for what purpose do  
you rise? Levin?"

Levin: "May I have leave to be verified?"

Speaker Matijevich: "Leave. Representative Levin is verified.  
Representative McCracken, on the verification of the  
Affirmative Roll."

McCracken: "Representative Leverenz."

Speaker Matijevich: "Leverenz. Representative Leverenz on the  
floor? I don't see him. Remove him. Representative  
Braun, for what purpose do you rise?"

Braun: "Thank you, Mr. Speaker. Representative Leverenz,  
Representative Bowman, along with the Appropriations  
Leadership on your side of the aisle, Mr. McCracken, are  
all in a budget meeting with the Director and I would ask  
that ..."

McCracken: "If they were here they might vote 'no'."

Braun: "Representative... Okay, they just came back.  
Representative Bowman has come back. Now, if you want to  
drag Representative Leverenz out of the budget meeting, I

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think that would be an inconvenience to the progress of this Legislative Session and the doing of business that we have to do."

McCracken: "Okay, who was involved? Representative Leverenz..."

Braun: "Leverenz."

McCracken: "... and Bowman and who else? Anyone else?"

Braun: "Bowman has returned. Who else is down there? Ewing? I don't know how he voted. Alright. You have the list. Thank you."

McCracken: "Okay."

Braun: "Thank you, Mr. Speaker."

Speaker Matijevich: "Did you verify Leverenz off, Tom?"

McCracken: "No. It hadn't been taken off."

Speaker Matijevich: "Alright."

Clerk O'Brien: "Representative Leverenz has been removed."

McCracken: "Oh, yes, I'm sorry."

Speaker Matijevich: "Return Leverenz back to the Roll, then."

McCracken: "Representative Stern?"

Speaker Matijevich: "In her chair. Representative McNamara, for what purpose do you rise?"

McNamara: "Just that should the negative appear to prevail, there will be a... I will request a verification of the negative."

Speaker Matijevich: "There will be. Proceed."

McCracken: "Representative DeLeo?"

Speaker Matijevich: "Representative DeLeo? The Gentleman doesn't appear to be in the chamber. Remove his name."

McCracken: "Representative Currie?"

Speaker Matijevich: "Representative Currie is in the aisle."

McCracken: "Representative Giorgi?"

Speaker Matijevich: "Representative Giorgi? Representative Giorgi, come back out of your office. Representative Giorgi is... Remove him from the Roll."



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McCracken: "Representative Granberg?"

Speaker Matijevich: "Kurt Granberg? Representative Granberg? I don't see Representative Granberg. Would you remove him from the Roll."

McCracken: "Representative White?"

Speaker Matijevich: "Jesse White? Jesse White is not in the chamber."

McCracken: "No wonder we didn't see you."

Speaker Matijevich: "Remove Jesse White from the... Oh, he's over here... here he is sitting here. Return Jesse White to the Roll."

McCracken: "Representative Terzich?"

Speaker Matijevich: "Representative Terzich? I don't see Representative Terzich. He's in the rear waving his... waving his hand."

McCracken: "Representative Laurino?"

Speaker Matijevich: "Representative Laurino is in his chair."

McCracken: "Representative Panayotovich?"

Speaker Matijevich: "Panayotovich? Representative Panayotovich does not seem to be in the chamber, remove him from the Roll. Representative Stern, for what purpose do you... Change Representative Stern to 'aye'."

McCracken: "Representative Hartke?"

Speaker Matijevich: "Who was that? Hartke?"

McCracken: "Yes."

Speaker Matijevich: "Representative Hartke? I don't see Representative Hartke. Remove Representative Hartke from the Roll. Representative Flowers, for what purpose do you rise?"

Flowers: "Have leave to be verified?"

Speaker Matijevich: "Leave for Representative Flowers to be verified. Return Representative Giorgi to the Roll Call. Giorgi, 'aye'."

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McCracken: "Representative Williams?"

Speaker Matijevich: "Representative Williams had leave to be verified."

McCracken: "Representative Phelps?"

Speaker Matijevich: "Representative Phelps is in the aisle here."

McCracken: "Representative..."

Speaker Matijevich: "Leave... one moment. Leave for Carol Braun to be verified. Leave. Proceed."

McCracken: "Representative Turner?"

Speaker Matijevich: "He had leave with Williams to be verified. Proceed."

McCracken: "Nothing further."

Speaker Matijevich: "Alright. The Clerk will now poll the negative vote."

Clerk O'Brien: "Ackerman, Barger, Barnes, Black, Christensen, Churchill, Countryman, Cowlshaw, Daniels, Deuchler, Didrickson, Doederlein, Dunn, Ewing, Flinn, Frederick, Giglio, Hallock, Hasara, Hensel, Hoffman, Hultgren, Johnson, Keane, Kirkland, Klemm, Kubik, Kulas..."

Speaker Matijevich: "One moment. Return Panayotovich to the Roll Call voting 'aye'. Panayotovich. Proceed."

Clerk O'Brien: "... Kulas, Mays, McAuliffe, McCracken, McGann, Robert Olson, Parcels, Parke, B. Pedersen, W. Peterson, Petka, Piel, Pullen, Regan, Ronan, Ropp, Ryder, Sieben, Slater, Stange, Stephens, Tate, Wait, Weaver, Wennlund, Williamson, and Wojcik."

Speaker Matijevich: "Return Hartke to the Roll Call voting 'aye'. Hartke, voting 'aye'. Representative McNamara on the verification of the negative vote."

McNamara: "Representative Giglio?"

Speaker Matijevich: "Representative Giglio is voting 'no'. He's here and wishes to be changed as 'aye'. Record Giglio as 'aye'. Proceed."

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McNamara: "Representative Mays?"

Speaker Matijevich: "Is he in the Appropriations Meeting? I think he's in the Appropriations Meeting. Let's skip that one."

McNamara: "Okay. Representative Kirkland?"

Speaker Matijevich: "Representative Kirkland? I don't see him in the chamber. Remove Representative Kirkland."

McNamara: "Representative Johnson?"

Speaker Matijevich: "Representative Johnson? I don't see him here. Remove Representative Tim Johnson from the Roll."

McNamara: "Representative Ewing?"

Speaker Matijevich: "Representative Ewing?"

McNamara: "Unless he's on the Appropriations."

Speaker Matijevich: "He's not supposed to be, I don't think. Yes, he is, they tell me. Alright, let's not call him, then."

McNamara: "Representative McAuliffe?"

Speaker Matijevich: "One moment. Return Representative Kurt Granberg to the Roll voting 'aye'. Granberg, 'aye'. And McAuliffe is in his seat."

McNamara: "Representative Ropp?"

Speaker Matijevich: "Return Kirkland to the Roll Call voting 'no'. Representative Ropp? He's back in the back."

McNamara: "Representative McGann?"

Speaker Matijevich: "McGann had leave, didn't he?"

McNamara: "No."

Speaker Matijevich: "No, he didn't. Representative McGann? McGann? I don't see him here. Remove Representative McGann."

McNamara: "Representative Dunn?"

Speaker Matijevich: "Flinn wishes to be verified. Voting what? Voting 'no'. Flinn 'no'."

Clerk O'Brien: "He's already voted 'no'."

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Speaker Matijevich: "Alright. You're already 'no'. Flinn is verified. Proceed."

McNamara: "Representative Dunn?"

Speaker Matijevich: "Is in his chair. On this question there are... Representative Goforth, for what purpose do you wish to be... Goforth 'aye'. On this question there are 57 'ayes', 51 'nays', none answering 'present', and this Amendment, having... is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative Martinez."

Speaker Matijevich: "The Gentleman from Cook, Representative Martinez, on Amendment #4."

Martinez: "Thank you, Mr. Speaker. I believe there has been an error in the Amendment, this one and the following one. These are Representative Mautino's Amendment."

Speaker Matijevich: "Alright. Representative Mautino on Amendment..."

Martinez: "And could you please record me as 'yes' on #3?"

Speaker Matijevich: "Alright. Let the record show that Martinez wanted to be recorded 'yes' on Amendment 3. Representative Mautino on Amendment #4."

Mautino: "Thank you very much, Mr. Speaker. Ladies and Gentlemen, Amendment #4 basically establishes the municipality's authorization for providing utility service to any customer within the corporate boundaries of a municipality or at the request of any customer located outside those corporate boundaries of the municipalities. Amendment #4 is tied with Amendment #13, which establishes as of July 1st of '87 as the implementation date. If successful with Amendment #4 that addresses the areas annexed into a municipal power establishment, then this would be a good Amendment to provide for on-going service and I move for its adoption."

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Speaker Matijevich: "Representative Mautino has moved for the adoption of Amendment #4. On that the Gentleman from Cook, Representative Piel. Representative Piel?"

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

Speaker Matijevich: "He indicates he will. Proceed."

Piel: "Representative Martinez, basically..."

Speaker Matijevich: "It's... Mautino."

Piel: "Okay, Mautino. I'm sorry. Well... you know."

Mautino: "We all look alike."

Piel: "Representative Mautino. Alright, this basically declares that a municipality can offer to an annexed area electricity service if they are now being served by a ..."

Mautino: "Served by that municipality."

Piel: "Okay, but what I'm saying... if that area is presently... the annexed territory is basically being served by an investor owned utility. Correct?"

Mautino: "No. What we're talking about is within the corporate boundaries of that municipality where they are servicing now."

Piel: "Okay, but... no. What I'm saying, though, is if, let's say that municipality A annexes some territory and that territory is now being served by, you know, ABC Electric, then they would be going from a investor owned utility to the municipal owned utility. Correct?"

Mautino: "And that problem is corrected by Amendment 13 that says if, in fact, you are servicing those individuals in that muni... in that corporate area as of July 1st of '87. That's why I mentioned in the original presentation 4 will remove the part that you're concerned about. Four establishes the municipal corporate boundaries. Thirteen addresses the question that you're concerned with, the last two lines of Amendment #4."

Piel: "Okay. One other... one other area that I have a little

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bit of concern with. Basically declares that a municipality which generates and sells electricity may sell to a non-resident who makes a request for the service."

Mautino: "That's what I'm taking care of in 13, Bob. I have to put Amendment 4 on first and then correct that inequity with #13."

Piel: "Okay. Now does 13 take care of both of the questions that I had, then?"

Mautino: "Yes, Sir. You'll find out that there will be a period after the word 'municipality' on line 8 of page 3, and then there will be the establishment date as of July 1st of '87 to correct your problem on any future annexation."

Piel: "Fine. Thank you."

Speaker Matijevich: "The Gentleman from Cook, Mr. McNamara. McNamara."

McNamara: "Thank you. There is no problem with this Amendment. We accept this Amendment on the Bill."

Speaker Matijevich: "Representative Mautino has moved for the adoption of Amendment #4. All in favor say 'aye', opposed 'nay'. Amendment #4 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Mautino."

Speaker Matijevich: "Representative Mautino on Amendment #5."

Mautino: "Withdraw."

Speaker Matijevich: "Withdraw 5. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Homer."

Speaker Matijevich: "Representative Homer on Amendment #6."

Homer: "Thank you, Mr. Speaker. I believe everyone is aware that the Tax Reform Act of 1986 had the impact of reducing the corporate income tax rate from 46% to 34%. That raised an issue with respect to public utilities that operate in the State of Illinois because, when those utilities went before

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the Commerce Commission to establish their most current rates, the Commerce Commission allowed them to calculate in a liability of Federal Income Tax based upon the 46% basis. Now that that has been lowered to 34%, the issue is what will be done with the windfall, which is substantial, estimated by the Office of Public Council to be approximately 850 million dollars per year to public utilities in Illinois alone. What will be done with this 850 million dollar windfall? Will it go in the pockets of the utilities in the form of higher profits and in turn to their shareholders? Or will those moneys be returned to the rate payors, the consumers? Will it be put back in the pocket of the consumer, who pays his or her utility bill? I think the latter course should prevail, and that's why I have offered Amendment #6, which would expressly empower the Commerce Commission, in such cases where a income tax on corporations has been removed or reduced, to order that that utility lower its utility rate to reflect the savings as a result of that change in the tax law. The Amendment also, then, would establish a due process proceeding whereby the utility could petition for a stay of the order to the Commerce Commission and procedures would be employed to conduct a hearing and to determine whether, in fact, the reduction order shall stand. I would urge your favorable consideration of the Amendment."

Speaker Matijevich: "The Gentleman from Fulton has moved for the adoption of Amendment #6. On that the Gentleman from Cook, Representative Levin."

Levin: "I rise in support of Amendment #6. This is an issue we have dealt with previously in this Session. It is, you know, a fundamental principal that if a utility doesn't have to pay that level of Federal Corporate Income Taxes, they shouldn't be collecting that amount, and it should go

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back to the consumer or the business that paid it. This is a fair Amendment. It stands for that proposition and I think it should be adopted."

Speaker Matijevich: "The Gentleman from DuPage, Representative McCracken."

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

Speaker Matijevich: "He indicates he will. Proceed."

McCracken: "Has the ICC already taken some steps along this line, relative to the Tax Reform Act?"

Homer: "It's my understanding that they are in the process of requiring the utilities, or requesting the utilities, to provide revised tariffs to deal with this circumstance."

McCracken: "And have the utilities already complied with that?"

Homer: "Some had by the required deadlines. Some had not. I'm not sure of the current status."

McCracken: "Okay. Is it contemplated by the Commission that there will be either hearings or orders entered regarding the windfall?"

Homer: "That I cannot tell you. I can tell you that there was some uncertainty on their part, at least in conversations with me, as to whether or not, under current law, they had the power to do this without entering a full-blown rate case. This Amendment would expressly provide that yes, they do have that authority."

McCracken: "And have some utilities already set aside some money in anticipation of an order regarding a refund?"

Homer: "Well, that would be a good idea. In fact, the... some utilities, at least two of them operating in the State of Illinois, have already voluntarily come forward and asked the Commission to lower their rates to reflect the savings. Unfortunately, some of the other utilities have been somewhat more reluctant and at this point are continuing to assess the higher amount, although, as I understand it,



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Representative, under the ICC directive, they are setting aside these moneys into an escrowed account in the event that they are required to repay them in the future."

McCracken: "Now, in the event that a tax increase occurred, this expedited procedure would not be available, obviously, for a rate increase. That would be required to go through the standard hearing that's already provided by law. Is that right?"

Homer: "Right. First of all, the Amendment deals only with the Internal Revenue Codes, so we're talking about Federal Tax... Income Tax Law. But there's nothing in my Amendment that would allow for summary disposition of increases based upon a Federal income tax increase. That's correct."

McCracken: "Alright. Now, is there any guideline, or... I looked at the Bill and I didn't see any guideline for determining whether, and in what amount, a rate reduction should be ordered. Is it to merely reflect the income tax savings down to your bottom threshold, being the minimum rate of return? Is there any discretion in the amount? Is there any discretion in the decision whether to do it?"

Homer: "Yes. You may recall we had a previous House Bill, 2152, that I didn't call on Third Reading, but that Bill had some mandatory language. It said that the Commerce Commission shall order a reduction. This Bill... this Amendment says the Commission may order a reduction. So it's clearly, now, permissive and not mandatory upon the Commission."

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

Speaker Matijevich: "Representative Homer has moved for the adoption of Amendment #6. All in favor say 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is adopted. All in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 64

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'ayes', 34 'nays', and the Amendment is adopted.  
Capparelli, 'aye'. Further Amendments?"

Clerk O'Brien: "Floor Amendment..."

Speaker Matijevich: "Horrow, 'aye'. Further Amendments?  
Williams, 'aye'. Further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative  
McNamara."

Speaker Matijevich: "The Gentleman from Cook, Representative  
McNamara, on Amendment #7. Representative McNamara. Are  
you about ready, Representative McNamara?"

McNamara: "I withdraw Amendment #7."

Speaker Matijevich: "No. 7 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative  
Ewing."

Speaker Matijevich: "Representative Ewing on Amendment #8. The  
Gentleman from Livingston, Representative Ewing, on  
Amendment #8. Withdraw Amendment #8. Further Amendments?"

Clerk O'Brien: "Floor Amendment #9, offered by Representative  
Breslin."

Speaker Matijevich: "The Lady from LaSalle, Representative  
Breslin, on Amendment #9."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. You will  
recall last week that I had an Amendment that I withdrew  
that amended the Public Utility Act, in order to keep  
Representative Levin an honest man. Representative  
McNamara informs me that he will be an honest man, no  
matter what I do, so I am going to proceed with this  
Amendment on his Bill. It is the issue of allowing the  
Illinois Commerce Commission to provide for a remedy to  
more than one consumer at one time in an instance where the  
Commission finds that a public utility has charged an  
excessive or unjustly discriminatory amount. It should be  
noted that under this Amendment, it is possible for the

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Commerce Commission to make a determination that more than one person is similarly affected in this circumstance and can direct the public utility to determine who else is similarly situated and direct that public utility, on its own, to remedy this situation. The Commonwealth Edison and others have indicated that on occasion they have done this on their own. Our information indicates that while they have remedied some similarly situated customers who have been unjustly treated by their rates, they have done so prospectively only. They have not gone back and reimbursed them for those amounts that they were charged unjustly. As a consequence, I still think it is appropriate to adopt this language and give the Commerce Commission this authority, without giving them exactly class action authority, which was the previous problem that the Committee had with this Bill. This is compromise language. I think it is appropriate and ask that it be adopted."

Speaker Matijevich: "Representative Breslin has moved for the adoption of Amendment #9, and on that the Gentleman from DuPage, Representative Hoffman."

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

Speaker Matijevich: "She indicates she will. Proceed."

Hoffman: "Is this language similar to a Bill... let me rephrase that. Is this language in this Amendment the same as a Bill you introduced that was not successful?"

Breslin: "No. It is not the same language. It addresses the same issue. We have changed language in order to compromise the differences in the Committee. And it is hoped that this compromise language will be more acceptable to the opponents."

Hoffman: "In effect, what your Amendment does is give authority to the Commerce Commission that they do not now have."

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Breslin: "That is under dispute. It is some attorneys' position that they do now have this authority, but the Illinois Commerce Commission thus far have not exercised the authority and they are under the impression that they do not have the authority, so this would make it clear that they do have the authority."

Hoffman: "And this would authorize the Commerce Commission to find in behalf of all customers with the same complaint that any single customer had that they ruled on."

Breslin: "If they find that a complaint brought by a similar customer affects several other customers, they would have the authority to direct the public utility to rectify the problem for other similarly situated customers so that the Commerce Commission would not have to handle every... and make an order in every single individual case."

Hoffman: "Can they... can they select, by your Amendment, can they select out some of the customers to the exclusion of others?"

Breslin: "In the... not if they are all in the same class. But the Commerce Commission would have the authority to make the determination that other people were similarly situated. In other words, it is not in all cases that they would make such a determination."

Hoffman: "Back to that same question. So if they said that X number of customers were in a similar situation, could they divide that out and say we're only going to recognize half of these, let's say?"

Breslin: "Representative, what is more likely is that the Commerce Commission would say, 'We find that you have been poorly treated under this law. You should have your rate changed. But there are others similarly situated and we direct the public utility to find those people and rectify the problem for them as well.' In other words, I don't

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anticipate that the Commerce Commission will seek to find out individual people. That was the problem with my initial Bill. The Commerce Commission didn't want to have the responsibility to find the other individuals in the class. Instead, under this compromise language, the utility, who is best able to find those people, would find them and correct the problem."

Hoffman: "Has the Commerce Commission ever had or exercised this authority in the past?"

Breslin: "They have not. However, in two cases that Commonwealth Edison has been involved in, they have indicated that they have voluntarily sought out customers who were similarly situated and made adjustments in their rates, but made it prospective only."

Hoffman: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House, with all due respect to the Sponsor and understanding what she is trying to get at, I stand in opposition to this Amendment. It seems to me that we are attempting to address a non-problem. The Utility Commission... or the utilities have responded to this apparently in the past, and I would assume that they would continue to do so, and I stand in opposition to Amendment #9."

Speaker Hatijeovich: "The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. We discussed this before Representative Breslin took the similar Amendment out of the record last week, and I understand her desire to accommodate the Committee and to provide for less than full-blown class action rights, but I think it is causing more trouble than it's... than it can correct. The point of the full-blown class-action rights is designed to provide a series of procedural and threshold safeguards

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before those persons or parties similarly situated are made the subject of a class. This allows a... a summary proceeding whereby the ICC declares the existence of a class, identifies it and presumably will order the utility to find and to pay back, by lower rates or refunds, for past rates charged. There is no protection here for the utilities in a determination of what constitutes the class. There is no protection here for the utilities for being socked with what could be substantial rate refunds from practices years past. The fact is that, without the safeguards that are common in judicial class action suits, there is the ability to wreak great havoc on the responding party, and it would work like this: The ICC makes a summary determination of a discriminatory practice, they make a summary determination that it existed for five years, they make a summary determination that it applied to the City of Chicago, they make a summary determination that the utility company has to pay back all its customers in the City of Chicago for the last five years in the amount specified. That is something which should be subject to a more formal hearing process, a hearing process which comports with due process. I think that this goes far too far. I understand the motivation, but as long as you retain the substance of what constitutes a class action in the Bill, you do more harm than good by giving them summary rights for the imposition of penalties or reductions or rate refunds by... to a class. So if you are going to have this language, 'all others similarly situated', which is the substance of any class action, I think it's important that you impose also some procedural requirements that have to be met prior to the imposition of a... an award. So I think that it is... it is well-intended, but misguided. I think you need those procedural safeguards, particularly

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when you can go back and recapture rates charged in years past."

Speaker Matijevich: "The Gentleman from Warren, Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker Matijevich: "She indicates she will. Proceed."

Hultgren: "I... I have several questions, and somewhat as in the same theme as Representative McCracken. In terms of how this is like a legal class action, what procedure, what hearing procedure is there, to adjudicate the class or to determine the class, and who participates in that hearing procedure?"

Breslin: "The whole objection of the Public Utility Committee to my original Bill was that they didn't want the Illinois Commerce Commission to have to go through that procedure for identifying a class, nor did they want to give an administrative agency legal class action powers. This is a compromise. This does not set up that kind of a form. It gives, however, the Commerce Commission the authority to direct the public utility, where they find a need, to identify other similarly harmed customer and right that wrong. Understand, this is a hybrid from your usual legal class action circumstance and it is intended as a compromise."

Hultgren: "In terms of fairness to the utility then, what opportunity does it have to present testimony or hearing as to how this class of similarly situated individuals is to be composed?"

Breslin: "In fairness to the public utility, this gives the public utility the authority to determine the class on its own and make proper recompense and then, to the extent that some members of the class believe that they have not properly been compensated, it is up to them to go back to

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the Commerce Commission to act... to ask for a clarifying order. So this just puts the... the burden on the public utility to go forward and find those people who are similarly situated, and they can make their own determinations beyond that. They don't have to be held up in long proceedings before the Commerce Commission, with hearings, etc."

Hultgren: "In... maybe I'm trying to make this something it's not, but in the legal class action, there would be at least some requirement of notice to members of the class that there was litigation ongoing in which they may or may not have an interest, and that the court would determine the extent to which notice should be given, whether it would be just a publication or mailing or what have you. Do you have anything in here... In looking at this I don't see anything with regard to notice to affected members of the class.?"

Breslin: "No, and I have... and I repeat, this is not intended to be a legal class action."

Hultgren: "One final question, then. If... If the Commission can find people similarly situated shall benefit from a decision which indicates that the rates are higher than they should have been, are people similarly situated foreclosed if a decision is adverse to the utility ratepayer?"

Breslin: "I doubt that any person is foreclosed from bringing a complaint before the Commerce Commission, but I doubt that they'd get very far, since there is already precedence set. Why would they go to the expense and the time of doing so?"

Hultgren: "Okay. Thank you."

Speaker Matijevich: "The Gentleman from Cook, Representative Levin."

Levin: "Thank you, Mr. Speaker. First I want to again thank the



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Sponsor for keeping me an honest man by removing her Amendment to my Bill. Very briefly, as I indicated in the debate on her other Amendment, this was discussed in the Public Utilities Committee... her Bill. At that point there was a feeling that a full-blown class action approach was not appropriate, that there were, in fact... there was no precedent, to the best of our knowledge, anywhere in the country for an administrative agency dealing with a class action. However, there was also a feeling that other administrative agencies did have the authority to deal with a situation where there was a pattern involving more than one consumer or business, and as a result, when her Bill on the class action came to a vote, it did not receive enough votes in favor, but nobody voted against. Those that did not vote for it voted 'present' because they felt that it was a concept that, if it could be worked out, made sense. I think Amendment 39 embodies that compromise. There are, at the present time, numerous administrative agencies that have the authority to deal with a situation where there is a pattern that affects more than one consumer or customer, such as the Department of Insurance with respect to unfair and deceptive practices, and it's clear that there has to be evidence presented as to who those customers are. This is not a summary proceeding, as such. This is a proceeding where you have to come in with evidence, identify that there are more than one person that's involved, and, you know, the utility certainly is... is very well protected because, you know, you're not making unilateral decisions here. So what Representative Breslin is seeking to do is simply to give the Commission the authority that many other administrative agencies, not only in the State of Illinois, but elsewhere, have today, and that is to exercise the refund power that they have for more than one customer

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where there is evidence that it's appropriate to refund the money to more than one customer where more than one customer is in a similar situation."

Speaker Matijevich: "Representative Breslin to close."

Breslin: "Thank you, Mr. Chairman, Ladies and Gentlemen. This is a pro-consumer Amendment. We are very often critical of the Commerce Commission and it's decisions, saying it's their fault. If you and I in this Assembly don't give them... give the Commerce Commission the authority to act to the benefit of the consumer, then it's not their fault anymore, it's our fault. I urge an 'aye' vote."

Speaker Matijevich: "Representative Breslin has moved for the adoption of Amendment #9. Those in favor say 'aye', opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #10, offered by Representative Anthony Young."

Speaker Matijevich: "The Gentleman from Cook, Representative Young, on Amendment #10."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #10, I think, is a great consumer Amendment, but, we seem to be overloading this Bill, which is very important and needs to be passed, and for that reason I'll withdraw Amendment #10."

Speaker Matijevich: "The Gentleman withdraws Amendment #10. Further Amendments?"

Clerk O'Brien: "Floor Amendment #11, offered by Representative Tate."

Speaker Matijevich: "Representative Tate on Amendment #11. Withdraw Amendment #11. Further Amendments?"

Clerk O'Brien: "Floor Amendment #12, offered by Representative Mautino."

Speaker Matijevich: "Representative Mautino on Amendment #12."

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Mautino: "Withdraw #12."

Speaker Matijevich: "Withdraw 12. Amendment #13."

Clerk O'Brien: "Floor Amendment #13. I have two different Amendment 13's, both offered by Representative Mautino."

Speaker Matijevich: "Representative Mautino on Amendment #13 and Representative Breslin in the Chair."

Mautino: "Okay. We have a mix-up, Representative Breslin, and for Representative Piel. What I would like to do, because of the Amendments that were provided, including my own #4. Amendment #13, which is the last three Reference Bureau... last three or four on the Reference Bureau notification is 46PF, I would like to withdraw RAS85SB1030GHA46PF."

Speaker Breslin: "Withdraw that Amendment, Mr. Clerk. And for the record, clarify Amendment #13 that Representative Mautino is going to proceed with."

Mautino: "I would also at this time like to table Amendment #4, which was adopted."

Speaker Breslin: "The Gentleman moves to table Amendment #4. Is there any discussion? Hearing none, the question is, 'Shall Amendment #4 be tabled?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is tabled. And now, Amendment #13. Mr. Clerk, would you read the appropriate LRB number."

Mautino: "That number now is #14."

Speaker Breslin: "Excuse me. Representative Piel. For what reason do you seek recognition?"

Piel: "Little bit of... little bit of confusion. What... the number you gave us is now... it was distributed as 14, so technically he is tabling what has been distributed as 14?"

Speaker Breslin: "Mr. Clerk, again, would you read the one that we are considering on 13, and if Representative Piel and Representative Mautino would listen, it would help. Which

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number is being presented, Mr. Clerk."

Clerk O'Brien: "Amendment 13 has an LRB number, LR88503269SLjwam.  
That's the Amendment that we are considering."

Speaker Breslin: "Read that number again."

Clerk O'Brien: "LR88503269SLjwam."

Speaker Breslin: "Did you get that number, Representative  
Mautino? It didn't appear to me that either of you were  
listening. The number is 8503269SLjwam."

Mautino: "Yes, we would like to withdraw that number which is  
listed as #13, and go with #14."

Speaker Breslin: "So then you're withdrawing both Amendments #13.  
Is that correct?"

Mautino: "That's correct."

Speaker Breslin: "Okay. Withdraw #... both Amendments #13. Are  
there any further Amendments, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #14, Mautino."

Speaker Breslin: "Representative Mautino on Amendment #14."

Mautino: "Amendment #14 is the correct Amendment which is  
RAS85SB1030GMA47PF."

Speaker Breslin: "Doesn't make any difference. We only have one  
of them."

Mautino: "Well, I want to make sure the numbers were correct."

Speaker Breslin: "Proceed."

Mautino: "And that provides for... it resolves the problem of  
municipalities and also the other utilities that are  
outside of the corporate boundaries, establishing the July  
1, 1987, date, and I move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of  
Amendment #14 to Senate Bill 130, and on that question, is  
there any discussion? Hearing none, the question is,  
'Shall Amendment'... the Lady from Sangamon, Representative  
Hasara."

Hasara: "Thank you, Madam Chairman. Will the speaker yield?"

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Speaker Breslin: "The Speaker won't, but the Sponsor will."

Hasara: "I'm sorry. Will Representative Mautino yield?"

Speaker Breslin: "He will."

Hasara: "Representative, for the record, I just want to make sure that this does not force annexation for anyone living outside of the municipality."

Mautino: "It does not address, nor does it force any type of annexation to, from, within, or outside of any limits."

Hasara: "Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #14 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. The next Bill is Senate Bill 498, Representative Flinn. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 498, a Bill for an Act to amend the Illinois Manufactured Housing and Mobile Home Safety Act. Second Reading of the Bill. Amendments #1 and #2 were adopted in Committee."

Speaker Breslin: "Are there any Motions or Amendments?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Flinn."

Speaker Breslin: "Representative Flinn."

Flinn: "Well, Madam Speaker, what Amendment #3 does to House... Senate Bill 498 is very simply take away the... the part of the Bill that interfered with local codes, and that's all it does. Not local codes, I'm sorry, but takes away commercial housing. It removes commercial housing and causes the housing to only be residential. That's all the

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Amendment does."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 498, and on that question is there any discussion? Hearing none, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1243, Representative McPike. Out of the record. Ladies and Gentlemen, under the Order of State and Local Construction Third Reading, the first Bill is Senate Bill 43, Representative Giorgi. Out of the record. Senate Bill 432, Representative Weaver. Representative Weaver? Out of the record. Senate Bill 505, Representative Kirkland. Out of the record. Senate Bill 892, Representative Rea. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 892, a Bill for an Act to amend the Conservation District Act. Third Reading of the Bill."

Speaker Breslin: "Representative Rea."

Rea: "I'd ask for leave to take this Bill back to Second Reading for a technical Amendment."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does he have leave? Hearing no objections, the Gentleman has leave. Mr. Clerk, are there any Amendments filed?"

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

Speaker Breslin: "Who is the Sponsor?"

Clerk O'Brien: "Rea."

Speaker Breslin: "Representative Rea."

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Rea: "Thank you, Madam Speaker. This is just a technical Amendment to bring the interest rates on the bonds into conformity with the general interest rate, and I would ask for adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 892, and on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Rea now asks leave for immediate consideration of this Bill on Third Reading, as amended. Does he have leave? Hearing no objections, the Gentleman has leave. Read the Bill on Third, Mr. Clerk."

Clerk O'Brien: "Senate Bill 892, a Bill for an Act to amend the Conservation District Act. Third Reading of the Bill."

Speaker Breslin: "Representative Rea."

Rea: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 892 amends the Conservation District Act. It removes the obsolete reference to the percentage of interest that can be paid on installment purchases. It allows the Districts more flexibility in the use of their currently existing tax base, and some other technical changes, and I would move... it passed out of the Senate by... I believe on the agreed list, at least by a substantial vote, and I would ask for an 'aye' vote."

Speaker Breslin: "The Gentleman has moved for the adoption... the passage of Senate Bill 892. This Bill is on the Short Debate Calendar. Does anyone rise in opposition? The Gentleman from DuPage, Representative McCracken."

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McCracken: "Will the Sponsor yield?"

Speaker Breslin: "He indicates he will."

McCracken: "Amendment #2 lowers the tax rate that can be imposed under this? Or I'm sorry, 1. Was Amendment #1 adopted?"

Rea: "Amendment #1 was withdrawn."

McCracken: "Okay. Now on 2, it deletes the 7% interest rate, establishes the greater of 9% or 125% of the Bond Buyer's Index?"

Rea: "Would you repeat that question, please?"

McCracken: "You changed... excuse me. You changed the maximum interest rate on the bonds from 7% to the greater of 9% or 125% of the Bond Buyer's Index, by Amendment #2."

Rea: "Yes. This would allow it to vary by the market only."

McCracken: "Now, to whom or to what... what is the scope of this? How many districts are affected by this Bill?"

Rea: "I don't know the exact number, but the Conservation Districts would be the ones that would be affected."

McCracken: "Would it be every Conservation District in the State?"

Rea: "It is my understanding that there is only five in the State and it could have some variation."

McCracken: "Okay... And... Okay. Nothing else. Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 892 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question... Representative Dunn votes 'aye'... On this question there are 108 voting 'aye', 1 voting 'no', and 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1308, Representative Farley. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1308, a Bill for an Act to amend the Space Needs Act. Third Reading of the Bill."



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Speaker Breslin: "Representative Farley."

Farley: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1308 is a Bill that allows the Space Needs Commission to be part of the process of payout to contractors. We adopted Amendment #2 to the Bill that took care of some concerns of some of the Committee members by stating that we are just part of the process and not the final authority. This Bill is presented to you, Ladies and Gentlemen, today in an attempt to further watch the tax dollars that are being spent on the jobs that we are involved in here around the Capitol Complex area. I think that it's a good concept. Senator Philip and I, who are the Co-Chairmen of the Space Needs Commission, think it's an important Bill and we would appreciate your support on this measure."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1308, and on that question, the Gentleman from Adams, Representative Mays."

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

Speaker Breslin: "He will."

Mays: "What exactly does this Bill do, Representative, that the Space Needs Commission... What kind of power does this give the Space Needs Commission that it doesn't already have?"

Farley: "It allows the Space Needs Commission to be part of the process of signing off on payment, which they do not have now."

Mays: "Any why do you think that's an important thing for them to do? Who does that right now?"

Farley: "The Secretary of State and the agency that the work is being done for. And why do I think it's important? I think it's important because the Space Needs Commission is a watchdog Commission set up by Statute by this Assembly to

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make sure that the projects that are taking place and completed in this Capitol Complex are on a timely fashion and are, in fact, done to the specs that were bid on."

Mays: "Does the Commission currently approve projects before they're undertaken?"

Farley: "Yes."

Mays: "Are they currently involved in meetings on status reports of projects as they're going on?"

Farley: "Yes."

Mays: "Thank you very much. To the Bill, Madam Speaker. I would rise in opposition to the Bill. What we are going to be doing is inserting another tier of bureaucracy over this whole Capitol Complex construction area. There is no evidence whatsoever that it's going to improve, save money or do anything in the construction area for this Complex. I believe that the CDB and the Secretary of State's office, in conjunction with the Space Needs Commission, have been able to address these areas adequately in the past and I would rise in opposition to this turf building Bill for the Space Needs Commission."

Speaker Greiman: "Representative Greiman in the Chair. The Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. I agree with the last Gentleman. He put it correctly, I think. This is a turf battle. There is nothing wrong with the current system. If it isn't fixed... if it isn't broken, don't fix it. The opponents to this are numerous and they include labor, so to my friends on the other side of the aisle, vote carefully. The AFL-CIO is opposed to this, the Construction Industry Committee is opposed to this, National Electrical Contractors are opposed, Illinois Construction Industry Council is opposed, Secretary of State's office is opposed. There already is oversight

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provided by this Committee. It is viewed by many people in this Chamber as merely a turf battle and I ask for a no vote."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Hallock. Did you wish to speak? Alright. There being no further discussion, the Gentleman from Cook, Mr. Farley, to close."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think it's quite clear in my remarks that it's not fixing anything that's broken. It's being part of a process that I think we, as Legislators and as a Commission, and as a... as a Commission set up by Statute, has a right and a duty and an obligation to be part of the process to make sure that we, the taxpayers, get our moneys worth out of any projects, any construction that's done in the Capitol Complex area. I don't think it's an unreasonable proposal, and I would solicit again an 'aye' vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all... Mr. McCracken, for what purpose are you seeking recognition now? You wish to take a verification in case it should reach 60. Alright. Have all voted who wish? Mr. Farley, do you wish... one minute to explain your vote, Mr. Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I was around the Floor last week and asked several of my colleagues to support this proposal. I explained the Bill at that time and I would hope that those that I did talk to would remember my explanation of that Bill at that time or the Bill at that time, and I would hope that there would be sufficient votes to pass this good piece of

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legislation."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 54 voting 'aye', 55 voting 'no', 3 voting 'present'... Mr. Hicks. Mr. Hicks votes 'aye'. Mr. Williams votes 'aye'. So on this question, therefore... Mr. Hartke votes 'aye'. On this question there are 57 voting 'aye', 52 voting 'no', 3 voting 'present', and the Gentleman from Cook, Mr. Farley, requests the Bill be placed on the Order of Postponed Consideration. On this same Order on Second Reading appears Senate Bill 117. Mr. Clerk, would you read the Bill?"

Clerk O'Brien: "Senate Bill 117..."

Speaker Greiman: "Yes, Mr. McCracken."

McCracken: "You're leaving Third Reading and going back to Second on this Order?"

Speaker Greiman: "Yes. It's... we'll get back to Third Reading. We'll go back to Third Reading. On this..."

Clerk O'Brien: "Senate Bill 117, a Bill for an Act in relation to waste water treatment. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1."

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

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

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

McCracken: "Thank you, Mr. Speaker. This establishes the DuPage County Convention and Tourism Bureau to be appointed by the Chairman of the County Board and authorizes an annual appropriation of \$500,000.00 from the Build Illinois Fund."

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I move its adoption."

Speaker Greiman: "Yes. The Gentleman from DuPage, Mr. McCracken, has moved for the adoption of Amendment #2 to Senate Bill 117, and on that the Gentleman from Cook, Mr. Cullerton. The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, Representative McCracken is attempting to put a tourism Bill, a tourism Amendment to a Bill that has to do with Water Pollution Control Revolving Fund Act and I think he has other vehicles he can put this on. He can introduce a Bill on his own. I don't want that Amendment on the Bill that has to do with the... such a serious subject as water pollution control. So I wish he would withdraw his Amendment."

Speaker Greiman: "Mr. Clerk, could we have a look at the Bill? Mr. Giorgi, with respect to your inquiry, the Chair has examined the Bill and the Amendment and find that the Amendment is not germane. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative McPike."

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

Giorgi: "Mr. Speaker, Amendment #3 is a technical Amendment and it has changes in it... changes in the Amendment at the request of the Bureau of the Budget, and it has a specific interest rate on the loans. I think both sides are aware of what's in the Amendment. I'd like to move for the adoption of the Amendment."

Speaker Greiman: "The Gentleman from Winnebago moves for the adoption of Amendment #3 to Senate Bill 117, and on that the Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. I don't think it's been printed and distributed, but I don't want that to hold it up. If you'd give us a few minutes to review our copy, we'll get right back to it."

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Giorgi: "Thank you."

Hallock: "Good enough."

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

Hallock: "Same thing."

Speaker Greiman: "During the lull in the proceedings, the Chair would remind the Members that if you have a Bill on the Order of Consent Calendar Third Reading, which must be returned to the Order of Second Reading for the purposes of an Amendment, please advise the Chair by coming to the Well and signing in so that we may do that. We will be going to that Order of Business very shortly. Mr. McCracken, for what purpose do you seek recognition?"

McCracken: "We're ready to proceed. We've reviewed the Amendment. We're in agreement that it should be adopted."

Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' All in favor signify by voting 'aye'... by saying 'aye', those opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. We will return to an Order which we earlier considered, the Order of Special Call - Consumer Protection Second Reading, and on that appears Senate Bill 1287. Yes. Mr. McCracken, for what purpose do you seek recognition?"

McCracken: "Thank you, Mr. Speaker. Why don't we just finish where we were before you came back to 117, that Third Reading State and Local Construction? The next Bill up was 1463. As a matter of fact, you said we'd come back to this."

Speaker Greiman: "Yes. And we will. And we will, Mr. McCracken."

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McCracken: "Why don't we do it now?"

Speaker Greiman: "Well, Mr. McCracken, it's within the province of the Chair to go to another Order of Business."

McCracken: "I know, but it's more orderly to do it this way."

Speaker Greiman: "There's one more. We will... we will return to that Order. Now you will be surprised to find that the Sponsor does not wish to proceed with that Bill, but we will return to that Order to give you the opportunity to do that."

McCracken: "All you have to do is let us know that."

Speaker Greiman: "Fine. And on the Order of Consumer Protection Second Reading, appears Senate Bill 1287. Mr. O'Connell, do you wish to proceed? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1287, a Bill for an Act to create the Consumer Deposit Security Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there Floor Amendments?"

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

Speaker Greiman: "The Gentleman from DuPage, Mr. Hoffman, on Amendment #1."

Hoffman: "Withdraw."

Speaker Greiman: "Amendment #1 is withdrawn. Are there further Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. O'Connell, on Amendment #2."

O'Connell: "Thank you, Mr. Speaker. Amendment #2 emanated from the discussion during the hearing in House Judiciary I Committee. It provides that the interest on the escrow deposit would... that exceeds \$100... if the security deposit exceeds \$150.00, the interest would go to the

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lessee. Anything... any security deposit under \$150.00, the interest on that security deposit would go to the lessor. I believe it meets some of the objections that were... meets the objections that were raised in the Committee and I would ask for its favorable adoption."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #2 to Senate Bill 1287, and on this, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', those opposed 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On this Order appears Senate Bill 1328. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1328, a Bill for an Act in relation to handicapped, disabled and mentally ill persons. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Peoria, Mr. Saltsman, on Amendment #1."

Saltsman: "Withdraw Amendment #1, please."

Speaker Greiman: "Amendment #1 is withdrawn. Further Amendments?"

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

Speaker Greiman: "The Gentleman from Peoria, Mr. Saltsman, on Amendment #2."

Saltsman: "Thank you, Mr. Speaker, Members of the House. Amendment #2 requires all hot-line reports to be initially reviewed for possible criminal violations by the Department



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of State Police. This is an agreed Amendment which has been worked out with the Department of Public Health and I ask for its passage."

Speaker Greiman: "The Gentleman from Peoria moves for the adoption of Amendment #2 to Senate Bill 1328, and on that the Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. Has this Amendment been printed and distributed?"

Speaker Greiman: "Mr. Clerk? I am advised by the Clerk that it has been printed and distributed. The question is, 'Shall the Amendment be adopted?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Are there further Amendments?"

Clerk D'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Returning now to the Order of State and Local Construction appears Senate Bill 1463. Mr. Giorgi, 1463. Out of the record. Alright, now Ladies and Gentlemen, on Supplemental Calendar #1, Consent Calendar, on page 3 appears Senate Bills Third Reading, Consent Calendar. We will now take those Bills which require Amendment. And on that Order appears Senate Bill 370. Mr. Matijevich? Mr. Matijevich in the Chamber? Mr. Clerk, read the Bill. Oh, I'm sorry. The Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does he have leave? Leave is granted. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Floor Amendment #3 is being offered by William Peterson."

Speaker Greiman: "The Gentleman from Lake, Mr. Peterson."

Peterson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment 3 to Senate Bill 370 basically encompasses Senate Bill 277 that we passed to the

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Governor's office last week, but adds townships to municipalities, which can allow the selling of liquor or it being delivered or dispensed on a municipality or a township... in a township facility. I ask for your approval of this Amendment. It's an agreed Amendment. I talked to Representative Matijevich regarding it."

Speaker Greiman: "The Gentleman from Lake, Mr. Peterson, moves for the passage... for the adoption of Amendment #3 to Senate Bill 370, and on that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it, and the Amendment is adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #4 is being offered by William Peterson."

Speaker Greiman: "The Gentleman from Lake, Mr. Peterson, on Amendment #4."

Peterson: "Mr. Speaker, withdraw Amendment 4."

Speaker Greiman: "Amendment #4 is withdrawn. Are there further Amendments?"

Clerk Leone: "Floor Amendment #5 is being offered by Representative McCracken."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, on Amendment #5."

McCracken: "Mr. Speaker, this would reinsert the prohibition against aldermen, members of the city councils or commissions, village trustees and county board members in the collar counties only from being issued liquor licenses, and I move its adoption."

Speaker Greiman: "The Gentleman from DuPage moves for the adoption of Amendment #5 to House... to Senate Bill 370, and on that the Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, I've discussed this with Representative

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McCracken. He knows my opposition to the Amendment. I accommodated Representative Peterson, but this would further dilute the Bill and wouldn't leave me much of a Bill, so I would urge the Membership to oppose this Amendment."

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

McCracken: "Well, Mr. Speaker, what we are presenting here is essentially not to delete that prohibition for all areas of the State. If, you know, the Gentleman doesn't want it in Cook or if he doesn't want it elsewhere in the State, that's fine, but this is an Amendment presented on behalf of the collar counties which retains the prohibition against the issuance of liquor licenses. It's sound public policy when it was first initiated. It's been sound public policy for years, and I would request an 'aye' vote."

Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair the 'nos' have it, and the Amendment fails. Further Amendments?"

Clerk O'Brien: "There are no further Amendments."

Speaker Greiman: "Third Reading. Leave of this... Leave of the House using the Attendance Roll Call so this Bill may be heard on the Order of Third Reading on the Consent Calendar on this day. Leave is granted. On this Order appears Senate Bill 720. Mr. Mautino, the Gentleman from Bureau, moves that this Bill be returned to the Order of Second Reading for the purposes of an Amendment. Does he have leave? Leave is granted. Mr. Clerk, are there Amendments? Mr. Mautino, out of the record?"

Mautino: "Just leave it in that position, if you will, Mr. Speaker."

Speaker Greiman: "Alright. This Bill will... you'd like for this

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Bill to be left on the Order of Second Reading today?"

Mautino: "If I may. As an inquiry, I filed a Motion to take it off the Consent Calendar and place it, I believe, on Third Reading Regular Calendar for the purposes of moving it back and this will do that same situation?"

Speaker Greiman: "That's what this will do if you have the Amendment printed and what not."

Mautino: "Okay, that's where I want it. As soon as it gets here, Sir. Thank you."

Speaker Greiman: "Do you wish us to proceed, then?"

Mautino: "No. It's not here."

Speaker Greiman: "No. Alright. It will be off the ... Off then. On this Order appears Senate Bill 961. Mr. Hoffman. Mr. Hoffman? Out of the record. Mr. Goforth, for what purpose do you seek recognition?"

Goforth: "Thank you, Mr. Speaker. A point of personal privilege. As all you people know, Bruce Richmond and myself share the County of Randolph. Menard is in Randolph County. All these people sitting up here in the Assembly now is not being laid off people. These are the people from Menard Penitentiary that's going to lose their jobs and I just want you people to recognize that they are here. Thank you."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, for what purpose do you seek recognition?"

Cullerton: "I just wanted to ask Representative Goforth if... are these the people that don't have any accents?"

Goforth: "They all know how to talk English down there. I'm glad to have some people up here that knows how to talk that English language."

Cullerton: "Representative, congratulations on your support, for you're the first Republican to support the income tax increase. I think it's remarkable."

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Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, those people up in the gallery, I want to tell them that Representative Goforth does such a good job for them that we on this side of the aisle really appreciate him. He has some independence and for anybody up there that can vote for him, continue to do so, because he does a good job, not only for them, but everybody in the State of Illinois."

Speaker Greiman: "The Chair would appreciate it if you would hold your applause. I know order is as difficult to maintain for you sometimes as it is for the Chair sometimes. The Gentleman from Cook, Mr. Kulas."

Kulas: "Yes, thank you, Mr. Speaker. Representative Goforth, with all these people here in the gallery, who's watching the prisoners?"

Goforth: "Hey, with them outlaws that we got down there, which is the worst prisoners they is in the State of Illinois, I'm sure, Representative Kulas, you don't want them up there in the City of Chicago, so we're happy to keep them down there. You just keep that prison open. We'll take care of them prisoners."

Speaker Greiman: "Mr. Hallock, for what purpose are you seeking recognition?"

Hallock: "Thank you, Mr. Speaker, Members of the House. It's awfully quiet here. It's almost like a seventh inning stretch. Could you tell us when we will begin again and where we'll be on the Calendar?"

Speaker Greiman: "On the Order of Special Call - State Administration Second Reading, appears Senate Bill 47. Mr. McPike? Out of the record. On this Order appears Senate Bill 1000. Mr. Leverenz, do you wish to proceed with 1000? Out of the record. On this Order appears Senate Bill 1119. Ms. Breslin? Ms. Breslin? Out of the record. On this

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Order appears Senate Bill 1129. Mr. White. Out of the record. And now on this Order of Business, on the Order of Third Reading, Special Call - State Administration, appears Senate Bill 266. Did you wish to proceed with that? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 266, a Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Kankakee, Mr. Novak."

Novak: "Thank you, Mr. Speaker, Members of the House of Representatives, Ladies and Gentlemen. Senate Bill 266 directs the Department of Transportation to evaluate the use of calcium magnesium acetate from corn for road clearing. If such method of cleaning proves successful, authorize the Department to expand its use and make it available to local governments. There was a fiscal note attached to this and the Department of Transportation responded indicating that the cost would be \$108,000.00 for uses of CHS for a testing period. This is a good Bill. There is another Bill in the Senate that should be approved that's... that's related to this. And it's a good Bill for our farmers in the State of Illinois to diversify and open up new markets for the corn industry in the State of Illinois, and I urge its adoption."

Speaker Greiman: "The Gentleman from Kankakee, Mr. Novak, moves for the passage of Senate Bill 266, and on that the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Will the Sponsor yield?"

Novak: "Yes."

Cullerton: "Representative, where did you get the idea for this Bill?"

Novak: "I think I spoke to you about it, Representative."

Cullerton: "Well, I just wondered if... Is this Senator Jerome Joyce's idea, or was it his idea to make you the Sponsor,

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or... "

Novak: "Well, Senator Joyce is the primary Sponsor of the Bill in the Senate, and I've consulted quite extensively with the Senator about it."

Cullerton: "So you weren't here when this Bill was introduced in the Senate."

Novak: "You're correct. I wasn't."

Cullerton: "Had you been in the House you perhaps might have introduced it even before Senator Joyce?"

Novak: "Sure."

Cullerton: "Is there anything wrong with it?"

Novak: "Pardon me?"

Cullerton: "Is there anything wrong with it?"

Novak: "No. Absolutely not. It's a good Bill."

Cullerton: "Okay. I'll vote for it."

Novak: "Thank you."

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

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

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

Ropp: "In your explanation, I didn't gather, was this just a study or is this a temporary use or what's the primary objective here?"

Novak: "The Department of Transportation would spend... appropriate \$108,000.00 for a feasibility study on the usage of 'X' number of tons of this CMS for removal of salt... I mean for the removal of ice."

Ropp: "Is this the same kind of study that the USDA is also conducting?"

Novak: "I believe so."

Ropp: "So, in other words, we're duplicating a study that's already going on?"

Novak: "Well, I don't know if you want to call it a duplication... "

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Ropp: "Well usually, if there are two studies that are doing the same thing, we call that a duplication."

Novak: "Well, the USDA is a different agency from our agency, so there's... the other Bill in the Senate passed, so I think it's a good study."

Ropp: "I think it's a good study. The fact is I would even prefer that we say by 1990 we mandate that all of the salt be replaced, if we're really concerned about helping agriculture and corn farmers in the state. I... Seems to me that that would give us sufficient time to really come up with the research that's needed following in line with USDA. I think this Bills probably going to pass, but really it's a duplication of effort and I think the people ought to know that we're attempting to do two things that is already being well-studied by the... not only the Illinois Corn Growers, but the USDA and it really is kind of an area... it's a good PR area and I commend you for it."

Novak: "Thank you."

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

Johnson: "Well as one who has, along with former Representative Jerry Weller, spent portions of the last four months working on this issue, meeting with groups from Washington and Springfield and studying the issue in depth as well as analysis through the Department of Transportation and otherwise, I think Representative Novak is to be commended for becoming the House Sponsor on this concept that we worked on long before he was a Member of the General Assembly, and I'm glad to lend my support to Representative Novak in this endeavor."

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

Hallock: "Thank you, Mr. Speaker, I also rise in support of this measure. You know, if we follow the example of some



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southern states whereby they use shells from the sea on their roads because it's indigenous to that area, we, in Illinois, are blessed to have corn. I think any time we can use corn for more purposes, including these, it's a good idea, and I urge that it be adopted."

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

Novak: "Thank you, Mr. Speaker. I appreciate the comments from the other side of the aisle. Even though USDA is doing the study, I think Illinois needs to do a study on its own roads. Salt is a very serious thing that hurts machinery, hurts our infrastructure, and hurts our automobiles, and if we can get the cost of this CHS down to a reasonable level, I believe we're going to be able to sell a lot more bushels of corn in the State of Illinois. I thank you for your support and I urge its adoption. Thank you."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Mautino votes 'aye'. Mulcahey votes 'aye'. Have all voted who wish? Have all voted who wish? Mautino 'aye'. Mr. Clerk, take the record. On this question there are 112 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 731. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 731, a Bill for an Act to legalize and validate certain appropriations and tax levy ordinances for the City of Aurora. Third Reading of the Bill."

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

Giorgi: "Mr. Speaker, I'd like leave of the House to return this Bill to the Order of Second Reading so an Amendment can be

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put on by the Lady from Kane."

Speaker Greiman: "The Gentleman asks leave of the House to return this Bill to the Order of Second Reading for purposes of Amendment. Does the Gentleman have leave? Leave is granted. Mr. Clerk, are there Amendments?"

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

Speaker Greiman: "The Lady from Kane, Ms. Deuchler, on Amendment #2."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment 2 to Senate Bill 731 validates the tax levy for Kane County in their annual appropriation Bill of 1986."

Speaker Greiman: "The Lady from Kane moves for the adoption of the Amendment. Those in favor... Is there any discussion? There being none, those in favor say 'aye', those opposed 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Winnebago, Mr. Giorgi, asks leave of the House to use the Attendance Roll Call to allow this Bill to be heard at this time. Does the Gentleman have leave? Leave is granted. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "Senate Bill 731, a Bill for an Act to legalize and validate certain appropriations and tax levy ordinances. Third Reading of the Bill."

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

Giorgi: "Mr. Speaker, all this Bill does is validates the election for the City of Aurora, County of Kane, and validates the Forest Preserve District of Cook County. There are no tricks in the Bill. It's a good Bill. I urge support of the House."

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

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for the passage of Senate Bill 731, and on that the lady from Cook, Ms. Pullen."

Pullen: "I'd like to ask the Sponsor a question, please."

Speaker Greiman: "The Gentleman indicates he will yield for a question."

Pullen: "What is wrong with these various appropriation and levy ordinances that they do not meet the state law and therefore need to be validated after their adoption?"

Giorgi: "They... it's a sort of a preventative measure in that they feel that there might have been something illegal in the language of the levies so to pre-stall... forestall any suits by taxpayers, they come into the General Assembly, we validate what they've done, even if it's incorrect. Nothing illegal."

Pullen: "I think the Gentleman has explained the Bill, now, very well. This is to ..."

Giorgi: "Make something illegal, legal."

Pullen: "This is to preclude tax protest suits in case there is something illegal in the adoption of the tax ordinances that our State law prescribes. And I think that Members of the House ought to recognize what they are doing to the taxpayers when they pass such a Bill."

Giorgi: "But it should be said that in writing some of these ordinances, there may be just unintentional, technical errors by new clerks and people at entry level positions that handle these ordinances. So, all we're doing is validating the honest intent of our municipal people all over the State of Illinois. I urge the support of this Bill."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who

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wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 63 voting 'aye', 44 voting 'no', 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 742. Out of the record. On this Order appears Senate Bill 943. Out of the record. On this Order appears Senate Bill 1138. Ms. Wojcik, Chamber? Out of the record. Ms. Wojcik, relax. We'll let you walk to your seat. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1138, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Wojcik: "Mr. Speaker, I ask for leave to take it back to Second Reading for the purpose of an Amendment."

Speaker Greiman: "The Lady asks leave of the House to return this Bill to the Order of Second Reading for the purpose of an Amendment. Does the Lady have leave? She has leave. Mr. Clerk, are there Amendments to this Bill?"

Clerk Leone: "Floor Amendment #1, offered by Representatives Wojcik and White."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik, on Amendment #3."

Wojcik: "Yes, Mr. Speaker and Members of the House. What Amendment #1 does ..."

Speaker Greiman: "#1."

Wojcik: "It clarifies the question that President Dunn had regarding the appointments for the Township Supervisors and the County Board Chairmans. It is agreed to. Representative White and I have spoken with President Dunn and the Amendment is conducive to his thoughts. I ask for its favorable adoption."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik, moves for the adoption of Amendment #1 to Senate Bill 1138. And on that,

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the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, will the Sponsor yield? I thought that the Lady wanted to go with Amendment #2. That Amendment #1 was practically ... Yes, ma'am. Sure."

Wojcik: "You're on the wrong Bill. There's only one Amendment."

Speaker Greiman: "Ms. Wojcik, the Clerk advises me there are two Amendments filed to this Bill."

Cullerton: "I think you're on the wrong Amendment."

Wojcik: "I'm not aware of Amendment #2."

Cullerton: "Well, Mr. Speaker. I understand that the Amendment might be technically incorrect. The amended language not being underlined. And I would ask that the Amendment be ruled out of order."

Speaker Greiman: "The Chair has examined the Amendment and finds that it is out of order."

Cullerton: "Are there any further Amendments?"

Speaker Greiman: "Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Wojcik and White."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik, on Amendment #2."

Wojcik: "Well, comes the dawn. I did not see this Amendment. I will withdraw Amendment #1. Amendment #2 seems to have the correct wording. And so, I again, move for its favorable adoption."

Speaker Greiman: "The Lady ..."

Wojcik: "I tabled it. It was ruled out of order."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik, moves for the adoption of Amendment #2 to Senate Bill 1138. And on that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted."

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Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. The Lady from Cook, Ms. Wojcik, asks leave of the House to have this Bill heard at this time using the Attendance Roll Call. Does she have leave? Leave is granted. Mr. Clerk, read the Bill on Third Reading."

Clerk Leone: "Senate Bill 1138, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

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

Wojcik: "Yes, Mr. Speaker and Members of the House. Senate Bill 1138 amends the Public Aid Code. It provides that appeals by recipients or applicants under the General Assistance Program in Cook County, outside of Chicago, shall be taken to a Public Aid Committee consisting of five Township Supervisors and three other persons knowledgeable in the area of General Assistance and Department of Public Aid regulations. It also provides for selection in terms of Committee members. It deletes the provisions that the Committee shall consist ... that was deleted with the Amendment. I ask favorable passage."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik, moves for the passage of Senate Bill 1138. And on that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

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

Cullerton: "Now, as I understand it, there is a Public Aid Committee which is established right now. Is that correct?"

Wojcik: "Yes."

Cullerton: "And there's five members on that Committee right now?"

Wojcik: "Yes."

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Cullerton: "Okay. How many members will there be after this Bill passes?"

Wojcik: "It says the County Board President or Chairman shall choose the five members from a list of ten individuals submitted."

Cullerton: "Okay. So, there will still be five members?"

Wojcik: "Yes."

Cullerton: "How are the members right now chosen?"

Wojcik: "Representative, I have to get the Bill. Just a moment. Would you like to take it out of the record? Representative, would you repeat your question."

Speaker Greiman: "Mr. Cullerton."

Cullerton: "Yes, I just want to know how the ... how the members of the current Committee are chosen?"

Wojcik: "I would assume through the County Board Chairman."

Cullerton: "Okay. Could you give us a little background as to ... what the ... where the Bill comes from. I understand that there was a consent decree that involved the 1980 case, a consent decree, whereby a certain individual was...a recipient from DeKalb Township was turned down for unsatisfactory completion of a work fare assignment. And there was a problem with the notice that was given. Is that where this Bill comes from? I'm sorry to ask these embarrassing questions, but ..."

Wojcik: "It isn't embarrassing. It's just that I was trying to read the analysis, and I don't see anything in the analysis that would allude to the question that you're asking me. I would say that ..."

Cullerton: "Well, what do we need the Bill for then?. Why don't you just tell us what the Bill does again."

Wojcik: "The Bill amends the Public Aid Code. Provides that appeals by recipients or applicants under the General Assistance Program in Cook County, outside of Chicago,

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shall be taken to a Public Aid Committee. Now, the ... Senator Kustra put the Bill in, in the Senate. And I am waiting now for the proper information as to the background that you are speaking of. I am not familiar with that, Representative."

Cullerton: "Okay, so then Amendment #2 provides that the Public Aid Committee members be appointed by Township Supervisors, as opposed to the President of the County Board?"

Wojcik: "Would you repeat that question."

Cullerton: "Amendment #2, the one that you said didn't exist, that called for a change in the Bill so that instead of the President of the County Board making the appointments, the Township Supervisors make the appointments?"

Wojcik: "Right."

Cullerton: "And does the Bill still require that no more than three can be from the same political party?"

Wojcik: "Would you repeat the question again, please."

Cullerton: "Yes. Does the Bill still require that no more than three of the five members be from the same political party?"

Wojcik: "No."

Cullerton: "It no longer requires that?"

Wojcik: "Correct."

Cullerton: "Well, there's a list of ten members appointed by whom? The County Commissioners?"

Wojcik: "The list of ten members was also deleted."

Cullerton: "Okay, so now we just have the Township Supervisors making the appointments of five people."

Wojcik: "Period. Yes."

Cullerton: "And how many Township Supervisors are there? 20?"

Wojcik: "In Cook County, or in the State of Illinois? In Cook County?"

Cullerton: "No. Well, this only ... Does this only apply to Cook



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County?"

Wojcik: "There's 36 townships in Cook County. 30. 30 townships."

Cullerton: "30. And so 30 Township Supervisors are going to get together and elect five people to this Board?"

Wojcik: "Excuse me. Representative, I would like to take this Bill out of the record."

Cullerton: "It's fine with me."

Speaker Greiman: "The Lady is within her rights. The Bill will be out of the record. On this Order appears Senate Bill 1266. Mr. McNamara? Out of the record. On this Order appears Senate Bill 1304. Hr. Countryman, 1304. Hr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1304, a Bill for an Act to amend the Personnel Code. Third Reading of the Bill."

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

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House...or, Senate Bill 1304 amends the Personnel Code. It establishes an Executive Development Program to provide scholarships for academic degrees for Senior Executive Training Programs beyond that of the Bachelor's Degree level. The Bill provides that 25 State employees may qualify who meet the following requirements. They are nominated for the scholarship by the head of the employee's agency, and approved by the Director of Central Management Services. They are subject to a term appointment appointed by the Governor, meet the admission standards of the institution awarding the degree, and agree to remain in the State employment for a minimum of four years after receiving the degree or training. The State may recover the scholarship by garnishment lien or other appropriate legal action, if the employee fails to continue State employment for those four years. The State reduces by 25%

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of the gross amount which was paid for tuition, for each year the employee serves beyond ... after receiving the degree until the full four years are completed. The amount of the scholarship shall not exceed that which is charged by the various universities in Illinois, regardless if the employee enrolls in a university, any public or private institution, and the scholarship does not cover textbooks or equipment. This should have no fiscal impact. As of the current situation, we are providing tuition assistance to people taking these sorts of degrees. It improves the law by allowing us to recover the cost if the employee gets the degree, and in essence, leaves the State employment immediately upon obtaining the degree. Two Amendments were placed on the Bill yesterday. One Amendment provides that the Director of CMS should take every step possible to make sure that a third of the people enrolled in the program are female, and the other Representative Homer offered, would enhance the enforcement possibilities and make sure that the enforcement could be made in the event that people would, in essence, not make a payment, to return the tuition money advanced. And with that, I'd move its passage."

Speaker Greiman: "The Gentleman moves for the passage of Senate Bill 1304. And on that, the Gentleman from Vermilion, Mr. Black."

Black: "Thank you, very much, Mr. Speaker. Would the Gentleman yield?"

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

Black: "Thank you. Representative Countryman, I think you answered this question, but is it your intent to tighten up a process that already exists? I think some four or five years ago, there were some difficulties with people taking tuition money, getting a Master's or advanced degree, and

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then immediately accepting a higher paid position. I think I heard you say, all this Bill does, is to really tighten up the possible abuses that might have existed under this program a few years ago. Is that your intent?"

Countryman: "Well, under the ... Currently, under existing law, they could get a tuition reimbursement for taking a Master's Degree. This would be a program where they can get a Master's Degree, while under our employment, but then they owe us four years of service beyond that. If they serve one year, then they have to pay us back 75% of what we advanced. If they serve two years, 50%, and so forth. So, in essence, they're going to assure us four years of employment beyond obtaining the degree. And this gives the authority and the methodology of recovering that money."

Black: "Well, thank you. It sounds like an improvement to me, and I would certainly be more than happy to support your Bill."

Countryman: "Well, thank you, Representative."

Speaker Greiman: "Further discussion? There being none, the question is ... I'm sorry, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes. Will the Sponsor yield?"

Speaker Greiman: "He indicates he will."

Cullerton: "With regard to the payback, as I understand the ... they get the scholarship and the State can recover the cost of the scholarship if they fail to continue in the employ of the State. Is that right?"

Countryman: "I'm sorry. Could you repeat that? I've got too much noise going on over here."

Cullerton: "A person has to remain in the employ of the State for a minimum of four years, after receiving the training. Is that correct?"

Countryman: "That's right, or they reimburse the State 25% for

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each year that they didn't serve beyond that."

Cullerton: "So, what if the term of term appointees ... Alright, well explain that to me again. If they lose their State job, for every year that... If they lose their State job right after they get out, they have to pay back the whole thing."

Countryman: "That's right."

Cullerton: "Alright. Then if they work one year after ..."

Countryman: "They pay back 75%."

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

Speaker Greiman: "The Gentleman from Cook, Mr. Sutker? There being no further discussion, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. And on this Order of Business appears Senate Bill 1266. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1266, a Bill for an Act to add to the Illinois Fairness in Lending Act. Third Reading of the Bill."

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

McNamara: "Thank you, Mr. Speaker. I'd like to return this to Second Reading for purpose of an Amendment."

Speaker Greiman: "The Gentleman asks leave of the House to return the Bill to the Order of Second Reading for the purpose of an Amendment. Does he have leave? Leave is granted. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Floor Amendment #5 is being offered by Representative McNamara."

Speaker Greiman: "The Gentleman from Cook, Mr. McNamara on

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Amendment #5."

McNamara: "Thank you, Mr. Speaker. What this Amendment does, is it has been worked out with the agreement with some of the people involved from the Savings and Loan Associations, and what it does is, it amends the Bill to say that if it is the applicants fault that the ... that the loan is not granted within 60 days, that no penalties or fees would be afforded to the ... to the bank or savings institution. I urge for its adoption."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #5 to Senate Bill 1266. And on that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' Those in favor, 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Cook, Mr. McNamara, using the Attendance Roll Call, asks leave of the House to waive the appropriate rule so this Bill may be heard at this time. Mr. Clerk... Does the Gentleman have leave? Leave is granted. Mr. Clerk, read the Bill on Third Reading."

Clerk Leone: "Senate Bill 1266, a Bill for an Act to add sections to the Illinois Fairness in Lending Act. Third Reading of the Bill."

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

McNamara: "Thank you, Mr. Speaker. Senate Bill 1266 amends the Illinois Fairness in Lending Act. And it provides that an applicant for a residential mortgage loan may withdraw such application and receive a refund of all fees paid in connection therewith if no determination regarding the approval of the application is made within 60 days of the date of the application. It is a good consumer policy."

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There is no opposition at this time that I know of, and I urge for its approval."

Speaker Greiman: "The Gentleman from Cook, Mr. McNamara, moves for the passage of Senate Bill 1266. And on that, the Gentleman from Madison, Mr. Wolf."

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

Speaker Greiman: "Indicates he will."

Wolf: "Representative McNamara, would you please explain again, what fees or what expenses the applicant would be refunded if he withdrew his application?"

McNamara: "If he withdrew his application under this Bill, it would be all fees and application fees, including the appraisal cost, the fees that would be connected with the loan."

Wolf: "Including credit report application fees?"

McNamara: "That's correct."

Wolf: "And appraisal fees, even though those expenses had been incurred by the lending institution?"

McNamara: "That's correct."

Wolf: "Would this apply even if an applicant had made an application for a federal housing loan, for instance, or a veteran's administration loan, where in these cases, a lot of times the delays that are experienced by a lending institution are not the fault of the lending institution, but delays that they incur because of, let's say, slowness in administration by FHA or VA."

McNamara: "This is addressed by the Amendment #5, which was worked out with some of the people from the Savings and Loan Associations. So that in the event that those delays were not created by that financial institution, they would not be penalized by returning those fees. And that was the substance of the Amendment #5."

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Wolf: "How would that be determined, whether or not the delay that was incurred was the responsibility of the lending institution, or whether it was by FHA, let's say?"

McNamara: "I don't know."

Wolf: "Well, in other words ... That's alright. Thank you, Mr. Speaker."

Speaker Greiman: "Further discussion. There ... The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open and this is final action. The Gentleman from DuPage, Mr. Hoffman. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'aye', none voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. McCracken, for what purpose do you seek recognition?"

McCracken: "I wonder, Mr. Speaker, if we could entertain Representative Preston's memorial to the late Richard Daley. It's on this Order of Business and I know he wanted to present it."

Speaker Greiman: "That's precisely where we were going to go, Mr. McCracken. Mr. Clerk, House Resolution 597."

Clerk Leone: "A Motion. I move to discharge Executive and Veteran's Affairs from further consideration and advance to the Speaker's table, House Resolution 597."

Speaker Greiman: "The Gentleman moves to discharge Executive Committee from further consideration of House Resolution 597. Is there leave to use the Attendance Roll Call? Leave is granted. Mr. Clerk, read the Resolution."

Clerk Leone: "House Resolution 597, memorial for Mayor Richard Daley."

Speaker Greiman: "The Gentleman from Cook, Mr. Preston, on House Resolution 597."

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Preston: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What House Resolution 597 does, is to, in effect, petition the federal government for the issuance of a commemorative stamp in honor and in memory of the late Mayor of Chicago, Richard J. Daley. As most of you, not most of you, all of you are aware, the late Mayor Daley was one of the most prominent figures during his rich and long career as a Mayor of the greatest large City in the United States. He was one of the most prominent figures, and the rules of the postal service is that an individual has to be dead for ten years before they will entertain the issuance of a commemorative stamp in memory and in honor of that individual. That ten year period, much to my amazement when I thought of it, has expired. I think a commemorative stamp in honor of this great man, would be one of many, but an important fitting memorial to the people of Chicago, to the people of Illinois, both Democrats and Republicans, and all those who cherish the memory and the honor of one of the most important and prominent political and governmental leaders, really in the history of this country. So I would ask also, Mr. Speaker, that all the Members of the House be added as Co-sponsors, if that is possible, with leave of this Body, to this House Resolution. And I'd ask for an 'aye' vote for the adoption of the Resolution."

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

McCracken: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Resolution. I think that, whether Republican or Democrat, all of us have reason to be proud of Mayor Daley. He was the most influential Democrat in the country for many years. He brought prominence to the City of Chicago. He made the City of Chicago work. And I think his record is one that all citizens of Illinois can be very proud of. And I am very glad the Gentleman has brought



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this Resolution. I had occasion to meet Mayor Daley one or two times myself and consider it an honor. So I stand in hearty support of this Resolution."

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

Daley: "Thank you, Mr. Speaker and Members of the House. I stand as a Member of this Body, but also as a member of the family, to thank Lee Preston and the other Members of this Body for this House Resolution. Richard J. Daley was indeed a great public official and a great political leader, but above all, he was a great father. I thank Lee Preston, as I stated earlier, and the other Members of this House. Thank you, very much."

Speaker Greiman: "The question is, 'Shall the Resolution be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Mr. White, for what purpose do you seek recognition?"

White: "Mr. Speaker and Ladies and Gentlemen of the House. I'd like to have leave to table Senate Bill 1020."

Speaker Greiman: "You are the principal Sponsor of that Bill?"

White: "Yes, I am."

Speaker Greiman: "Does the Gentleman have leave to table Senate Bill 1020? Leave is granted. Senate Bill 1020, tabled. On the Order of Economic Development, Second Reading, appears Senate Bill 591. Mr. Steczo, did you wish to proceed on that? Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 591, a Bill for an Act to amend the Township Open Space Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Motions with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

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Speaker Greiman: "Third Reading. On this Order appears Senate Bill 1249. Out of the record. On this Order appears Senate Bill 1400, Mr. Panayotovitch? Out of the record. On this Order appears Senate Bill 1416. Mr. Clerk, read the Bill. Mr. Capparelli, do you wish to proceed? Out of the record. And now on Economic Development, Third Reading, appears Senate Bill 1. Mr. Dunn, do you wish to proceed on Senate Bill 1? Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 01, a Bill for an Act to amend an Act in relationship to export development. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Macon, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1 is a Bill which would create the Export Trading Company Act and it provides for an organization and structure to encourage the development and creation, creation and development actually, of export trading businesses in the State of Illinois. And to encourage their development, there is provided in the legislation, a two year exemption from Corporate Illinois Income Taxes, to encourage people to come to Illinois to do business. I ask for a favorable vote on Senate Bill 1."

Speaker Greiman: "The Gentleman from Macon, Mr. Dunn, moves for the passage of Senate Bill 1. And on that, the Gentleman from McLean, Mr. Ropp."

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

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

Ropp: "Representative, can you tell me whether or not this has any relationship to the current Ag Export Authority and Advisory Group, that is now under the Lieutenant Governor?"

Dunn: "The answer to the question is, you probably know more about this than I do, as a former director of that department. What I do know, is that there are definitions

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in the legislation about who is an Export Trading Company. I can provide that information for you. I do also know that Section 3 of the Act contains language which Lieutenant Governor Ryan did want. So, I think that this legislation addresses his concerns."

Ropp: "Okay. I was attempting to find out whether or not this was setting up another agency, which we already have in his office, as well as in the Department of Agriculture and in the Department of Commerce and Community Affairs."

Dunn: "This is a separate Council."

Ropp: "Okay, that's why, I guess I'm wondering. Why do we need another separate one, when those other three entities are already attempting to do the same thing, which is create foreign markets and inspire Illinois processors or producers and growers to become more involved in International trade? I'm wondering whether or not, why we're spending this money on a new agency when I think we already have about three entities doing the same thing."

Dunn: "I think the answer has to be, simply, that, and it's not only in Illinois, but elsewhere, we're not getting the job done. I'm sure the headline in your paper this week, this very week, was the same as in my newspaper, and that is that the United States of America is now the worlds largest debtor nation having surpassed Brazil. It's time to reverse that trend. And we need to get about the business of reversing the debtor situation that we have with other countries. This type of legislation is a step in that direction and should be approved."

Ropp: "Well, I think it's a worthy idea. However, when the Lieutenant Governor already has programs which will actually give, at least grants, through banks to establish international outlets and trading posts around the world, it almost seems like we're spending money duplicating

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programs that are already in force. And it's going to be ... that's my question, whether or not we need something else to do what we are already doing?"

Dunn: "The answer is, of course, this is badly needed. We need to rush this Bill to the Governor yet today."

Speaker Greiman: "Further discussion? There being none, Mr. Dunn, to close."

Dunn: "I simply ask for a favorable Roll Call."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 96 'ayes', 14 'nos', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the previous Order, on Economic Development, Second Reading, appears Senate Bill 1400. Mr. Clerk, read the Bill."

Clerk Leone: "On page 18 of the Calendar, Senate Bill 1400, a Bill for an Act to amend the Steel Products Procurement Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Panayotovich."

Speaker Greiman: "Mr. Panayotovich, on Amendment #1."

Panayotovich: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. Amendment #1 is an Amendment we had originally on the Buy American Bill before. It has the deal that exempts Canada. And I move for its adoption."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #1 to Senate Bill 1400. And on that, is there any discussion? There being none, the question is, 'Shall

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this Amendment be adopted?" All in favor, 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Panayotovich."

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

Panayotovich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 seems to clarify the Bill a little bit more. CMS had some problems as to what 50% content meant. And what we did is, we spelled it out year by year, percentage by percentage. And I move for its adoption."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #2 to Senate Bill 1400. And on that, the Gentleman... the Lady from Cook, Ms. Didrickson."

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

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

Didrickson: "Representative Panayotovich, CMS... are you saying we met some of CMS's objections with this Amendment?"

Panayotovich: "I said they had some objections. They didn't know what content... what the 50% figure... the 50% number meant at the time... and they asked for some...."

Didrickson: "Well then, why don't you explain how this Amendment differs from the original Bill, and how you might be meeting some of CMS's objections."

Panayotovich: "Well, CMS never has any objections to good legislation. What this Bill does is, it takes and it clarifies what American made products are, content of 60%, 70%, 80% and so on, and so forth."

Didrickson: "Well, with this Amendment you are making it a more stringent Bill than it originally existed and I think everybody ought to understand that. Instead of 50% content, United States content in a product, we are now

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talking about in the year '89 it has to be 60%. So this Amendment increases the content. And in 1990, '91 and '92 we're talking about 70% United States content. And what I'd like to ask you, Representative, is let's just talk about computers. Let's just talk about the State purchasing computers, CMS purchasing computers, those of us who sit in Appropriations, look at that EDP line. Who are we going to knock out of the box with this Amendment?"

Panayotovitch: "Pardon?"

Didrickson: "Who are we going to knock out of the box with this Amendment? Will we be able to purchase WANG computers? Will we be able to purchase IBM computers?"

Panayotovitch: "If they're made in America and they meet the requirements, we can buy them from anywhere in America. If we... Don't forget, if you remember the Bill we passed a couple of years ago, also had some exemptions. If they're not available in the United States, if they, perhaps were not made here, then we can buy them wherever, if they're not going to fit to the specifics of a Department or whatever. There are some exemptions in the Bill. And we're amending it, of course, to the Buy American Bill."

Didrickson: "Well, for example, chips that WANG uses are not made in the United States."

Panayotovitch: "Well then we could buy them."

Didrickson: "We can buy chips?"

Panayotovitch: "If they're not made in the United States and we do not provide what is needed, we can buy them anywhere."

Didrickson: "So we could buy WANG computers?"

Panayotovitch: "If they're not made in the United States and they're not available to be bought, yes."

Didrickson: "But would we be able to buy other products from them?"

Panayotovitch: "I'm sorry..."

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Didrickson: "My understanding... and I'm just... Just for point of clarification. If you have other information, you give that to me. But, this Bill, this Amendment knocks out Caterpillar, knocks out Xerox, knocks out WANG, knocks out General Motors, Ford, Chrysler, American Motors, Mercury Motors, Navi-Star, International Harvester, John Deere, Ford Tractors, 3M, Eastman Kodak, GE, Motorola, I mean it goes on and on, Pitney Bowes, Dictaphone, etc. I only keyed in on the electronic data processing, because that's an area that we, in State government, are working to improve. I mean that's... and we're making purchases, large purchases in that area. Unless you have other information, I don't see how we can purchase... And then I can go into specific products for those companies here. And this is my understanding and information I have been getting from CMS."

Panayotovich: "The intent being... The intent being, and if need be, I will again work with you, like I've offered many times. The intent being, is what is made in America that is needed. If it is made in America and it is available to be purchased in America we will buy it in America. If we do not make it, that specific item that is needed, say a computer, and if it is not made in America, by an American company, then we can... the State or whoever, can purchase wherever they want."

Didrickson: "Well, okay. To the Amendment. I think I've just itemized a number of corporations, a number of companies that we would not be able to do business with, it is my understanding from CMS. Additionally, I think, as well intentioned as Representative Panayotovich is, I also think there's ... Another concern that I have with regards to sponsorship of Senate Bill 1, where on one hand, he's trying to do business with other countries and on the other

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hand he's saying Buy American. I think there is a discrepancy here, in terms of logic. And I would just ask for your opposition to this Amendment."

Speaker Greiman: "Further discussion? The Lady from Cook, Ms. Parcells."

Parcells: "Thank you, Mr. Speaker. Last year we killed this underlying Bill, and this Amendment that has been added to a Bill that is identical to last years 1665, just makes this Bill worse. It is so confusing that our agencies here would never be able to figure it out. They spend hundreds of millions of dollars and how are they supposed to figure out what percent of each of those millions of items they buy, are made in the U.S.? We talk about 50% in 1988, 60% in '89, 70% in 1990. And what percent of what? How are we measuring the percent? We're measuring it by weight, 50% of the weight of this item? Are we talking about 50% of the number of parts, the component parts that go into it? 50% by volume or 50% by cost? We don't know what... 50, 60 or 70% of what? It doesn't even make any sense. The task is so impossible that even IBM and Xerox, when asked, said they couldn't tell us. They say 'We've got a lot of parts that are foreign made and a lot that are here. We don't know. We'll have to sit down and analyze this'. And we're going to ask all of our agencies of government to sit down and analyze 50, 60 and 70 percent of what? They don't even know if it's by weight, by price, or by what. Further more, at that 70% figure, Caterpillar has informed us, our own Caterpillar, right here in Illinois, has informed us that they won't be able to sell us products. Many of their products have so many foreign parts that they will not be able to sell us their products. And we've really defeated the very thing we're after. This Amendment will destroy competition. It will raise prices of government, where all



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of our government agencies will have to hire help to be figuring this out, and I think it's a very bad Amendment and I ask you to oppose it."

Speaker Greiman: "The Gentleman from Warren, Mr. Hultgren."

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

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

Hultgren: "I have some questions raised as a result of the discussion that I've been hearing and I'm wondering if you can tell me, does... will this affect the State's ability to purchase, number one, products from Caterpillar, and number two, computers from IBM? Do you know the answer to either one of those questions?"

Panayotovitch: "Would you... I'm sorry. Can't hear over the talk. Number one."

Hultgren: "Will this affect the State's ability to purchase products from Caterpillar Tractor? Do you know, one way or the other?"

Panayotovitch: "It would not if they're made in America, no."

Hultgren: "Do you know... Are there some Caterpillar products that would fall under the prohibition of this Bill?"

Panayotovitch: "Do I know what? I'm sorry."

Hultgren: "Are there some Caterpillar products that would come within the prohibition of this Bill?"

Panayotovitch: "Ones that are made in foreign countries, yes. I couldn't give you specifics, because I don't know the company."

Hultgren: "Are there some products of IBM that would fall within the prohibitions of this Bill?"

Panayotovitch: "If they're not made in America, yes."

Hultgren: "Okay. And is... Well, I guess that question relates to a future Amendment. Mr. Chairman, if we could... Mr. Speaker?"

Speaker Greiman: "Yes, Mr. Hultgren."

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Hultgren: "I think I'm through with my questioning, but I would appreciate a Roll Call vote on the Amendment."

Speaker Greiman: "Certainly, Mr. Hultgren. You're within your rights. Further discussion? There being none, the Gentleman from Cook, Mr. Panayotovich, to close. Yes, excuse me, Mr. Panayotovich. Mr. Black was seeking recognition. Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Greiman: "Yes, he indicates he will."

Black: "Thank you. Representative, I need to make one thing cleared up for me. Under Amendment #2, is it your intent to sunset this Bill, this entire Bill as of January 1, 1993?"

Panayotovich: "Yes, Sir."

Black: "Alright. Let me just ask you another question. I think it follows up on Representative Hultgren's questions. I've talked with some of my UAW people today and I have some concerns as do they, as of this moment, that whatever we do doesn't adversely impact their ability to work, manufacture the Caterpillar, the General Motors product and sell it. I would remind you, as they reminded me, that the State of New Jersey wanted to do something very similar to this. They got a good idea and they said they were going to buy all their vans the following year, but the only van they could buy was one that was manufactured entirely in the United States. You know the only valid bid they got was from Volkswagon. So, obviously, what was a good idea on its face, did not turn out to be a very good idea. I guess my only concern is, and I heard what you said to Representative Hultgren, and I have a call in to my sub-regional director at the UAW, is I ... and I'm going to have to rely on your word now, Sam, I can only hope that

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what your attempting to do, will indeed do what you want it to do, and not further exclude UAW made products, i.e. Caterpillar and General Motors from the marketplace. If you can give me some reasonable assurance that we're not making a mistake here, I'm going to probably vote for your Amendment."

Panayotovich: "All I can tell you, Representative, at my word, is that this Bill was worked together from the UAW and I have their support and I've just gotten nods from many of the UAW members who are here with us. And as a matter of fact, the UAW was the one that gave me Amendment #2 to clarify the problem we had because it was... the Bill originally was very ambiguous. So, my intent is working with the UAW, having a plant in my district also, and you know, of course with the steel plants and everything the situation, so the intent is definitely a benefit to the UAW, and as soon as we get done with this debate, I can take you to the back and introduce you to gentlemen that will tell you. They're lobbyists."

Black: "Thank you, very much, Representative. The last question I have is that... and I generally like sunset provisions, but I'm not sure I understand why you want to sunset this particular Bill."

Panayotovich: "Well, I would... when we go talk to the UAW after we're done, we'll ask them. I think it's a great idea, because if it doesn't work at the end of this period, let it die."

Black: "That sounds reasonable to me."

Panayotovich: "Thank you."

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

Panayotovich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We heard everybody talking about companies that

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are going to be affected and who we're not going to be able to do business with, who we're going to be able to do business with. One thing that people didn't talk about on the other side of the aisle, and I can understand the Republican administration and their services having trouble reading good legislation. They have problems with a lot of Bills and they're confused about a lot of things. But let's talk again about the bottom line on this. We're talking about creating jobs here in America. And you go back to your district where you've got high unemployment, and you tell them that you're turning around and taking their taxpayer dollars and spending it to buy foreign made anything, when they're sitting at home and don't have money to put food on the table, that's all this is about. That's what this is about. Putting people back to work. And I would move for the adoption of Amendment #2."

Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Mr. McCracken, one minute to explain your vote."

McCracken: "I wonder if Representative Panayotovitch will feel that same way after his mentor and he come over to our side of the aisle."

Speaker Greiman: "Again, a direction to the Body about Rule... I think 73, that discusses engaging in personalities and naming names. Have all... Yes, Mr. Panayotovitch, one minute to explain your vote."

Panayotovitch: "Yes. It's always tough going into the minority, so you don't have to worry about that for awhile. Years and years and years. More 'aye' votes."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 77 voting 'aye', 35 voting 'no', none voting

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'present'. The Amendment is adopted. Are there further Amendments? Further Amendments?"

Clerk Leone: "Floor Amendment #3, offered by Representative Parcells."

Speaker Greiman: "The Lady from Cook, Ms. Parcells, on Amendment #3."

Parcells: "Thank you, Mr. Speaker. This is a big order that we're giving out to local governments, governments of all size, besides the State. Local governments are going to have to buy American too. And this Bill simply says that since we've made that decision for them, they're in a financial pinch terrifically, as are we, and they now don't have revenue sharing any more, and they will not appreciate us telling them that they're going to have to go through this and pay more money for their parts. Therefore, this Amendment says, that the State shall reimburse units of local government for any increased costs, which are direct result of the requirement of this amendatory Act. And I move for its adoption."

Speaker Greiman: "The Lady from Cook, Ms. Parcells, moves for the passage... for the adoption of Amendment #3 to Senate Bill 1400. And on that, the Gentleman from Cook, Mr. Panayotovich."

Panayotovich: "Thank you. Representative Parcells, could you tell me where in the Bill it says anything about local governments?"

Parcells: "Yes, Sir. Just a moment, I'll get it out. On page 2, where it defines under Section 3(a), public agency means the State of Illinois, its departments, agencies, boards, commissions and institutions, and all units of local government including school districts."

Panayotovich: "Well we're talking... that's existing law. The new language just deals with the State. Each contract on

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the bottom... pick up from the bottom of the page and go to the back, we're just talking about State government here.

This only affects State government, not local government."

Parcells: "They are not referred to at all within the Bill?"

Panayotovich: "Not under this Act."

Parcells: "Then this Amendment certainly wouldn't do any harm, would it?"

Panayotovich: "Well, sure it would, because it's from that side of the aisle. I stand in opposition to this Amendment. I really... it doesn't mean anything, and if you just want to have some more legislation that doesn't mean anything, you know, go for it."

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

Didrickson: "Thank you, Mr. Speaker. Would the Gentleman yield... Well, would the Sponsor of the Amendment yield for a question?"

Parcells: "Yes."

Didrickson: "Representative Parcells, on page 2, maybe I'm not reading this correctly, lines 6 through 9, where it defines public agency means the State of Illinois, its departments, agencies, boards, commissions, institutions and all units of local government including school districts. I interpret that to mean that it would be all units of government in the State of Illinois, not just the State of Illinois, but units of local government including all of your school districts. Do you read it that way and interpret it that way?"

Parcells: "Yes, Representative. That's exactly how I read it which is what made me put this Amendment on, is because I realized that the school districts and the units of local government, all of whom have lost revenue sharing and are very short financially because of it, that they would all be affected by this Act, because it does say Section 3 for

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the purpose of this Act. And then that's just what you read to me."

Didrickson: "Well, then Representative, I think this side of the aisle has come up with a very fine Amendment. I think we all ought to support this."

Parcells: "Thank you."

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

Panayotovich: "I wasn't finished yet with questions, and I guess, you know..."

Speaker Greiman: "I thought you were. I thought you had..."

Panayotovich: "That's okay. I just wanted to point out that..."

Speaker Greiman: "Well, proceed then, Sir. Proceed."

Panayotovich: "Thank you. Back to this point. It says all they're doing in part A is defining what a public agency is. Okay? We're talking about in the new language ... in the new language it says that the State of Illinois, not a public agency. So, we're talking just about State of Illinois. I will not go any further. I stand in opposition to this. Why should the State help out local governments in this kind of a case? It doesn't even apply to it. Let's just get on with it and have our vote and go."

Speaker Greiman: "Further discussion? There being none, Ms. Parcells to close."

Parcells: "Thank you, Mr. Speaker. I'd like a Roll Call on this at the time we vote, and I would like to say that our interpretation here is that it does include local government and in case it doesn't, that would be wonderful, they will be delighted, but in case it does, this will cover and there will be no reimbursement, so the Amendment certainly couldn't do any harm. If in fact, they are not included, the State wouldn't have to reimburse anything."

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And I move for the adoption of Amendment #3."

Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 43 'ayes', 69 'nos', none 'present'. And the Amendment fails. Are there further Amendments?"

Clerk Leone: "Floor Amendment #4 is being offered by Representative Parcels."

Speaker Greiman: "The Lady from Cook, Ms. Parcels on Amendment #4."

Parcels: "Thank you, Mr. Speaker. I believe last year, or the last time we went... had this same Bill presented, this Amendment was, in fact, adopted. This raised that minimum amount from \$500 which, as we know, is a very small expenditure for a state agency. They can hardly buy any paper for less than \$500, and it raises that minimum amount to \$5,000."

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

Panayotovich: "Yes, Sir. Could you tell me if this Amendment is in Order. The Amendment that I show here on my desk, says Amendment to House Bill 1400 and this is Senate Bill 1400. And I hope that the Republicans didn't make another drastic mistake."

Speaker Greiman: "You're correct, Mr. Panayotovich. The Amendment is out of order."

Parcels: "Can we amend it on its face?"

Speaker Greiman: "Are there further Amendments?"

Parcels: "Can we amend it on its... to say Senate Bill."

Speaker Greiman: "Well, you could make that Motion."

Parcels: "I think Representative Panayotovich liked this



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Amendment the last time."

Speaker Greiman: "Well, let's not debate that, Ms. Parcell, if you please."

Parcells: "Can we amend it on its face, I'm asking?"

Speaker Greiman: "If you ask leave of the House for that, that could be done. But you have not. So therefore, are there further Amendments?"

Clerk Leone: "There are no further Amendments."

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

McCracken: "Now you know the Lady was trying to put it, and she was trying..."

Speaker Greiman: "Now, Mr. McCracken, I don't know..."

McCracken: "Mr. Speaker, let's not get off on this...."

Speaker Greiman: "Mr. McCracken? Mr. McCracken, let us not make a..."

McCracken: "Mr. Speaker, let me speak to the issue."

Speaker Greiman: "Mr. McCracken, there is no issue, I'm about to let the Lady put her question."

McCracken: "Okay."

Speaker Greiman: "Well, Ms. Parcells."

Parcells: "Thank you, Mr. Speaker. With leave of the House, I would like to amend... to amend the Amendment on its face to state Amendment to Senate Bill 1400 for Amendment #4."

Speaker Greiman: "The Lady asks leave of the House to amend Amendment #4 on its face. Does the Lady have leave? You do not have leave, Ma'am. Are there further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Mr.... Yes, Mr. Panayotovitch, there has been a State Mandates Act request filed on this Bill. So the other Bill would have to stay on the Order of Second Reading. Mr. Panayotovitch."

Panayotovitch: "Being we are not reimbursing anybody for anything

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now, I would move that this Mandates Act does not apply to Senate Bill 1400."

Speaker Greiman: "The Gentleman moves that the State Mandates Act is inapplicable to House... to Senate Bill 1400. And on that, is there any discussion on that Motion? There being none, all those... Yes, Ms. Parcels."

Parcels: "Thank you, Mr. Speaker. Since there seems to be debate here, as to whether or not this does affect local government, I think the State Mandates note is definitely appropriate at this time, and I am the one that filed it and I would certainly like to see a statement of that. And this is one way to determine that."

Speaker Greiman: "There being no further discussion, all those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 73 voting 'aye', 41 voting 'no', none voting 'present'. And the Motion carries. Third Reading. On this Order appears Senate Bill 1416. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1416, a Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments? Mr. Hoffman, did you wish to withdraw your Amendments? Mr. Hoffman has filed Amendments 2 and 3 and wishes to withdraw them. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. Representative Braun in the Chair."

Speaker Braun: "On the Special Order, Economic Development, Third

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Reading appears House Bill... Senate Bill 144.  
Representative Hicks. Representative Hicks. Is the  
Gentleman in the Chamber? Out of the record. Senate Bill  
687. Representative Mautino. Senate Bill 687.  
Representative Mautino, are you prepared to proceed?  
Representative Mautino, you are. Thank you. Mr. Clerk,  
read the Bill."

Clerk O'Brien: "Senate Bill 687, a Bill for an Act to amend the  
Emergency Universities Act. Third Reading of the Bill.  
The Regency Universities Act. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Bureau, Representative Mautino  
on Senate Bill 687."

Mautino: "Thank you, very much, Madam Speaker. Ladies and  
Gentlemen, this is the Senate version of the House Bill  
that passed out of here that provided for a combination of  
private funding, along with public funding at the... at  
Northern Illinois University under the Illinois  
Entrepreneurship Education Act, whereby the private sector  
matches the funds established to the University System for  
Entrepreneurship Education and Training in our school  
systems. And it is established under the Entrepreneurship  
Act which is already in Illinois, and I move for its  
passage."

Speaker Braun: "The Gentleman has moved the passage of Senate  
Bill 687. And on that, is there any discussion? There  
being none, the question is, 'Shall Senate Bill 687 pass?'  
All in favor vote 'aye', opposed vote 'no'. This is final  
action. Voting is open. Have all voted? Have all voted  
who wish? The Clerk will take the record. On this  
question, there are 114 voting 'aye', none voting 'no'.  
Senate Bill 687, having received the Constitutional  
Majority, is hereby declared passed. Senate Bill 796.  
Representative Panayotovitch. Representative Panayotovitch,

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are you prepare to proceed? Senate Bill 796. Out of the record. Senate Bill 834. Representative Saltsman. Representative Saltsman. Is the Gentleman in the Chamber? Out of the record. Senate Bill 848. Representative DeJaegher. Mr. Clerk, read the Bill. Representative Matijevich, for what reason do you rise?"

Matijevich: "Well, to acknowledge one of our good friends and former colleagues, Steve Nash is right here next to me. Steve Nash."

Speaker Braun: "Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 848, a Bill for an Act to create the Quad Cities Regional Economic Development Authority. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Rock Island."

DeJaegher: "Madam Speaker, I'd like to bring this Bill back to Second for the purpose of an Amendment."

Speaker Braun: "The Gentleman requests leave to bring... have this Bill returned to the Order of Second Reading for purposes of an Amendment. Is leave granted? Leave is granted. Mr. Clerk, read the Bill."

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

DeJaegher: "Thank you, Madam Speaker, Members of the General Assembly. The Amendment itself is quite lengthy. I think that I can basically give you some brief knowledge of what the Amendment consists of. This Amendment will allow, by a vote of not fewer than five members of the Authority, that the Chairman be a public member... elected by the members. Currently, the Governor appoints the Chairman. Number two, Quick Take. The Authority pursuant to this Amendment shall have this powers of Quick Take for a period of three years. This provision is not contained in the original Bill. Three, the Authority shall commence a study of the

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feasibility of a civic center to be located within the... location of territory. This provision is not contained in the original Bill. Four, this Amendment deletes the moral obligation provision of the underlying Bill. As the Bill currently reads, if the Authority determines that it does not have sufficient funds for payment of the interest of its bond, during the next year the Chairman of the Authority shall certify to the Governor such situation. The Governor shall include this amount in his State budget. This provision allows the issuing of... to receive a higher rating on his bonds, and therefore, receive a lower interest rate."

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 848. And on that, is there any... Has moved the adoption of Amendment 2 to Senate Bill 848. And on that, is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative McCracken."

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

Speaker Braun: "Indicates he will."

McCracken: "Representative, is this the Amendment you had been waiting for? Does this have the approval of the Governor's office?"

DeJaegher: "Yes, this does, Tom. This is the Amendment we've been waiting for. This was put together by the Governor's office and John Glennon."

McCracken: "And this still retains Quick Take Eminent Domain Authority for the Authority?"

DeJaegher: "Perhaps you didn't hear what I said. Number 2, Quick Take. The Authority pursuant to this Amendment, shall have the powers of Quick Take for a period of three years. This provision is not contained in the original Bill. So the Quick Take is still in there, but it has been limited to a three year period of time."

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McCracken: "And it excludes farm and residential properties from that Authority?"

DeJaegher: "Yes, Sir."

McCracken: "Does the Authority have eminent domain for those types of properties? Just not Quick Take Authority?"

DeJaegher: "Yes."

McCracken: "Okay. And your cap of... you have a \$100,000,000 cap on bonds, or indebtedness?"

DeJaegher: "Yes."

McCracken: "Okay. Thank you."

Speaker Braun: "Is there further discussion? There being none, the Gentleman from Rock Island to close."

DeJaegher: "Madam Speaker, there is an additional amendment to this Bill. I'd like to have... I'd like to have adoption of Amendment #2, and then there's another Amendment on the Bill."

Speaker Braun: "For what reason does the Gentleman from Henry, Representative Sieben, rise?"

Sieben: "Thank you, Madam Speaker. I rise in support of the Amendment and would move for the adoption of Amendment #2 and then we'll proceed with Amendment 3."

Speaker Braun: "The Gentleman from Rock Island, Representative DeJaegher has moved for the adoption of Amendment #2. And on that... There being no further discussion, the question is, 'Shall Amendment 2 be adopted?' All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Sieben."

Speaker Braun: "The Gentleman from Henry."

Sieben: "Madam Speaker... Thank you, Madam Speaker and Members of the House. Amendment #3 to Senate Bill 848 is proposed

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here to remove Whiteside County from the Quad Cities Regional Economic Development Authority. And this would match the Amendment that was passed in the Senate last Thursday, to House Bill 2406, which is the duplicate of this Bill. We're doing this to keep the two Bills identical as they move through the two Houses. What this does then, it changes the composition of the Authority Board from 9 members to 7, by the removal of the Whiteside County delegate and also one of the Governor's appointments. It also changes the Board Corpsman action requirements from 5 to 4 members. And I would move for the adoption of Amendment #3."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #3. And on that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Cullerton: "Is this the Bill we discussed this morning, Representative?"

Sieben: "Yes, Mr. Cullerton, it is."

Cullerton: "And you told me, I think, that the idea for this Amendment came from Senator Schuneman?"

Sieben: "That's correct."

Cullerton: "And so, it wasn't your idea."

Sieben: "No, it's not."

Cullerton: "Okay. But, you're for it."

Sieben: "Yes, I am."

Cullerton: "You're borrowing Senator Schuneman's idea."

Sieben: "Following up on his. Yes, I'm borrowing his suggestion."

Cullerton: "Right. And Representative DeJaegher is in agreement with this?"

Sieben: "Yes, I believe he is, and I'm also acting at the request

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of the Whiteside County Board, who sent me a copy of their formal resolution asking for this Amendment."

Cullerton: "Oh. Oh, well that's enough... So, really it was their idea. So Senator Schuneman stole his idea from them."

Sieben: "Yes, he did."

Cullerton: "I see. Fine. Well, I think it's a good idea to steal."

Sieben: "Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Kane, Representative Kirkland."

Kirkland: "I believe in this case, Senator Schuneman loaned Representative Sieben the idea. That may differentiate it from other situations."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Rock Island, Representative DeJaegher."

DeJaegher: "I rise in support of the Gentleman's Amendment."

Speaker Braun: "The Chair recognizes the Gentleman from Henry, to close. Representative Sieben."

Sieben: "Thank you, Madam Speaker. I move for the adoption of Amendment #3."

Speaker Braun: "The Gentleman moves the adoption of Amendment 3. All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. Representative DeJaegher."

DeJaegher: "Madam Speaker, I'd like to have this Bill called now on Third."

Speaker Braun: "The Gentleman has moved... The Gentleman asks leave for immediate consideration of Senate Bill 848, on



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the Order of Third Reading. Is leave granted? Leave is granted. Mr. Clerk, read the bill."

Clerk O'Brien: "Senate Bill 848, a Bill for an Act to create the Quad Cities Regional Economic Development Authority. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Rock Island."

DeJaegher: "Thank you, Madam Speaker, Members of the General Assembly. You've heard the Amendments to Senate Bill 848, which is now the Bill. Hopefully, what the Amendments will do, is revitalize the communities. In the past two years, over 25... 20,000 jobs have been lost in this region. You may also recall that the Governor of the State of Illinois is concerned with the region. He wants to, basically, do something in that particular area. I think it's a terrible situation, when a community such as we had loses that many jobs. And hopefully that all of you will be supportive of this Bill, and hopefully that each and everyone of you will take it within yourself to vote 'green' on 848. Thank you.

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 848. And on that, is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative McCracken."

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

Speaker Braun: "He indicates he will."

McCracken: "Of those 20,000 jobs, Representative, do you know, were they primarily manufacturing or industrial jobs?"

DeJaegher: "Tom, I think that you're quite knowledgeable that they are manufacturing jobs. The farm industry has been devastating. We used to have three major plants in that particular area, JIK's, International and John Deere Harvester. (sic...International Harvester and John Deere) And this is basically where the bulk of the employment that we used to have at one time, has been primarily lost in."

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McCracken: "Have they... in over the last five years, has there been a concensus reached as to why the jobs were lost? Was it any particular reason or... Had the businesses or employers given a reason for the loss?"

DeJaegher: "In that area, of course, maybe you haven't... are not familiar with the area, but we was always recognized as the farm implement capital of the world. We still retain that distinction, but we no longer manufacture the machinery that we once had."

McCracken: "And why is that?"

DeJaegher: "Well, I guess it's because the farmers are not receiving enough for their grain products. And basically, they are reluctant to buy and they're buying used machinery instead of new machinery. And, of course, this has had a severe impact on the region."

McCracken: "And will this Authority assist you in creating a new industry? Will it assist you in selling more new farm implement products?"

DeJaegher: "I don't think it's basically going to assist us in selling new farm products, Tom, but I think that, basically, it's going to give us some type of hope to revitalize that particular area. And hop... Tom, hopefully search for other industry to locate in that area. I think we've got to become diversified and I think this gives us the necessary tools for diversification."

McCracken: "Do you... Do you have authority to abate taxes in this Authority? Is that one of the incentives you could provide?"

DeJaegher: "Yes."

McCracken: "And what type of taxes? Only those local in nature, within the jurisdiction of the Authority?"

DeJaegher: "That's true."

McCracken: "Do you know whether there is much room for the

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abatement of taxes? How is your local tax picture, is it... Do you have loss in valuation, which has accompanied a lot of this loss in jobs?"

DeJaegher: "There's no question about it. Schools in that particular area are going bankrupt, because they no longer have the tax increments that they used to have years ago. And I realize that there's going to be very little movement, or very little assistance that we can... we can give any industry in that area except for our TIF district that we're trying to put in place in that area."

McCracken: "Okay. So, you wouldn't have much room to offer local tax incentives as one of the reasons to locate within the Authority?"

DeJaegher: "Not much, Tom."

McCracken: "Okay. Can you describe, briefly, the purposes for which the Authority can incur indebtedness? I mean what is the bonding authority to be used for?"

DeJaegher: "Well, basically, I think that it'd be a general consensus, as you know, the Authority has been created. I think that we would have to take direction from the Authority itself. The Authority, again, would be... placed by the Governor, and basically direction would come from the Governor's office."

McCracken: "Okay, to the Bill. I understand the, you know, the desire to do something about what everyone would agree is a substantial problem in the Quad Cities area. And you know, we in government recognize our limitations, I think, in affecting local economies. We don't control money. We don't control interest rates. We... our impact is limited. But I think if you listened to the debate you can see that even this attempt does not address the underlying problems. It has limited room to offer local tax abatement as an incentive. We don't even know for sure for what purpose

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the bonds are going to be issued. And, I think that, although it is understandable, it's unwise policy. And I think we should be voting against it."

Speaker Braun: "Is there further discussion? The timer will be used henceforth in debate, so that we can move this process along. The Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand in support of Senate Bill 848. As the discussion has proceeded, this will become a tool that the Quad City area can use. Three counties are involved now, Rock Island, Henry and Mercer Counties in this Development Authority. This tool will be a cooperative effort. And the Governor's staff indicated they met with people in the Quad Cities and they indicated that they were the most enthusiastic group of individuals working on economic development they've met with lately. So, our people are ready to go. We're... there's provisions in the Development Authority that we can work with Iowa. Iowa Governor Branstead is also knowledgeable of what we're doing here, and is in an effort to try to cooperate in the Illinois and Iowa Quad Cities. And this will give us a tool to diversify our economy so that the Quad Cities will have a little bit better base of support, instead of just agricultural implements. And I stand in full support of Senate Bill 484, or 480... 848, that's it."

Speaker Braun: "Is there further discussion? The Gentleman from Lake, Representative Churchill."

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

Speaker Braun: "He indicates he will."

Churchill: "Representative DeJaegher, is this a Regional Development Bill?"

DeJaegher: "Yes, it's comprised of three counties. As your

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Representative stated, we have removed one county from participation. It's now three counties, Henry, Mercer and Rock Island Counties."

Churchill: "So, this is a Bill for regional development. And as a part of that regional development, what you seek to do is to encourage industry and business to move into the development area?"

DeJaegher: "That would be part of it. I think that we need additional tools to make it more lucrative for a plant to locate in that area."

Churchill: "And so then, generally, you support the concept of a regional development authority?"

DeJaegher: "Yes."

Churchill: "I see. And then... When I was in Committee with a Regional Development Authority for Northeastern Illinois, you didn't support that concept. What's so good about the concept now, that was so bad then?"

DeJaegher: "Well, I think that... I think that you're addressing yourself to a different situation. I think, basically, I'm taking a Bill to you that, basically, the Governor wanted. When he made his State of the State address, he pinpointed two specific areas in the State of Illinois that needed to be addressed to. One was the East St. Louis area, of course, and this one is the Rock Island County area."

Churchill: "So, in other words, this is a Regional Development Bill that you support, conceptually as long it's for your area, but let's say if it were for some parts of Chicago where they needed regional development, you wouldn't be for that then."

DeJaegher: "I think, basically, you're trying to put something into effect that's not there. I think if you look at myself on that particular board, that I've supported many concepts of the Republican party. It's not basically all

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the party line movement... if there's rationale or movement in what I'm seeking, then of course, I'm assisting."

Churchill: "But when I brought my Bill to you in the Committee, where you sat on the Committee, and I was trying to create a regional development area that would help Chicago, you voted 'no' on that Bill. I mean, why are we voting... why should we stand here now and vote 'yes' to help out your region, when you vote 'no' against Chicago, when we tried to create a development authority for Chicago?"

DeJaegher: "I don't think that basically... this is my concept alone. 59 Members of the Senate voted in favor of this Bill. And if you look at the statistics, and I think that that community needs the assistance, I don't think that you can come up with the rationale for development of your authority, as much as I can. In 1953, 4,493 people, families were on Public Aid. In 1987 that total has risen to 6,469 people."

Churchill: "I think if you look at the figures for the City of Chicago, percentage wise, ratio wise, however you want to look at them, even... in just terms of pure numbers, you'd find out that the numbers were higher. Well, I think the point has been made. We had a Bill that tried to create a Regional Development Authority for the Northeastern section of Illinois, which would have helped out the City of Chicago and Cook County, particularly in parts that have been harmed by the movement of steel companies and other companies out of the region. Representative DeJaegher did not support that Bill. He did not support the concept of Regional Development for Northeastern part of Illinois. And yet, he stands up here today and he wants to create a Regional Development Authority for his area, which is fine. But it just seems to me down here, what we do normally, is if we're going to help out one Member, then we try to help

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out the other Member with the same concept. And I don't think we saw that when the Regional Development Authority for Northeastern Illinois reached Representative DeJaegher's desk.

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Henry, Representative Sieben."

Sieben: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in strong support of this legislation. We have worked very closely in the district that I represent, along with the district that Representative DeJaegher and Brunsvold represent, and the economic impact in the greater Quad Cities area affects an awful lot of people in this State. A tremendous amount of people have been impacted by the economic downturn in this area. In fact some have referred to this part of the State as the land of forgottonia. Because it's been shown historically that we've come out sort of on the short end of the stick for a long time in terms of State support and State attention to our area. And I know a tremendous amount of people in my district depend heavily on employment opportunities in the Quad City area. And this legislation, I think, is a well designed piece of legislation, it's been well drafted. It's drawn from previous legislation dealing with Authorities and they've refined this to try and to work out some of the problems that maybe have existed in other areas. It has a tremendous amount of local community support. And I think that's one of the strongest things that can be said about what's happening in the Quad City, the greater Quad City area today is it's not just three Representatives from that area that are down here promoting this legislation, it's hundreds of people working together cooperatively on a day to day basis, trying to rebuild the

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Quad City area. These people are getting together in small groups. They're getting together with our national Representatives, our Congressman. In July, on the 10th of July there's going to be another meeting with Evans and Grassly and these people that are coming in and pulling a group together to see what kind of things we can do to rebuild the greater area of the Quad Cities. We've got a bi-State group that's working together with Governor Thompson's staff and Governor Branstead's staff. So this touches an awful lot of people, and I think it shows a way to go here for the Quad Cities and for the people that are affected in this area, a way to revitalize our community. And I think we all understand that the Quad Cities was probably heavily dependent on farm implement manufacturing and farm implement jobs. We've realized that there needs to be an effort to diversify the employment opportunities in the greater Quad City areas. And I think the support that the State has given here and with this legislation and the attention that the Governor has given, through his assistant John Glennon, I think we're moving in the right direction. I don't think this legislation puts a heavy burden financially on the State of Illinois, but it does direct some attention to our area. And I think we will greatly benefit by this. I think the long term effect is that we'll put people back to work in the State of Illinois. And as we put people back to work, we increase the revenues to this State. It's vitally important to the area that I represent, and I stand in strong support of Representative DeJaegher's legislation here, Senate Bill 848. And I would urge my Members to vote 'yes' on this legislation."

Speaker Braun: "Is there further discussion? There being none, the Chair recognizes the Gentleman from Rock Island to



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close."

DeJaegher: "Madam Speaker, I think that my counterpart, even though he's of the opposite party, summarized the Bill in great depth. And a person really has to be appreciative when someone from the other side of the aisle, raises and makes a speech that he just presently made. You can see it's a community effort. It's a bipartisan effort. It's an effort, hopefully, that all of us in that particular area, that particular region, can find the solutions. And hopefully we will be able to come up with the solutions. So that the unemployment that we presently have in that area, will continue to diminish. And for that reason and the reasons that Tod Sieben has stated, hopefully that you will be all receptive to the passage of this Bill. Thank you."

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 848. All in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 82 voting 'aye', 32 voting 'no', and Senate Bill 848, having received the Constitutional Majority, is hereby declared passed. Going back on the Calendar, same Order of Business, Senate Bill 796, Representative Panayotovich. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 796, a Bill for an Act to amend the Employee Ownership Assistance Act. Third Reading of the Bill."

Speaker Breslin: "The Gentleman from Cook."

Panayotovich: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 796 is amending the Employee Ownership Assistance Act. What we're doing here, in 1982, we passed the Employee Ownership Assistance Act which was

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an Act for employees to be able to take over failing businesses. And if I can just read a part of the Act, and what we're doing is we're amending it to say the community associations can now also take part in this Act to try to help save a business. And what it does is... the purpose of this Act is when plants are about to be permanently closed or relocated, communities in which the plants are located or a combination of both communities and employees, when no other alternative is necessary... is available, they can, with the consent of their owners, continue to operate them by employee owned or community assoc.... enterprises. In other words, we're just trying to help somebody stay there, let the people if they want to buy the plant from them and save the plant, it can be done. I don't know of any real opposition. It came out of the Senate 47 votes of bipartisan support. There is 2,000,000 dollars on hand in the fund. It... no money would be need or appropriated, and I move for its passage."

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 796. And on that, is there any discussion? There being none, the question is, 'Shall Senate Bill 796 pass?' All in favor vote 'aye', opposed vote 'no'. This is final action. Voting is open. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 105 voting 'aye', 4 voting 'no', and Senate Bill 796, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1014. Representative Dunn. Representative Dunn? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1014, a Bill for an Act to amend the Illinois Job Training Coordination Council Act. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Macon."

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Dunn: "Thank you, Mr... Madam Speaker and Ladies and Gentlemen of the House. Senate Bill 1014 as amended comes down now to a Council which will look into what other states are doing in job training programs, and I would simply ask for your 'aye' vote on this piece of legislation."

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 1014. And on that, is there any discussion? There being none, the question is, 'Shall Senate Bill 1014 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 78 voting 'aye', 33 voting 'no', and Senate Bill 1014, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1123. Representative Kirkland. Representative Kirkland? Out of the record. Senate Bill 1251. Representative Young? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1251, Young. 1251, a Bill for an Act to amend the Minority and Female Business Enterprise Act. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Cook."

Young: "Thank you, Mr... Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1251 amends the Minority and Female Business Enterprise Act to provide that all the minority certification be done by the Minority Female and Business Enterprise Council. There has been an Amendment placed on the Bill that would allow the Department of Transportation to continue their certification program. I move for its adoption."

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 1251. And on that, is there any discussion? There being none, the question is, 'Shall Senate Bill 1251 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is

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open. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 109... 110 voting 'aye', 3 voting 'no', and Senate Bill 1251, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1123. Representative Kirkland? Alright. Out of the record again. Senate Bill 1300. Representative Keane. Representative Keane? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1300, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

Keane: "Thank you, Madam Speaker. Senate Bill 1300 is a cleanup of the tax increment financing provision. The basic... the basic Bill sets up the... It amends the tax increment financing provision of the Municipal Code to revise a definition of chronic flooding in vacant lands. It includes the municipal use tax collections, revised provisions dealing with the change in the geographical size of redevelopment projects and distribution dates. House Amendment #1 was withdrawn. Amendment #2 dealt... made a minor revision to the definition of a TIF of blighted area. It may have flooding condition substantially caused by one or more improvements. Amendment #3 makes several revisions to the Bill. Again, it deals with the blighted area. It adds a definition of an industrial park conservation area. It clarifies that a redevelopment project can be either public or private. It clarifies that rehab reconstruction repair remodeling can be public or private. It clarifies that municipalities having TIF may clear areas by demolition if they're publicly or privately owned. It creates a TIF power for certified municipalities called Tax Increments Economic Development Advisory Committees. It gives the Department of Revenue authority to investigate

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complaints regarding the eligibility of TIF projects established in 1986 and establishes a penalty clause for someone who knowingly files or causes to be filed false information. I'd be happy to answer any questions on Senate Bill 1300. I ask for a favorable Roll Call. I'm sorry. After all that explanation, Madam Chairman... or Madam Speaker, can I have the Bill brought back to Second Reading for purposes of an Amendment?"

Speaker Braun: "Maybe. The Gentleman requests leave to bring this Bill back to the Order of Second Reading for purposes of an Amendment. Is leave granted? Leave is granted. The Bill will be returned to the Order of Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Amendment #7, offered by Representative Shaw."

Speaker Braun: "Gentleman from Cook."

Shaw: "Withdraw... withdraw #7"

Speaker Braun: "Amendment 7 is withdrawn."

Clerk O'Brien: "Floor Amendment #8, offered by Representative Shaw."

Speaker Braun: "Amendment 8 is withdrawn."

Clerk O'Brien: "Amendment #9, offered by Representative Shaw and Flowers."

Speaker Braun: "Gentleman from Cook."

Shaw: "Yes, thank you, Madam Speaker, Ladies and Gentlemen of the House. All that Amendment #9 does is commit a fair employment practice... an affirmative action plan. It call for affirmative action plan to Senate Bill 1300. I ask for its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 9. And on that, is there any discussion? The Gentleman from DuPage, Representative McCracken."

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

Speaker Braun: "Indicates he will."

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McCracken: "What does a commitment to fair employment practices mean? Is that a term of art that has an accepted meaning?"

Shaw: "Well, as you know, Representative McCracken, we have affirmative action plan already in existence in the state and the only thing that... with this particular program, that's all this Amendment is calling for is reaffirming that."

McCracken: "Okay. If this occurred in Chicago, does Chicago have a plan?"

Shaw: "Yes."

McCracken: "And, why is this necessary then?"

Shaw: "We feel as though that we... it's necessary to put it in the statute."

McCracken: "Is there a cost associated with this? Does this requirement affect the value of the TIF concept?"

Shaw: "No, it doesn't. All it's doing is saying that the Department should issue an affirmative action to the... a plan to the Commission on Human Rights."

McCracken: "So, whenever there is redevelopment within a TIF district and its proposed that they take advantage of that, there has to be filed with the Department of Human Rights a commitment by the municipality to fair employment practices and an affirmative action plan?"

Shaw: "Right. To the local unit."

McCracken: "The local unit?"

Shaw: "Right."

McCracken: "Okay. So you're not saying the municipality has to make this commitment?"

Shaw: "No. No. No. No. No. No."

McCracken: "The party developing has to make the commitment."

Shaw: "The party's... right. That's all."

McCracken: "Okay. Thank you."

Speaker Braun: "Is there further discussion? The Gentleman from

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Lake, Representative Churchill."

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

Speaker Braun: "He indicates he will."

Churchill: "Representative Shaw, I guess I'm having somewhat the same problem in determining what this means that Representative McCracken had. This Bill is a cleanup Bill that permits municipalities to enter into TIF districts. There was a deadline on this of January 1, 1988, and all this is doing is correcting some of the legal language that was placed in some of the TIF district ordinances prior to that time just so that the municipalities that met the deadline won't have to lose out because of an error in the loophole. This only refers to the municipalities. And so, I assume that by your Amendment all you're talking about is that the Amendment must apply only to the municipalities."

Shaw: "Right."

Churchill: "Only to the municipalities."

Shaw: "Right. This should have been put in at the time, and it was an oversight and it was... the Amendment was brought to me, and they thought that the Amendment... I talked to the Sponsor of the Bill and they thought that the Amendment should... this Amendment should be placed on the Bill."

Churchill: "Are municipalities not already subject to fair employment practices and affirmative action plans?"

Shaw: "Some of them. Some of them."

Churchill: "So, in other words, there are some municipalities in the State of Illinois that are not subject to fair employment practices and affirmative action plans."

Shaw: "From what I have been told, yes."

Churchill: "Okay. And so you're only getting those municipalities provided that they go into a TIF district?"

Shaw: "Right. Right."

Churchill: "And it does not relate to... does... does this also

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extend to the contractors that would come into a TIF district to build something?"

Shaw: "Right. That's... that's basically who it extend to, not to the municipality."

Churchill: "Okay. The Bill only relates to the municipalities. It doesn't relate to the contractors. You got me confused. I don't think... I don't think this does what you think it does."

Shaw: "Well, originally, as you know, the Bill was talking about income tax, state income tax and property tax and at that time the Amendment should have been put on the Bill, but contractors who used the money for the rebuilding process did not have an affirmative action plan. It was not an affirmative action plan in the Bill. So, therefore, what we're doing now, what I'm doing with this Amendment is making sure that those contractors meet the state guidelines. That's all this Amendment does."

Churchill: "So, correct me if I'm mistaken, but if I have a house that's in a TIF district as a lot of these small communities when they put the TIF district in a place, they take in municipal buildings, they take in industrial areas and sometimes there are houses in the middle of the TIF district. And if I want to get somebody to come and repair my roof and I get a contractor to come and repair my roof, even though that guy may only have two employees or three employees, that contractor then has to meet the fair employment practices standard and have an affirmative action plan in place, even though the guy only has three employees and all he's going to do is repair my roof."

Shaw: "No. I think the state's statute would answer that question for you. I think it's a certain number of employees that's exempted under the state statute. So, this would not overrule what's already law."



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Churchill: "But you don't know. Okay, but you can't state that for certain. You don't know that that's the case."

Shaw: "I know that it's already law that... that the state affirmative action plan, you must file one, contractors must file one, but we are talking about here that are using state dollars.... taxpayers... public money here. That's all we're talking about."

Churchill: "Well, I sympathize with what you're trying to do. If I understood who it would apply to, I could support your Amendment, but I think this is... I'm not sure who this applies to, and I don't think that you've given me the answers that would protect the small contractors around this state from having to meet requirements that maybe they don't have to meet right now just because of the happenstance of a house being located in a TIF district. I..."

Shaw: "But right now, as you know, that it's a ten percent set aside and all state contracts are public money. With an exception within the City of Chicago, there is an executive order that exists there. So, the executive order in Chicago would probably take precedent over this particular ordinance, this particular Amendment, but whatever... as long as a contractor was using public money, the ten percent set aside would apply, and it so happened that this affirmative action Amendment was not put on the Bill at the time. So, you still basically are subject to the ten percent set aside. And this Amendment does not change this. It only brings this up to what is now state law."

Churchill: "No further questions."

Speaker Braun: "The Gentleman from Cook, Representative Shaw, to close."

Shaw: "I would just ask for the adoption of the Amendment."

Speaker Braun: "The Gentleman has moved the passage... the

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adoption of Amendment 9. All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. The Gentleman asks leave for immediate consideration of Senate Bill 1300. Is leave granted? Leave is granted. The Chair recognizes the Gentleman from Cook, Representative Keane. Mr. Clerk."

Clerk O'Brien: "Senate Bill 1300, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Keane: "Thank you, Madam Speaker. Amendment #5 became the Bill and the items that I indicated in my earlier statement are included in that, such as, flooding, the redevelopment... the public or private stipulations that things can be public or private, the fact of the tax... that the parcel can be included in an industrial park conservation area. The tax increment economic development advisory committee structure and the fact that TIFs can be shrunk. They cannot be expanded and also the clean up that... how Department of Revenue would work with the existing TIFs to take care of any problems that they had. There...there was an Amendment #6 which was a technical problem that Representative Ewing pointed out in his Amendment, cleaned up that technical problem and we have just adopted Amendment #9. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 1300. And on that, is there any discussion? The Gentleman from Cook, Representative Bowman."

Bowman: "Thank you. Will the Gentleman yield for a question? Representative Keane, how much does this Bill cost?"

Keane: "It doesn't cost anything."

Bowman: "I beg your pardon?"

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Keane: "It doesn't cost anything."

Bowman: "I believe that's incorrect. Would you explain to us what the Bill does, then?"

Keane: "It's a... do you mean what does TIF, the whole TIF process or this Bill, which is a cleanup of TIF, do?"

Bowman: "Well, I think it does more than just clean up. Does it open the window again?"

Keane: "No, it does not."

Bowman: "It does not open the window again. Okay, what does it clean up, then?"

Keane: "Well, I would be happy to go through that again. It indicates that certain flooding areas, where you have substantial flooding caused by improvements that you can take notice of them in your TIF and use TIF funds to clean that up. On page... pages seven..."

Bowman: "Okay. Now...now wait a minute. Those are TIF districts that already exist. Is that correct?"

Keane: "Those are existing TIF districts."

Bowman: "Okay. Continue please."

Keane: "There are three... Well, let me go even more basic. There are three kinds of TIF districts. One is one that lives with real estate tax, one is the kind that deals with sales tax and one is the kind that deals with utility tax. With sales tax, which is the one that has the big hit on state revenues, those have been locked. The ones that have declared within the time limit are existing TIFs. There is... this does not in any way allow new TIFs to be open. It does allow TIFs that open within the time limit who, Department of Revenue found, had mistakes in their TIF application... It allows them a chance to clean it up."

Bowman: "Aha. Okay. Stop right there. So, what we're doing is we're going back and reopening an old door."

Keane: "No, we're not. These people..."

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Bowman: "They filed, they were turned down and now you're giving them opportunity."

Keane: "No, they were not... No. No. They were not turned down. They're not even sure that they are mistakes because some of them are... it's an interpretation by the Department of Revenue. They were not turned down."

Bowman: "Well, to the Bill. As far as I'm concerned, if it looks like a duck, walks like a duck and quacks like a duck, it must be a duck. This one, however, is a turkey and I urge defeat."

Speaker Braun: "Is there further discussion? The Gentleman from Lake, Representative Churchill."

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

Speaker Braun: "Indicates he will."

Churchill: "I have a couple of questions, Representative Keane. First of all, by any chance, did you understand Amendment #9 that was placed on here by Representative Shaw? Is this going to destroy all the TIF districts around the state?"

Keane: "I don't know. It's...it will not. I've checked with the Senate Sponsor on that, Senator Rock, and he indicated that he had no problem with it. And as you know, he was the one who more or less is the father of the TIF concept and would not, I'm sure, do anything to... in any way harm it. As to the interpretation, I think we both have to depend on Representative Shaw's explanation."

Churchill: "Okay. So, Representative Shaw's legislative intent as expressed here in this Body will be controlling as to whether or not local individual little contractors are going to have to follow these guidelines in each one of those TIF districts."

Keane: "Yes. I would think that, plus your insightful questions and those of Representative McCracken will indicate legislative intent."

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Churchill: "Okay. Secondly, does this Bill provide for an oversight process over the TIF districts?"

Keane: "The Department of Revenue is presently in charge of oversight."

Churchill: "Okay. Why don't we have DCCA doing this since this is really for economic development?"

Keane: "My problem was that... that solution was really not pushed. I'd be very happy if the Bill goes over and should end up in Conference to do it... or to consider it. But again, in the later hours of the Session as we are in now, it's a time that the idea comes a little late."

Churchill: "Okay. So, the... Alright. So then, at any rate, some point along the line in the Conference Committee process, you'll work with us and see if we can't shift that over to DCCA?"

Keane: "I don't know that this will go to a Conference Committee, but if it does, I definitely will."

Churchill: "Okay. Thank you. No further questions."

Speaker Braun: "Is there further discussion? There being none, the Gentleman from Cook to close."

Keane: "The Bill, House Bill... or Senate Bill 1300 cleans up and actually narrows the definition of TIF and the ability of TIF areas. It clarifies that it helps the... those municipalities that have set up TIFs, helps them administer their program a lot better. And I'd ask for a favorable Roll Call."

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 1300. All in favor vote 'aye', all opposed vote 'no'. Voting is open. This is final action. Have all voted? 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 97 voting 'aye', 5 voting 'no' and Senate Bill 1300, having received the Constitutional

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Majority, is hereby declared passed. Senate Bill 834.  
Representative Saltsman. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 834, a Bill for an Act to amend the  
Civil Administrative Code. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Peoria."

Saltsman: "Yes, thank you, Madam Speaker. House Bill 834  
protects the labor-management councils in the seven  
different communities in this state to try to help improve  
our labor relations between labor and management. Speaking  
for the one in the Peoria area, it has been very  
progressive in encouraging companies to come into our area  
and to work and to prove that the problems between labor  
and management do not exist like they have in the past with  
lengthy strikes and so on and so forth. The... currently,  
there is an appropriation in for 400,000 dollars to work  
with new management councils that are going to be started  
up throughout the State of Illinois and this funding will  
work with the management councils that are currently in  
operation to the state. I ask for its passage."

Speaker Braun: "The Gentleman has moved the passage of Senate  
Bill 834. And on that, is there any discussion? The Chair  
recognizes the Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Madam Speaker. I rise in opposition to  
Senate Bill 834. And I would alert Members on our side of  
the aisle, this is the expansion of the labor and  
management councils. I believe we did try to amend this so  
it would have been.. an issue of fairness and parity across  
the state so that certain regions wouldn't be treated more  
preferential than other regions. There are only certain  
few people who are going to be able to tap into this  
limited amount of appropriations, and I think it's unfair.  
It should have been a limited program. The Sponsor didn't  
see fit to do that. So, for self-preservation of your own

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region and your own labor management council opportunity, I would urge you to vote 'no'."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from McLean, Representative Ropp."

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

Speaker Braun: "He indicates he will."

Ropp: "Representative, can you give me just a very quick detail as to what this Labor-Management Committee does?"

Saltsman: "Yes, it's a Committee that is also funded partially by management and the labor unions within that area. They are going to be appropriating at least 20 percent of the funding that it takes to operate this small agency. And what it does is, it's encouraging labor unions and the management people to sit at the table when they are far apart in bargaining, and they bring them together and try to do a little arbitration with them and try to work the programs to show that they can get along and it's kind of a peace making deal to make sure that the labor and management forces are not at... completely at odds when they get started. It's worked very, very well in our area, and I can speak for the one in Peoria."

Ropp: "What is the estimated state fiscal impact, should this Bill become law?"

Saltsman: "It would become law in 1980..."

Ropp: "No. No. How much would it cost when it does become law, should it become law?"

Saltsman: "This one here... each one of the grants for the eight different agencies which are operating would be a maximum of 100,000 dollars. A maximum."

Ropp: "So, it could be up to 800,000 dollars."

Saltsman: "Possibly, then you... if you eliminate the 20 percent that the councils had to put in themselves, it'd probably be about 80,000 if they were that big."

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Ropp: "Is Peoria the only area in which this is really functioning well, in your opinion?"

Saltsman: "I would like... if you would care, I would like to have some of the other areas like Danville, Decatur, Kankakee and Aurora comment for themselves. And I think that some of these witnesses are ready to at this time, and they're going to speak on this issue. I don't want to speak for someone else. I think they should speak for their own area."

Ropp: "Well, I would certainly be happy to hear at least one of them maybe before we get through here. I guess the question is whether or not this added money is necessary at this point in time. In our analysis, it states without this Bill it's the feeling that this 100,000 dollars is the only thing that's keeping them going and I suppose there are areas that really need this kind of help, although it does seem kind of unusual that we have to have a separate kind of an agency that attempts to bring both labor and management together. I think it's kind of interesting that it would seem in the best interest of our economy that these two groups, both labor and management, ought to be able to get together within reasons rather than to expect some outside entity to come in and say, take care of yourselves. Gentleman, we've got to work together. I would hope that they would have greater concern for the business climate of our state without having to do this."

Saltsman: "Yes, Representative Ropp, this is not an outside agency coming in. This group of approximately 20 people are half management and half labor. They are their own people. They are not an outside agency."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Franklin, Representative Rea."



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Rea: "Thank you, Madam Speaker, Members of the House. I rise in support of Senate Bill 834. I do have a labor-management council in my area. I think it's extremely important to economic development. It is made up of labor and business management from the area. It's an opportunity for them to come together and to work together in a cooperative manner. It has been quite successful. And I expect much more to happen. I know that we've had in some ways, in some areas of the state and in Illinois, at times we've had a bad labor image, and I think that this here is very helpful and will be a very important tool for economic development, and particularly in attracting business and industry to various regions as well as to the state as a whole. So, I think this is a good Bill. I would ask that each and every one of you support it."

Speaker Braun: "Is there further discussion? The Gentleman from Vermillion, Representative Black."

Black: "Thank you very much, Madam Speaker. I rise to support the Gentleman's Bill, and I think he mentioned my home county just a second ago. We, in Vermillion County, particularly in the county seat, the City of Danville, were one of the first ones to promulgate a labor-management council. And in hearing what my colleagues on my side of the aisle have said, yes, there are some problems with the Bill. Yes, it does involve some money, but I'm here to tell you first hand as one who was at the.... present at the birth and... inception of our economic development council in east central Illinois, I can tell you that there is nothing more important to the economic development future of this state than labor-management councils, be they in Vermillion County or Peoria or wherever. I have personally set in on exit interviews with three major firms in the last 18 months, who have said, 'we would like to

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locate in your area. We would like to locate in your county, but we think you have terrible labor-management relations and we don't need that right now.' This is a step in the right direction. And it does take a little money to bring these people together and do some staff work and to draw up some brochures and do some training, but I'm here to tell you, this is an investment in the future of not only Vermilion County, but the State of Illinois. If we're going to bring labor-management relations into the 21st centuries, I think... the 21st Century, excuse me, I think this is a very critical issue. It is working. Yes, it's tough. Yes, we still differ on certain occasions, but we are opening the lines of communication. We are making progress. We're trying to retain the industry we have and bring more industry in. I commend the Gentleman. It's a good Bill. I urge your support for something that's an investment in the manufacturing and industrial future of this state."

Speaker Braun: "Is there further discussion? The Gentleman from Cook, Representative Panayotovich."

Panayotovich: "Yes, Madam Speaker, after listening to Representative Black and knowing how much of a great leader he is on that side of the aisle, knowing this Bill came out bipartisan, 59 to 0, in the Senate, I move the previous question."

Speaker Braun: "Gentleman moves the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The previous question is put. The Chair recognizes the Gentleman from Peoria to close."

Saltsman: "Thank you, Madam Speaker. I'd just like a favorable vote."

Speaker Braun: "The Gentleman has moved the passage of Senate

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Bill 834. All in favor vote 'aye', opposed vote 'no'.  
Voting is open. This is final action. Have all voted?  
Have all voted who wish? Have all voted who wish? The  
Clerk will take... the Gentleman from Will. The Clerk will  
take the record. On this question there are 88 voting  
'aye', 25 voting 'no', and Senate Bill 834, having received  
the Constitutional Majority, is hereby declared passed.  
Senate Bill 1123. Representative Kirkland. Mr. Clerk,  
read the Bill."

Clerk O'Brien: "Senate Bill 1123, a Bill for an Act in relation  
to solid waste management. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Kane."

Kirkland: "It's nice to be back, Madam Speaker. Thank you for  
calling the Bill again. There are three Sections to this  
Bill. The original Bill allows the unit of local  
government to establish a tax or surcharge that is in  
addition to their authority now to establish a fee on the  
receipt or disposal of solid waste. The funds generated  
must be used for the solid waste management purposes of long  
term monitoring and maintenance of landfills, planning  
inspections and enforcement of waste activities. An  
Amendment to the Bill creates the Illinois Solid Waste Loan  
Repayment Fund. Expenditures from that fund must not  
exceed... expenditures, excuse me, must not exceed the  
fund. Funds and loans may not be made without interest.  
This addition is... partly addresses the problems they're  
having with the Solid Waste Management Act funding that is  
currently in place and currently in litigation. There is  
another Amendment that requires proceeds from the sale of  
waste paper collection by state agencies through paper  
recycling programs to be deposited into a separate account  
within the surplus property revolving fund. At this time,  
they're not...they are deposited into the surplus property

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revolving account, but this would earmark the funds a little more to put them back from whence they came, so to speak. I ask for passage of the Amend... of the Bill."

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 1123. And on that, is there any discussion? There being none, the question is, 'Shall Senate Bill 1123 pass?' All in... Representative Homer, do you seek recognition?"

Homer: "Yes, I'm... I'm sorry... delay... Madam Speaker, may I ask the Sponsor to temporarily take the Bill from the record? We'll get back to it."

Speaker Braun: "Representative Kirkland."

Kirkland: "Any reason you'd like to reveal at the moment or...?"

Homer: "Well, If you don't mind if we can just take it, then I'll come right back and talk to you about that. I guarantee you that we'll get back to the Bill."

Kirkland: "It's fine with me."

Homer: "Okay."

Speaker Braun: "The Bill's being taken out of the record. Senate Bill 916. Representative Olson. Mr. Clerk, read the Bill. I'm sorry. Senate Bill 916, Representative Olson."

Clerk O'Brien: "Senate Bill 916, a Bill for an Act to amend an Act concerning regulation of fishing, hunting and trapping. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Logan."

Olson: "Madam Speaker, with leave, we'd like to go back to Second for Amendments."

Speaker Braun: "The Gentleman requests leave to return this Bill to the Order of Second Reading for purpose of Amendment. Is leave granted? Leave is granted. The Bill will be returned to the Order of Second Reading. Mr. Clerk, read the Amendment."

Clerk O'Brien: "Floor Amendment #2, offered by Representative Mays and Olson."

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Speaker Braun: "The Gentleman from Logan on Amendment 2."

Olson: "Madam Speaker, Representative Mays is absent from the chamber. Could I have leave? I am Cosponsor."

Speaker Braun: "Yes, Sir. Proceed."

Olson: "The original Bill amended both the Fish Code and Wildlife Code. This Amendment deletes the wildlife provision, applies to the Fish Code only. It states that fees required for permits that are necessary to buy and sell mussels within the State of Illinois shall be 50 dollars per year for residents and 2500 dollars per year for nonresidents. I ask for favorable consideration."

Speaker Braun: "The Gentleman moves the adoption of Amendment 2. On that, is there any discussion? There being none, the question is, 'Shall'.... Oh, the Gentleman from Fulton, Representative Homer. Representative Homer."

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

Speaker Braun: "He indicates he will."

Homer: "Representative Olson, as I understand your Amendment, you would impose a fee on nonresident mussel agents of 2500 dollars. And what is the fee on residents?"

Olson: "50 dollars."

Homer: "Is there a... do you have any... have you had any discussions with your legal staff with respect to the constitutionality of that disparity?"

Olson: "No. I would say that the fee for nonresidents was 100 dollars. The States of Iowa and Wisconsin also deal in mussels from Illinois, and they charge... they charge Illinois residents a fee of 2500 dollars. It's kind of reciprocal."

Homer: "So, in other words, this would apply only to residents of states that are now charging 2500 dollars for nonresident fees?"

Olson: "Not specifically."

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Homer: "But the number of neighboring states are charging 2500 dollars for nonresidents?"

Olson: "I'm aware that Iowa and Wisconsin are."

Homer: "Alright, well, it's my understanding that there is an equal protection question raised by this type of legislation when you impose a different fee on residents than you impose on nonresidents. And although that can be done, it has to have some rational relationship to the service to be provided, and I don't have any particular quarrel with your bill, but I do think there is a constitutional issue and I was just questioning whether you had examined that and had resolved it to your satisfaction."

Olson: "I can't answer that question, Representative Homer, other than to say that there was a difference before this Amendment of 50 dollars and 100 dollars."

Homer: "That's a difference... that's quite different, though, than a difference between 50 dollars and 2500 dollars."

Olson: "Granted."

Homer: "That's a substantial disparity. Alright, well, thank you."

Speaker Braun: "Is there further discussion? There being none, the question is... there being none, the Gentleman from Logon to close. We're on Amendment 2 still."

Olson: "Excuse me, I think there may be another Amendment."

Speaker Braun: "This one hasn't been adopted yet."

Olson: "Oh, excuse me. I would ask a favorable consideration on this Amendment."

Speaker Braun: "Alright. The question is, 'Shall Amendment 2 be adopted?' All in favor... The question is, 'Shall Amendment 2 be adopted?' All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record."

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On this question there are 113 'ayes', no 'nos'. And the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Rea."

Speaker Braun: "The Gentleman from Franklin, Representative Rea, on Amendment 3."

Rea: "Thank you, Madam Speaker, Members of the House. Amendment #3.... there is no money involved. It authorizes the Department of Conservation to include, along with other state facilities they have, to be able to participate in a cash incentive program which would include the Wayne Fitzgerald State Park, if and when monies should ever be available. I would ask for the adoption."

Speaker Braun: "The Gentleman has moved the adoption on Amendment 3. On that, is there any discussion? There being none, the question is, 'Shall Amendment 3 be adopted?' All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. Representative Olson requests immediate consideration of Senate Bill 916 on the Order of Third Reading. Is leave granted? Leave is granted. The Bill will be read on the Order of Third Reading. Mr. Clerk."

Clerk Leone: "Senate Bill 916, a Bill for an Act concerning regulation of fishing, hunting and trapping. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Logan."

Olson: "Madam Speaker, the Bill basically is the Amendment that I presented earlier, Amendment #2, relative to fees on mussel trading in Illinois. I would move for a favorable adoption."

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Speaker Braun: "The Gentleman has moved the passage of Senate Bill 916. And on that, is there any discussion? There being none, the question is, 'Shall Senate Bill 916 pass?' All in favor vote 'aye', opposed vote 'no'. This is final action. Voting is open. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye', none voting 'no' and Senate Bill 916, having received the Constitutional Majority, is hereby declared passed. On the Order, State and Local Government, Third Reading, appears Senate Bill 161. Representative Hartke? Representative Hartke. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 161, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Effingham."

Hartke: "I'd like leave to take it back to Second for purposes of an Amendment."

Speaker Braun: "The Gentleman asks leave to return this Bill to the Order of Second Reading for purposes of an Amendment. Is leave granted? Leave is granted. The Bill will be returned to the Order of Second Reading. Representative Churchill, for what reason do you rise?"

Churchill: "Madam Speaker, we were on the Order of Economic Development, and there was one Bill left on that Order and you failed to call that Bill. Is there some reason why we didn't go to that Bill?"

Speaker Braun: "Representative, there were three Bills left on that Order and we've changed Orders of Business."

Churchill: "Is there some reason that we went through everybody else's Bills on Economic Development and called them and there were people that weren't in the chamber and we went back to those people two and three times and yet we didn't get to Representative Hasara's Bill?"



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Speaker Braun: "Representative Churchill, you try to do an accommodation by coming back for Members' Bills and you spend time on an Order and it's time to move on and that's what we just did."

Churchill: "Representative Hasara has been in her chair the whole morning all the time we were on Economic Development, and it seems unfair that we didn't call her Bill. Is there a reason why her Bill didn't get called?"

Speaker Braun: "Representative Van Duyne's Bill came before her's, and Representative Hicks' Bill came before her's and they weren't called either. It was not a personal... it was nothing personal as to Representative Hasara. I'm certain that we will get back to that Order of Business..."

Churchill: "Are you assuring me that we'll get back..."

Speaker Braun: "...When we have concluded some other business that we have to get to."

Churchill: "Are you assuring me that we will get back to Representative Hasara's Bill sometime today?"

Speaker Braun: "Representative Churchill, I long ago stopped assuring anything in this General Assembly, but I would... I'm certain at some point that Order of Business will be returned to."

Churchill: "I understand why you cannot assure that, and I think that's why it would be a good time to just go back and pick up that Bill since Representative Hasara is in her chair and we can do that now. It'll just take a minute or two and otherwise, you and I'll spend five minutes here debating this issue. You might as well just go back, pick up the Bill, we'll get it over with, and then, we can go on to the next Order of Business if you want to."

Speaker Braun: "Thank you, Representative Churchill. Senate Bill 161. Representative Hartke. Mr. Clerk."

Clerk O'Brien: "Floor Amendment #8, is being offered by

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Representative Hartke. Hartke."

Hartke: "Thank you very much, Madam Speaker. Amendment #8...

Now, this Amendment will exempt local drivers of trucks picking up garbage or refuse from the requirement of having an ICC type physical every two years. This Amendment limits the trucks to no more three axles which ensures no long distance drivers will be involved. The garbage and refuse industry has enough additional cost without incurring on them the cost of the physicals which, I feel, may not be necessary. These physicals could cost up to 150 dollars per driver, plus three hours of pay time and will increase the cost of garbage and refuse pick up in our municipalities. I would appreciate your support and be willing to answer any questions."

Speaker Braun: "Representative Hartke. The Gentleman has moved the adoption of Amendment 8. And on that, is there any discussion? The Gentleman from Dupage, Representative McCracken."

McCracken: "Thank you, will the Sponsor yield for a question?"

Speaker Braun: "He indicates he will."

McCracken: "There've been other Bills, Representative, where this exemption was accorded to utility truck drivers regardless of the weight of the truck. What relationship does the weight of the truck bear to the necessity or wisdom of exempting or requiring annual medical examinations?"

Hartke: "Well, Representative McCracken, as I understand the... the intent of the federal law was to ensure that those truck drivers who are over the road traveling down interstate systems and so forth, traveling at a high rate of speed and heavy weight that they be physically fit, not on drugs and so forth, not have heart problems to where they could cause an accident. As I see it, the garbage truck industry and refuse industry, those individuals are

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picking up household to household, traveling at a slow rate of speed and are probably not near the potential hazard as your interstate truck drivers. And therefore, I would think that they should be exempt. And I do believe they perform a public service like our utility trucks do also."

McCracken: "Yes, but my question was about the 26... 26,000 pounds. What I'm suggesting, Representative, is that we delete the limitation on the exemption. The United States Department of Transportation has recently ruled or held, whatever their term is, that these drivers can be exempt regardless of the weight of the vehicle and this is... there is an Amendment pending on another Bill which will be considered by this Body this week. I would like to delete that 26,000 pound limit so that the exemption would be available for the utility drivers regardless of the size of the truck. That is in accord with the latest pronouncement from the United States Department of Transportation."

Hartke: "That's fine."

McCracken: "So, could we have leave to amend the Amendment on its face and just delete the weight?"

Hartke: "Well, I don't think I'd have any problem with that except that if you put the limit of the 26,000 on, you realize, Tom, that a lot of these garbage trucks with their compactors and so forth on the back, do go over that."

McCracken: "No. No. I'm saying, take it out."

Hartke: "Oh, take it off."

McCracken: "Take it off for the utility trucks."

Hartke: "Okay. Okay, fine."

McCracken: "You see what I mean?"

Hartke: "I understand what you're saying now."

McCracken: "So, do you want me to make that Motion or ask for leave of the House to amend the Amendment on its face?"

Hartke: "That's fine, Tom."

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McCracken: "So, I should do that?"

Hartke: "Yes, would you, please?"

Speaker Braun: "Is there further discussion? Representative  
McCracken."

McCracken: "I would like to... in accordance with our agreement  
here, I would just like to amend on its face this Bill and  
ask leave of the Body to do so. If you'll give me just a  
moment, I can give you the precise deletion that I would  
like to make."

Speaker Braun: "Gentleman from Bureau, Representative Mautino.  
Yes, Sir. Representative Mautino."

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

Speaker Braun: "Proceed."

Mautino: "What Bill is he talking about that he's going to amend  
on its face to Amendment #8? I mean, I don't mind being  
accommodating, but what are we doing?"

McCracken: "Well, all we would do is... is right now, as written,  
the Amendment exempts those utility drivers, but only for  
trucks under 26,000 pounds. I would propose that we delete  
that limitation on the exception. Is that okay? Okay. I  
have that language and I'd like to put that now with leave  
of the Sponsor. I would ask leave of the House to amend  
Amendment #8 on its face to delete line 29 of page 2 and in  
line 30 of page 2, the words, 'not... weight and  
not-for-hire operations,'. Or if we're having trouble, you  
want to... could we take it out of the record for a second  
and work this out?"

Hartke: "Okay, yes..."

Speaker Braun: "Out of the record. Senate Bill 172.  
Representative Matijevich? Representative Matijevich?  
172. Out of the record. Senate Bill 242, Representative  
Stern. 242. Representative Stern, do you wish to proceed  
at this time? Representative Stern, do you wish to proceed

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on that Bill? Before we do, on Senate Bill 161, Representative Hartke, is it your intention to leave this Bill on the Order of Second Reading or have it returned to Third while it is being considered?"

Hartke: "Return it to Third and move it right on."

Speaker Braun: "Alright. The Bill will be returned to the Order of Third Reading and is out of the record. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 242, a Bill for an Act in relationship to the employment of camp counselors. Third Reading of the Bill."

Speaker Braun: "Representative Hartke. Representative Hartke."

Hartke: "I was wanting to go back to the other Bill, but I've turned my light off so..."

Speaker Braun: "Alright. We're on Senate Bill 242, Representative Stern. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 242, a Bill for an Act in relationship to the employment of camp counselors. Third Reading of the Bill."

Stern: "Madam Speaker and Members of the House, Senate Bill 242 amends the Child Labor Law and Minimum Wage Law and exempts an employer of a 14 or 15 year old counselor in a summer day camp of a not-for-profit corporation from obtaining an employment certificate for that minor. There was an Amendment presented by Representatives Wojcik and Flowers which incorporates youngsters 14 and 15 years of age who are participants in the job training partnership also. This was agreed to by all kinds of people, not-for-profits, AF of L-CIO and I don't believe there is any opposition to the Bill."

Speaker Braun: "The Lady has moved the passage of Senate Bill 242. And on that, is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative

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McCracken."

McCracken: "Just a brief question. I wonder if she could... I didn't hear everything you said in explanation of the Bill. Could you tell us what it does?"

Stern: "Would you like... Alright. This exempts counselors in not-for-profit day camps from the provisions of the Adult Minimum Wage Law and the Amendment adds the 14 and 15 year old participants in the job training partnership."

McCracken: "Okay. Thank you. Okay. Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Lady from Lake to close."

Stern: "I just ask your 'aye' vote for what I think is a very constructive solution."

Speaker Braun: "Lady has moved the passage of Senate Bill 242. All in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', none voting 'no', and Senate Bill 242, having received the Constitutional Majority, is hereby declared passed. Back to Senate Bill 161, Representative Hartke. Gentleman from Effingham."

Hartke: "Yes, Ma'am, I think we've got to have this back on Second where we were and then Tom is ready to amend it on its face with the wording. Madam Speaker, we'd like to move this back to second where we were."

Speaker Braun: "Representative Hartke."

Hartke: "Yes, ma'am."

Speaker Braun: "It was my understanding, we moved this to Third because you weren't going to amend it."

Hartke: "No, ma'am. We were going to amend it, but we were going to amend it on its face and we got caught up on the language. Then we took it out of the record. You moved it

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to Third. We wanted it still on Second. Correct, Tom?  
Leave to return it to Second for..."

Speaker Braun: "The Gentleman requests leave to return Senate  
Bill 161 to the Order the Second Reading for purposes of  
Amendment. Is leave granted? Leave is granted. Proceed,  
Representative Hartke."

Hartke: "Mr. McCracken."

Clerk Leone: "Floor Amendment #8, is being offered by  
Representative Hartke."

Hartke: "Thank you very much, Madam Speaker. I refer to Mr.  
McCracken for the correction on the wording on the amending  
of the Bill on its face."

McCracken: "Speaker? Okay. Thank you. Thank you."

Speaker Braun: "The Chair recognizes the Gentleman from DuPage,  
Representative McCracken."

McCracken: "I ask leave of the Body to amend Amendment #8 on its  
face to delete from line 29 the words 'of less than 26,000  
pounds gross' and to delete from line 30 the words  
'weight'. Lines 29 and 30 of page 2 of the Amendment, I  
ask leave of the House to amend it on its face."

Speaker Braun: "Gentleman from Cook, Representative Cullerton."

Cullerton: "I appreciate the effort. I'm just curious if we are  
to do this, does the Clerk need any specific... does he  
have a specific procedure whereby we amend Bills on their  
face? Does he have to have a copy given to him signed by,  
say, one... I don't know, signed by the Sponsor of the Bill  
perhaps, or something like that? Is there some kind of a  
procedure that's been worked out?"

McCracken: "I've got it marked and initialed. We'll send it down  
if it's alright with you, and then the Clerk can reflect  
that in his record."

Cullerton: "I just wanted to establish a procedure if we were to  
do this. Perhaps have the Sponsor of the Bill... require

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that the Sponsor of the Bill be also sign..."

McCracken: "I'm just trying to be helpful."

Cullerton: "Oh, I know that. It's refreshing."

McCracken: "When you're in the Minority, that's what you have to do. Do I have leave, Madam Speaker?"

Speaker Braun: "Representative McCracken, I think... I would suggest to both of you that you get together, take this Bill out of the record and have it properly amended by something in writing..."

Hartke: "Why?"

Speaker Braun: "The rules require unanimous consent for a facial Amendment of... of an Amendment."

Hartke: "Right. Right..."

Speaker Braun: "And I object. So, this Bill will be taken out of the record."

Hartke: "I don't think we have any problem, ma'am."

McCracken: "Oh, come on. The... Speaker, you cannot object when you're in the Chair."

Speaker Braun: "Oh, I can't do that. That's right. I'm sorry, you're right. You're right. You're right. It's just bad practice. It really is. We can't do this."

McCracken: "We under..."

Speaker Braun: "So, the Bill will be taken out of the record while you guys get together and work it out. Back on the Order, the Bill will be returned to the Order of Third Reading and taken out of the record. Senate Bill 360, Representative Keane. Senate Bill 360, Representative Keane. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 360, a Bill for an Act to increase the price of publishing legal notices. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Cook."

Keane: "Thank you, Madam Speaker. Senate Bill 360 amends the



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State Officer Accounting Fees Act (State Officers-Accounting For Fees Act) and it increases the rates for advertising delinquent tax lists and assessment lists which has an immediate effective date. Basically, the fees charged by newspaper for publishing the list of tax delinquent property and assessment changes were last changed three to four years ago. These changes are made by 360 were not specifically fee increases, but in downstate counties, a change from per line charge to per parcel charge. This reflected a change technology in the printing industry and was a recommendation of the Local Government Finance Study Commission. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 360. On that, is there any discussion? The Chair recognizes the Gentleman from Coles, Representative Weaver."

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

Speaker Braun: "He indicates he will."

Weaver: "Representative Keane, over here. This... Correct me, if I'm wrong, this has an immediate effective date."

Keane: "That's correct."

Weaver: "What kind of a predicament is this going to put our county clerks into who have already entered their budgetary year? This is going to mean an increased cost for them that they don't have included in their budget. Would you be agreeable to, perhaps, changing this to an effective date of beginning of the next year? I..."

Keane: "Let me take... Madam Speaker, let me take the Bill out of the record for a minute."

Speaker Braun: "This Bill will be taken out of the record. Senate Bill 483, Representative Churchill. Representative Churchill. Mr. Clerk, read the Bill."

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Clerk Leone: "Senate Bill 483, a Bill for an Act in relationship to counties. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Madam Speaker. I'd like permission to bring this Bill back to Second Reading for purpose of an Amendment."

Speaker Braun: "The Gentleman requests leave to bring Senate Bill 483 back to the Order of Second Reading for purposes of Amendment. Is leave granted? Leave is granted. The Bill will be returned to the Order of Second Reading for an Amendment. Mr. Clerk, read the Amendment."

Clerk Leone: "Floor Amendment #2, offered by Representatives Capparelli and Barnes."

Capparelli: "Thank you, Speaker. Amendment #2 corrects a technical problem created by legislation passed last year. This correction is necessary to protect the bond rating. And also, the Amendment adds a sentence which allow DCCA to refund bonds issued earlier in order to take advantage of lower interest rates in the bond market. This would result in a saving for the state. I would ask to adopt Amendment #2."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 2. And on that, is there any discussion? There being none, the question is, 'Shall... The Gentleman from Cook, Representative Cullerton."

Cullerton: "We don't have the file, so I just want to ask of the Clerk if it's printed."

Speaker Braun: "Mr. Clerk. Representative Churchill, the Clerk advises that it is. The Gentleman from Lake, Representative... Representative Cullerton, the Bill... the Amendment is apparently printed and distributed."

Cullerton: "Right. So, are we going to pass this on... are we

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going to call this on Third Reading after the Amendment's adopted?"

Speaker Braun: "That with leave of the House if you would object to that and would want consideration of the Amendment."

Cullerton: "Well, if I just have a copy sent over to me, I'd be happy to not object at this time."

Speaker Braun: "Certainly. Representative Capparelli, for what reason do you seek recognition?"

Capparelli: "I'm sorry, but I wanted to table Amendment #2 and then go to Amendment #3."

Speaker Braun: "Well, that solves that. The Gentleman withdraws Amendment 2. Further Amendments?"

Clerk Leone: "Floor Amendment #3, offered by Representatives Capparelli and Barnes."

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

Capparelli: "Amendment #3 is what I explained as Amendment #2 which we tabled. And I would ask to adopt number... Amendment #3."

Speaker Braun: "The Gentleman moves the adoption of Amendment 3. On that, is there any discussion? The Gentleman from Lake, Representative Church... the Gentleman from Cook, Representative Cullerton."

Cullerton: "The best thing would be for just to have you explain what the Amendment does."

Capparelli: "Amendment #3 corrects a technical problem created by legislation last year. The correction is necessary to protect the bond rating in Illinois. Also, the Amendment adds a sentence that would allow DCCA to refund bonds issued earlier in order to take advantage of the lower interest rates."

Cullerton: "Okay. And, Madam Speaker, has that been printed?"

Speaker Braun: "Mr. Clerk. Amendment 3 apparently has not been

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printed. Representative Churchill. Representative Churchill."

Churchill: "Madam Speaker, I had agreed with Representative Capparelli to allow him to put this Amendment on the Bill, and if it's not printed and distributed at this time I'd be willing to take the Bill out of the record until he's prepared to go, provided that we will get back to the Bill at some point."

Speaker Braun: "The Bill will be taken out of the record. Thank you, Representative Churchill. Out of the record. Senate Bill 707. Representative Granberg? Okay. Senate Bill 483 will be returned to the Order of Third Reading and taken out of the record. Senate Bill 707. Representative Granberg, are you prepared to proceed? Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 707, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Granberg: "Thank you, Madam Speaker, Members of the House. Senate Bill 707 deletes the evaluation standard of superior from the School Code. Currently, there are four standards for teacher evaluation, excellent, satisfactory, unsatisfactory and superior. This Bill would delete the superior rating. It's supported by the State Board of Education, the Illinois Education Association and the Illinois Association of School Boards."

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 707. And on that, is there any discussion? There being none, the question is, 'Shall Senate Bill 707 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Representative Young? Representative Curran would like to be recorded as voting 'aye'. On this

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question there are 109 voting 'aye', none voting 'no', and Senate Bill 707, having received the Constitutional Majority, is hereby declared passed. Senate Bill 777. Representative Parcels. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 777, a Bill for an Act to amend an Act in relationship to the definition of licensing and regulation of community currency exchanges. Third Reading of the Bill."

Speaker Braun: "The Lady from Cook, Representative Parcels."

Parcels: "Thank you, Madam Speaker. This Bill is an initiative from the Department of Financial Institutions. It would increase the annual licensing fees for community currency exchanges from 100 to 200 dollars, the examination fees from 75 to 150 and the application fee from 100 to 200. It would not affect the ambulatory currency exchange fees at all. It is agreeable with the currency exchange. I know of no opposition to the Bill, and I move for its passage."

Speaker Braun: "The Lady from Cook moves the passage of Senate Bill 777. And on that, is there any discussion? There being none, the question is, 'Shall Senate Bill 777 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', none voting 'no', and Senate Bill 777, having received the Constitutional Majority, is hereby declared passed. Senate Bill 832. Representative Kirkland. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill... on page three of the Calendar, Senate Bill 832, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Kane."

Kirkland: "Madam Speaker, I seek leave to return the Bill to

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Second Reading to table an Amendment, please."

Speaker Braun: "That was very nice. The Gentleman asks leave to return the Bill to the Order of Second Reading. Leave is granted. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 832, a Motion to table by Representative Kirkland."

Speaker Braun: "The Gentleman from Kane."

Kirkland: "Thank you, Madam Speaker. Would... like to table Amendment #3. As some of the Members of the Assembly will recall, that Amendment would preempt... would have preempted local administration in issuance of handicapped parking decals and so forth. We had a pretty good debate and raised some issues on the floor which we really can't resolve in as short of time as we'd like to on this particular issue. So, I'd like to table the Amendment and go with the Bill without the Amendment."

Speaker Braun: "The Gentleman has moved the adoption... The Gentleman has moved to table Amendment 3. And on that, is there any discussion? There being none, the question is, 'Shall Amendment #3 be tabled?' All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is tabled. Further... Are there further Amendments?"

Clerk Leone: "There are no further Amendments, nor Motions."

Speaker Braun: "Third Reading. The Gentleman requests leave for immediate consideration of Senate Bill 832 on the Order of Third Reading. Is leave granted? Leave is granted. The Chair recognizes the Gentleman from Kane, Representative Kirkland."

Kirkland: "Thank you, Madam Speaker. This Bill emanates from a report by the Secretary of State on handicapped parking issues pursuant to Senate Joint Resolution 97 we passed last year. There were four hearings between Sessions on

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this issue, and they came up with some recommendations. This Bill would put a couple of them into effect. One would be to add the designation 50 dollar fine to all current, excuse me, to..."

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 832. And on that, is there any discussion?"

Clerk Leone: "Senate Bill 832, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Braun: "There being none, the question is, 'Shall Senate Bill 832 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. The Gentleman from Champaign, Representative Johnson. Representative Johnson? Have all voted? Representative... Have all voted? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no'. Senate Bill 832, having received the Constitutional Majority, is hereby declared passed. Senate Bill 855. Representative Klemm? Mr. Clerk, read the Bill."

Clerk Leone: "On page seven of the Calendar, Senate Bill 855, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

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

Klemm: "Thank you, Madam Speaker. Senate Bill 855 amends the Illinois Vehicle Code. It provides that fines that are collected for overweight violations on township roads be paid to the township where the violation occurred since the township would be the entity that would have to repair the roads. The Bill was amended to include some indemnities for townships, municipal... or counties and municipalities who install traffic control devices at the request of private subdivisions and gives them the same indemnity that we did in Senate Bill 1200 last year on regular county

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roads. And I'll answer any questions that you may have and I move its adoption."

Speaker Braun: "The Gentleman moves the passage of Senate Bill 855. And on that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Braun: "He indicates he will."

Cullerton: "Representative Klemm, I believe that I filed a request for a fiscal note on this Bill. Was one submitted?"

Klemm: "Yes, do you want me to review it with you?"

Cullerton: "Yeah, if you could just tell me what the fiscal note says."

Klemm: "Okay. The Department of State Police who receives the fines reported that overweight fines for the entire calendar year of 1986 was 3,070,000 dollars, approximately."

Cullerton: "3,070,000 dollars?"

Klemm: "Entirely throughout the state. And of that 3,000,000 dollars that they collected of overweight fines throughout the State of Illinois, approximately 2,100,000 was collected in the fixed scales that are located along the highways that the trucks have to pull off on. On state and federal highways alone. That left about 900,000 left for the portable scales and the rental scales on state highways. Now, it was determined that some percentage of that 900,000 probably went to a township, but they couldn't find any records on it. They said they'd have to estimate it because that 900,000 came mostly where the state police patrol on state highways and on county highways. They said probably the best they could do is, maybe it was less than 200,000 throughout the State of Illinois. And that's a



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guess."

Cullerton: "So, you think then that under your analysis, the state would lose about 200,000 dollars and the... that money would be transferred to the township road district."

Klemm: "John, I really don't think it's 200,000, in honesty."

Cullerton: "At the maximum."

Klemm: "But, you know, we're guessing on some percentage. Now, the state police don't patrol township roads, first of all. So, it's pretty difficult for me to come up with a figure of saying how many hundreds of thousands it is."

Cullerton: "Well, if you get it down real low, then we don't have a need for the Bill."

Klemm: "Well, but if you look at even a few hundred dollars to a township to fix up a road that was broken up because of an overweight truck, and you know certainly the condition of township roads that we call them an A-3 classification, which is the lowest classification of the type of construction. So, even if it's a few hundred or a few thousand dollars, it means a great deal to a township that has to repair it. So, for that sake, it is important to townships."

Cullerton: "Okay. So... I guess, then, the only negative thing you can say about this Bill is it would set a bad precedent for diverting money from the state..."

Klemm: "Well, you know, I don't even know it's a bad precedent. I guess if you would look at the realities, who best should probably receive overweight fines are those municipalities and counties and townships that have to repair it. I mean, if you look at the honesty of it, I guess I would say well maybe the state should get part of the fines because of a penalty type of thing, but those who have to repair the damage after the truck rips up the roads would be the local government."

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Cullerton: "I understand that theory."

Klemm: "I guess it's a philosophy thing. This is only addressing townships which has the least amount of revenue, the least ability to do some taxation to help the road."

Cullerton: "But they do get money back under the road fund formula, from the state right now. Isn't that correct? Motor fuel tax?"

Klemm: "I don't think it's from the road fund. It's..."

Cullerton: "Motor fuel tax."

Klemm: "Oh, the motor fuel tax."

Cullerton: "Now, is the real reason why you picked up this Bill so that you could file Amendment #1 on it and try once again to get that passed?"

Klemm: "No, not at all."

Cullerton: "But is Amendment #1 the most important part of this Bill at this point in time to you?"

Klemm: "No, not really."

Cullerton: "How many times have we passed Amendment #1?"

Klemm: "Several times."

Cullerton: "Has any of it ever been passed by the Senate?"

Klemm: "Yes."

Cullerton: "So, there's one going to the Governor's desk?"

Klemm: "I think it may be coming over here for concurrence."

Cullerton: "Okay. So, if this Bill was defeated, you'd at least have a chance to pass your Amendment #1 on at least another Bill?"

Klemm: "Well, it's hard to say what will happen. You know the perils of a Bill with a Sponsor with the initial R behind it. It's very dangerous for us to get a Bill through."

Cullerton: "I understand that. Now, is the Department of Transportation taking a position on, not on your Amendment, but on the Bill, the Senate Bill that was passed?"

Klemm: "Well, both the Department of Transportation and State

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Police have taken a neutral position because the law seems to be so insignificant that it will help the townships they haven't taken a position. They're neutral apparently."

Cullerton: "The Department of Transportation is going to lose money and they're neutral on the Bill?"

Klemm: "Well, apparently, it is so insignificant in the dollar amount that it's... they're just staying neutral on it."

Cullerton: "Okay. So, now we're down to an insignificant Bill. I think the Amendment....."

Klemm: "No. I didn't say that. I said, the dollar lost may be somewhat insignificant."

Cullerton: "So, it's insignificant to the state, but significant to the township."

Klemm: "It's an important Bill and don't... you know what I'm talking about."

Cullerton: "Okay. Well, alright, I think we've..."

Klemm: "You know, it's a question of significance to the township, insignificant perhaps to the state for the small amount of dollars that we'll be giving the local government."

Cullerton: "Okay. Fine. So... first of all, let me state for the record that I have no opposition to your Amendment #1 and I hope some day it gets to the Governor's desk. I just think that if you read into the Bill, I think that even though the Department of Transportation might be neutral on it, I think it's obvious that they would not like the precedent that it sets. And so, that would be the... a good reason to vote against it, and that's not a question. That's my... I'm through talking on this Bill."

Speaker Braun: "Is there further discussion? The Gentleman from Effingham, Representative Hartke."

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

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Speaker Braun: "He indicates he will."

Hartke: "Representative Klemm, you and I have had some discussion on this Bill in Committee, and I have no qualm with what you're trying to do, and that is get revenues for township roads and so forth. My fear is that there is the remote possibility, I suppose, that a very zealous law enforcement official in a county could make one township very wealthy by this rule. Can you envision that?"

Klemm: "Well I really don't, because at least in my area, and I think it's pretty well true throughout the state, the counties have their own problems. They usually call the State Police in for overweight vehicles. They don't... I know my county doesn't do overweight violations. They call the State Police. The State Police don't even get involved in townships."

Hartke: "No, but I mean, they could. Correct? You know, in my township we have, of course..."

Klemm: "I guess it's possible... I guess, but highly improbable, and you know that."

Hartke: "Well, in my county we have a State Police Headquarters, and many state troopers are living out in the township, and if they would like to improve their roads, all they'd have to do is look around, and I'm sure that they could find an exceptional number of trucks in farm areas who travel through more than one township and could make one township very wealthy over another just by..."

Klemm: "But you're saying that it's okay, then, for trucks to violate the weight limits, to be overweight, to rip up the roads, and then we should say that, you know, if they repeatedly do it over and over with disregard for the taxpayers who have to be left over to pick up the bill and pay it, that it's correct, and I would think in those instances maybe that truck driver who continually violates

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the law, rips up the roads with overweight, should be, maybe, ticketed. I have no problem with that, I mean, but certainly an occasional occurrence happens, and you know they are not being chased with the red lights and the mars bars and chasing them down. But I certainly have no sympathy for some company, a gravel truck industry or company who continually would overweight and break up the road just to break the law and get an extra few dollars for themselves at the expense of your taxpayers or mine. I don't think either one of us would support that."

Hartke: "No, I'm not being soft on those that are overweight. I... let me ask you a question. I think you had... you said there were three million some dollars the state collected from overweight vehicles. Is that correct?"

Klemm: "That's everywhere in the State of Illinois."

Hartke: "Okay. Is that categorized by what commodities they're carrying, by chance?"

Klemm: "No, they didn't give me that breakdown. I don't know if they have that, even."

Hartke: "Okay. I don't know, but I think that probably a lot of these are carrying natural commodities grown here in the State of Illinois, probably a lot of them are grain trucks, milk trucks and so forth. It would be very difficult to regulate that load when you're trying to load them as opposed to freight, which crosses... down the interstates and so forth, which is a solid load which does not shift around and vary. And I would presume also a lot of this weight is coming from the country, and to shift these fines back to the specific township where that individual's picked up is going to be difficult to administrate, for one. Number two, I think it would be an uneven distribution of those funds. I'd prefer that if it's going to go somewhere, it go back to the county for distribution,

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as opposed to the township. I'm not opposed to the principle of what he's trying to do, but the wording of the Bill. Thank you, Madam Speaker."

Speaker Braun: "Is there further discussion? The Gentleman from Cook, Representative Leverenz."

Leverenz: "Will the Gentleman yield?"

Speaker Braun: "Indicates he will."

Leverenz: "Would you tell me, in the past 12 months and the 12 months prior to that, the total amount of overweight fines to the state?"

Klemm: "Well, as I gave the information to Representative Cullerton, let me repeat what they gave me on the fiscal report."

Leverenz: "I was listening to staff on the budget."

Klemm: "Oh, okay."

Leverenz: "I'm trying to protect that budget here."

Klemm: "Okay. I can understand that. The overweight fines in Calendar Year 1986 was... throughout the State of Illinois they collected three million, seventy thousand dollars, eight hundred and thirty-one. Three million, seventy thousand, eight hundred and thirty-one dollars collected throughout the State of Illinois on overweight vehicles."

Leverenz: "Is that down from the year prior? Is that down from the year before?"

Klemm: "I don't have that report from the year before."

Leverenz: "I believe you'll find that it was over five million the year before. And where does that road fund... where does that go? Does that go to the road fund?"

Klemm: "Of this total, two million one hundred thousand, approximately, was generated from the fixed scales on state and federal highways. That left about nine hundred thousand left from the portable scales and from the rental scales on state and federal highways, county highways, and

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the few townships."

Leverenz: "And where does the money go?"

Klemm: "The road fund."

Leverenz: "To the road fund."

Klemm: "As I understand, yes."

Leverenz: "And you know that a number of budgets are constructed based on the total amount of road fund and... what budgets, then, are funded from the road fund?"

Klemm: "Secretary of State, DOT, and the State Police, I believe."

Leverenz: "Those three. That's correct. And they are in a formula. Are you aware of the formula?"

Klemm: "Sixty-forty or something like that."

Leverenz: "You got it. And for what do you propose with this Bill to take away from the Secretary of State and DOT and the State Police?"

Klemm: "Well, you know, the amount of loss appears to be a matter of a few thousand dollars, and that's probably why the state of... the State Police and IDOT are neutral on the Bill, so... I mean I don't know what I can tell you more than that."

Leverenz: "How many thousands of dollars lost to state revenue?"

Klemm: "Would you say that again?"

Leverenz: "How many thousands lost to the state?"

Klemm: "Well, it's some percentage of nine hundred thousand dollars. You know, the highest we've gotten would be, in the worst scenario, maybe two hundred thousand, the least scenario, a matter of a few thousand."

Leverenz: "That is based on last year's figures, and it would be even a higher amount based on the year prior. Isn't that correct?"

Klemm: "That's the most recent figure. Probably be lower from the year before, yes."

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Leverenz: "Why would the Department of Transportation be neutral on this? Why would they want to allow any money to go anyplace else based on the current state of revenue and spending?"

Klemm: "Maybe they felt honesty and fairness of where the money should go, since the townships have to repair it, may be one reason why they're neutral. I don't know. You'd have to talk to them."

Leverenz: "How about the Secretary of State? How do they feel about this?"

Klemm: "I don't know."

Leverenz: "State Police? They just came in for a supplemental because they ran out of money on the 15th of June."

Klemm: "They don't take a position. They're neutral on it also. Maybe they also perhaps believe that since the township roads are being ripped up since its a matter of only a few thousand dollars, that maybe we should be fair and do the right thing and let the townships have that money. I don't know. You'd have to talk to them."

Leverenz: "How many permanent scale installations are on township roads?"

Klemm: "None that I'm aware of."

Leverenz: "Pardon me?"

Klemm: "None that I'm aware of."

Leverenz: "How many portable scales get set up on township roads?"

Klemm: "None that I'm aware of."

Leverenz: "Then why should they share in any of the money, in your mind?"

Klemm: "If there are no violations on township roads, there will be no money to be shared. The state would have no loss whatsoever."

Leverenz: "Madam Speaker, to the Bill. From a number of



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different perspectives, the Gentleman admits that there are no permanent or portable scales, to his knowledge, used on the township roads. The money that is brought into the state must be used to fund the State Police, Secretary of State, and the Department of Transportation. Though it may be a good idea, it is a good idea before its time, and I would encourage 'no' votes on any further diversions of road fund dollars as we have had those discussions over and over again. I urge your 'no' vote."

Speaker Braun: "Any further discussion? The Chair recognizes the Gentleman from McHenry to close. Representative Klemm. Representative Klemm."

Klemm: "Thank you, Madam Speaker. I guess perhaps it's a Bill about fairness and equity. You know, we like to make money for the State of Illinois, but I certainly don't think many of us here like to put it on the backs of our local taxpayers and our local government entities. Here's a simple Bill, really, that talks about a few thousand dollars that would go to township government. It stays there fixing the repairs and maintenance of the roads that the destruction was created by -- on overweights. It certainly seems to be fair and equitable. When we talked about it in Committee, there was no problem in trying to distribute the funds from the county with the automatic computers and the systems that we have, if any. Even the state agencies that are, in fact, involved are saying that really it is so insignificant as far as their operation is concerned that it probably would help local government, but maybe it may not be a bad idea, so they remained neutral. I would think if you feel that township government certainly needs a helping hand to help repair their roads, this would be an ideal vote for you to vote 'yes'. If you don't want to help townships and you think a few thousand

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dollars, after what we've done in overweight vehicles, extra longer vehicles, on a Bill we just... we did just a few moments ago, you don't think that it's fair for them, then I guess you'd vote 'no'. It's a simple Bill. I think it deserves your 'yes' vote, though, because of fairness and honesty on the Bill. Thank you."

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 855. The question is... the question is, 'Shall Senate Bill 855 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question... on this question, there are 53 voting 'aye', 58 voting 'no', and Senate Bill 855, having failed to receive the Constitutional Majority, is hereby declared lost. Senate Bill 925. Representative Piel. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 925, a Bill for an Act to amend Sections of an Act in relation to banking. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Cook."

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 925 is introduced for the Commissioner of Banks and Trust Companies. It passed out of the Senate 59 to 0 and out of Committee 24 to 0, and what it basically does is amend certain banking Acts - the Illinois Banking Act, the Electronic Funds Transfer Facility Act, the Trust Company Act and the Promissory Note Act. And it revises the provisions regulating to the manner of changes in which charters of banks may be performed and requires certified copies of these charters and... along with the stockholder resolutions to be filed with the Commissioner, and it also makes certain publication requirements that would be at the

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bank's expense and also - not the stockholder's expense - and makes clarifying technical changes. The Commissioner of Banks, the Independent Community Banks and the IBA are all proponents, and I'd be more than happy to answer any questions that you might have."

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 925. And on that, is there any discussion? The Gentleman from Cook, Representative Young."

Young: "Inquiry of the Clerk. Do we have the corrected Bill in the well now? I understand the original Bill was defective."

Speaker Braun: "Representative Young."

Young: "I understand originally pages 17 and 18 were from Senate Bill 926, if you want to check those two pages."

Clerk O'Brien: "The pages you refer to were in the printed Bill that were in the Bill Room. The Bill has been printed over, and the original Bill is correct."

Young: "Thank you."

Speaker Braun: "Is there further discussion? There being none, the question is, 'Shall Senate Bill 925 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 108 voting 'aye', none voting 'no', and Senate Bill 925, having received the Constitutional Majority, is hereby declared passed. Senate Bill 957, Representative Matijevich. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 957, a Bill for an Act in relation to the practice of the clinical social work profession. Third Reading of the Bill."

Matijevich: "Madam Speaker, could I have leave to return this Bill back to the Order of Second Reading for the purpose of

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tabling Amendment #3? I've spoken with the Sponsor of the Amendment, Bob Churchill, and we've agreed to table that Amendment."

Speaker Braun: "The Gentleman asks leave to return this Bill to the Order of Second Reading. Is leave granted? Leave is granted. The Bill will be returned to the Order of Second Reading for purposes of Amendment. Mr. Clerk."

Clerk O'Brien: "Amendment #3, previously adopted."

Speaker Braun: "Mr. Matijeovich."

Matijeovich: "Yes, Madam Speaker and Members of the House. I would now ask leave of the House to table Amendment #3. This was the skiing safety Amendment, but we realized that there are some problems with the Amendment in its present form that may cause problems of passage, so I would ask leave to table Amendment #3."

Speaker Braun: "The Gentleman moves to table Amendment 3 to Senate Bill 957. On that, is there any discussion? The Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Madam Speaker. As much as I would like to continue to keep the language of the Skiing Board in this Bill, I recognize that Representative Matijeovich and the people who have worked on this Bill have spent many hours putting it in its present form, and I think that my Amendment on it may cause some problem for it along the line. Therefore, I have agreed to table this Amendment and I hope that we can work out another Amendment on some other Bill that will accomplish the ends that I seek to accomplish."

Speaker Braun: "Representative Churchill withdraws... moves to table Amendment 3. All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is tabled. Any further Motions or Amendments?"

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Clerk O'Brien: "No further Motions or Amendments."

Speaker Braun: "Representative Matijevich now requests leave to have the Bill returned to the Order of Third Reading. Is leave granted? Leave is granted. The Bill will be returned to the Order of Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 957, a Bill for an Act to amend the Regulatory Sunset Act. Third Reading of the Bill."

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House, Senate Bill 957 is a licensing Bill for the independent practice of clinical social work. It adopts the recommendation of Governor Thompson's Sunset Review Committee. It was prepared by the Society for Clinical Social Work. It incorporates the suggestions of the Department of Registration and Education. The Society has been working on this for about four years. There... at first through the years, has been opposition from the Medical Society and the Department. All of that opposition has been removed. This is now an agreed Bill in its present form, and I would ask for the favorable support of this House in its passage."

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 957. And on that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would just like to add to Representative Matijevich's remarks and indicate that there has been a coalition of various social work professionals striving to rewrite the licensing law for social work for the last several years, the clinical social workers being only one member of this group, and that the group has endorsed this particular proposal as well, and my position has always

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been to support the coalition, and I'm pleased to say that they also endorse this proposal, and so I rise in support."

Speaker Braun: "The Gentleman moves... is there further discussion? There being none, the Chair recognizes the Gentleman from Lake to close."

Matijevich: "Appreciate everybody's support. Thank you."

Speaker Braun: "The Gentleman moves the passage of Senate Bill 957. All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye', none voting 'no', and Senate Bill 957, having received the Constitutional Majority, is hereby declared passed. Representative Breslin in the Chair."

Speaker Breslin: "The next Bill is... Representative Breslin in the Chair. The next Bill is Senate Bill 1005, Representative Giorgi. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1005, a Bill for an Act to amend the Court Reporters' Act. Third Reading of the Bill."

Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker, the court reporter Bill 1005 provides that a full-time reporter shall be paid not less than 6,000 nor more than 39 annually. Currently, it's 37 annually. It's a 2,000 dollar permissible increase, not mandated. I urge the support of this Bill."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1005. And on that question, the Gentleman from DuPage, Representative Hoffman. The Gentleman from... the Gentleman yields his time to the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. This is permissive, you said, Representative? And the county board would do this or who would be responsible for effecting the increase, if

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it were so decided?"

Giorgi: "The state pays the... "

McCracken: "It's permissive, but the General Assembly has to do it. I'm just asking. I'm sure I like this Bill. I'm just asking."

Giorgi: "The last paragraph says who pays it. You better hire new staff."

McCracken: "Who, who, who, who, who?"

Giorgi: "The last salary... the last paragraph says who pays it."

McCracken: "Just tell me who it is."

Giorgi: "The salaries of all official court reporters employed by the state be paid monthly by a voucher of the Supreme Court."

McCracken: "Okay, thank you."

Speaker Breslin: "The Gentleman from DuPage, Representative Hoffman, you're... There being no further discussion, the question is, 'Shall Senate Bill 1005 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 84 voting 'aye', 28 voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1009. Representative Braun. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1009, a Bill for an Act authorizing the delegation of health tasks to physician assistants under the supervision of a licensed physician. Third Reading of the Bill."

Speaker Breslin: "Representative Braun."

Braun: "Thank you very... thank you, Madam Speaker, Ladies and Gentlemen of the House. This is an agreed Bill, agreed by... at least by the academy and the industry. It is the

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sunset on physician assistants. There was an Amendment adopted, Amendment 3, which had to do with clarifying language on accountants' privileges. I urge your support for the legislation."

Speaker Breslin: "The Lady has moved for the passage of Senate Bill 1009. This Bill is on the Order of Short Debate. Does anyone rise in opposition? Seeing none, the question is, 'Shall Senate Bill 1009 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 111 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1057. Representative Hannig. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1057, a Bill for an Act to amend the Illinois Act on the Aging. Third Reading of the Bill."

Speaker Breslin: "Representative Hannig."

Hannig: "Yes, thank you, Madam Speaker, Members of the House. This Bill would require the Department of Aging to grandfather in contractors who do not meet their new or proposed rules. Customarily, we in the State of Illinois, when we change the rules and try to upgrade the requirements, many cases requiring, for example, college education or something of that nature, often recognize the fact that people who have been on the job for a number of years but do not meet those requirements nevertheless already have the background necessary to fulfill the job. The fact that they are on the job and doing the job, I think, implies that. What I'm trying to do here by this specific Bill is to ensure that a number of people that I'm aware of from my district and perhaps other people from around the state do not lose their job or reclassify



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because of some proposed changes by the Department of Aging, and it's to help some people. It's a real important Bill to them, and I would ask for your support."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1057. And on that question, the Gentleman from DuPage, Representative Hoffman."

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

Speaker Breslin: "He will."

Hoffman: "Can you give me an example of what you're trying to address here, Representative?"

Hannig: "Yes, let me try to put it in terms of an example I know. We have in the Senate District - Senator DeMuzio introduced a Bill - a Lady who has worked as a, I think the term is, she's a housekeeping supervisor, and she has worked in that position for over 10 years. I'm aware of that, and as a result of a... changes in the rules which will now require that she have some college time, which she does not, she could very well lose her job or be reclassified. So what we're simply saying is that the state should recognize these on-the-job training, you might say, or should recognize the fact that she has done this job for 10 years, and while it may be a good idea to put these requirements in practice for someone to replace her, at this point I don't see any reason we should dismiss her, simply because we're trying to raise the standards."

Hoffman: "Thank you. That's a good example. Is it possible that this kind of legislation could fly in the face of federal requirements for federal funding?"

Hannig: "Representative, I may be mistaken, but when I discussed the Bill with my Senator, he said that he would... it was his opinion that this was not because of a federal mandate, but I... again, I'm relying on his discussions with me."

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Hoffman: "Thank you very much. Madam Speaker, Ladies and Gentlemen of the House. I think that we have a history of grandfathering, if you will. Whether it's wise or not as far as the patient care is concerned is subject to debate, and I suppose if we're concerned about the providers rather than the clients, you know, we ought to be for this Bill, but I think we need to recognize who it helps. We also need to recognize the cause for increasing the standards."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Senate Bill 1057 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 109 voting 'aye', 5 voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Novak is recognized."

Novak: "Yes, Madam Speaker. Referring to Senate Bill 1055 concerning the court reporters' salary, I'd like to be recorded on record as an affirmative... in support of that, please."

Speaker Breslin: "I believe that was Senate Bill 1005."

Novak: "1005, excuse me."

Speaker Breslin: "Very good. The transcript will so reflect that Representative Novak wishes to have voted 'aye' on Senate Bill 1005. The next Bill is Senate Bill 1215. Representative Farley. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1215, a Bill for an Act to amend the Illinois Public Labor Relations Act. Third Reading of the Bill."

Speaker Breslin: "Representative Farley."

Farley: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would like Representative Greiman to discuss this

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Bill and go from there."

Speaker Breslin: "Representative Greiman."

Greiman: "Thank you, Speaker, Ladies and Gentlemen of the House.

This is the agreed Bill, agreed by labor and management in the State of Illinois in public labor relations as well as educational labor relations. It was a decision to limit the great systemic changes, and so that we would look instead and see those areas of stress and crisis. The labor relations Bill is four years old. We did, we think, in this Bill, some fine tuning to address some of the complaints that both sides had about the operation of the Act. We chose not to make, as I said, great changes in the philosophy of the Act, and it was, like all negotiations between labor and management, it had its rough moments, but the parties were most genuine in their desire to accommodate each other and to bring a good and sensible labor policy to Illinois. And I would be prepared to answer any questions you might have."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1215. And on that question, the Gentleman from Winnebago, Representative Hallock."

Hallock: "Thank you, Madam Speaker. That was one of the most eloquent speeches on behalf of a shell Bill I think I've ever heard in this chamber. My understanding is, this is a shell Bill. Is there anything more to it at this point in time than that?"

Speaker Breslin: "Representative Greiman."

Greiman: "Mr. Hallock, this is not a shell Bill. This Amendment that was adopted in this House has 13 components. As far as I'm concerned, this Bill will go... should go to the Governor. It should be concurred in. Amendment has been brought to the Senators. The Senate Sponsor has indicated that he agrees with the Amendment that we are putting on

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here and intends to concur with this Amendment."

Hallock: "You indicated the parties pursuant to negotiations have worked things out. Who were those parties and what was worked out?"

Greiman: "Parties were all of the labor organizations in Illinois. There were... representatives of the state were present. Representatives of the education management community, ED RED, the trustees. There was the Municipal League. I might tell you the Municipal League has signed off on this Bill and says they support this Bill. The Northwest Municipal Conference was present and agreed, and just about everybody else in Illinois who is interested. I will tell you that there were... some of our meetings, we held down in 114, and were with many people."

Hallock: "Thank you for that information."

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

Didrickson: "Thank you, Madam Speaker, Members of the House. Representative Greiman is correct. This Bill has been signed off by both labor and management. I guess I might only suggest to Representative Greiman that, you know, the Republican Members had they been included, and you've already made a public apology, would... and I appreciate that very much..."

Greiman: "I've already apologized. I lay my head on the... right, on the block."

Didrickson: "... we then wouldn't have some of the concerns that perhaps have been raised here. But for this side of the aisle, everybody has signed off on this. We still may have, you know, some concerns with regards to the ambiguity when we talk about or define the unfair labor practice, that language, and I think we've discussed that, and perhaps the potential for forum shopping with the education and labor relations language there with appeals. But

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beyond all that, this... I think this Bill has moved along in proper fashion, and everybody's signed off, and I would concur with Representative Greiman."

Greiman: "Thank you very much. I appreciate that."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Senate Bill 1215 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Gentleman from DuPage, Representative McCracken, one minute to explain your vote."

McCracken: "Actually, I was supposed to engage in dialogue with the Sponsor of the Amendment."

Speaker Breslin: "The Chair would allow that. Proceed."

Mccracken: "Okay. Representative, in the Amendments, there is nothing dealing with the State Labor Board decisions which have been putting most police supervisors into the bargaining units. Some of these cases have involved some of the larger departments, and the Board has left them with no supervisors except when the chief is on duty. When we amended this law to put police and fire and the police supervisors were still expected to be on the street and to take police action when necessary without giving up their status as supervisors. The reason, I believe, is because there was included a Section saying that police supervisors were exempted from the requirement that they spend a preponderance of their time doing exclusively supervisory things. Apparently, some of these cases seem to be ignoring this and are still looking at how much time police supervisors spend on the street and what percentage of time they spend doing various duties. The cases have gone so far as looking at the fact that supervisors wear police uniforms and drive police cars for a significant percent of their duty time as contributing to the police presence and considering that to say that their work is the same as that

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of a patrol officer. That was not what we intended, and I would ask you to comment on that for purposes of the record."

Speaker Breslin: "Representative Greiman. Greiman."

Greiman: "Thank you for the opportunity to respond."

McCracken: "I guess."

Greiman: "Yes, I think I certainly agree that it was not the intention of anyone to leave the station house with no supervisory personnel or to make the act of being in the street, particularly in smaller districts, one that would immediately, by definition, take one out of the supervisory capacity. We thought and expected that they would still be police officers and that they would be in the streets as well as supervising their police officers... their sworn police officers, and that the percentage of time and other items were not the only issue to look to to determining a supervisor as it relates to his time in the street. There are some cases mentioned. They're being appealed. Certainly, it was not the... by the way, I will tell you that we determined we would not touch this kind of issue because all of the parties would like to redo the collective bargaining law. But certainly, whatever is in there now should be followed by the Labor Board in an appropriate and thoughtful and precise manner. Thank you."

McCracken: "Okay. Thank you."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 85 voting 'aye', 29 voting 'no', and none voting 'present'. This Bill, having received the Constitutional... this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1255. Representative DeLeo? Representative Steczo. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1255, a Bill for an Act to amend the

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Illinois Municipal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Steczo."

Steczko: "Thank you, Madam Speaker. I'd ask leave to bring Senate Bill 1255 back to the Order of Second Reading for an Amendment, please."

Speaker Breslin: "Representative Steczo asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does he have leave? Hearing no objection, the Gentleman has leave. Are there any Amendments filed, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Leverenz."

Speaker Breslin: "Representative Leverenz."

Leverenz: "On the Amendment 3?"

Speaker Breslin: "Yes."

Leverenz: "I was listening to my Majority Leader. Amendment #3 would provide that... in the issue of school buses, I had the Bill where we would provide that a school bus could be licensed only in the town that they operate from or they are domiciled in. That was the intent of that Bill. This Amendment takes care of the concerns raised on that Bill and provides exactly what we intended in that Bill. I would move for the adoption of the Amendment, and Representative O'Connell worked with me on this language for this, and I'd ask for your 'aye' vote."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 1255. Is there any discussion? Hearing none, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there are further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Breslin: "Third Reading. Representative Steczko asks leave for immediate consideration of Senate Bill 1255 as amended. Does he have leave? Hearing no objection, the Gentleman has leave. Read the Bill on Third, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1255, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Steczko."

Steczko: "Thank you, Madam Speaker, Members of the House. Senate Bill 1255 contains many items that address the Municipal Code, and were agreed to in Committee, and in fact, this Bill was approved by the Committee as an agreed Committee Bill. The original Bill provides language dealing with vetoes of village presidents requiring a two-thirds vote of the village board. Also included in this Bill are the provisions of Senate Bill 390, which is sponsored by Senator Schaffer and Representative Klemm, regarding incorporation of villages and counties of 150,000 or more. Also the provisions of Senate Bill 403 by Senator Geo-Karis and Representative Peterson regarding the filing of specified objections and proceedings to incorporate a village. Also the provisions of Senate Bill 501, sponsored by Senator Keats and Representative Parcels which allows police officers to serve summons for violations of any ordinance and Senate Bill 1432, which is Senator Netsch and Representative Bowman, providing that any act of collusion among bidders or any disclosure of terms of any bid by a purchasing agent in advance shall be reported to the State's Attorney of Cook County. All these provisions, Madam Speaker, were approved unanimously in the Senate. We've also added the language that Representative Leverenz has alluded to in Amendment #3. As I indicated, the original Bill was adopted as an agreed Bill in Committee, and I would move for the passage of the Bill at this time,



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Madam Speaker."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1255. This Bill is on the Order of Short Debate. Does anyone rise in opposition? Representative Frederick."

Frederick: "Yes, Madam Speaker, I would like to ask a question of the Sponsor."

Speaker Breslin: "Proceed."

Frederick: "Yes, could you tell me what the population is of the community that wishes to incorporate?"

Steczo: "Representative Frederick, in terms of the objections of proceedings?"

Frederick: "Pardon me?"

Steczo: "In terms of the objections to the proceedings of incorporation of a village?"

Frederick: "Yes."

Steczo: "That section? My information does not stipulate which community it is, but presently, we provide in the statutes where there can be objections filed for incorporation of a city. This allows those objections to be filed for the incorporation of a village. I have no information as to any specific village."

Frederick: "You have no idea. Yes. Is the name of the municipality Vollo, by any chance? Do you know?"

Steczo: "There is a provision in the prior Bill, Senate Bill 390, the provisions of Senate Bill 390, which would, in fact, affect Vollo in Lake County."

Frederick: "And that would allow Vollo to incorporate? Is that correct?"

Steczo: "Yes."

Frederick: "I believe Vollo is a community of less than 500 people, and if you recall, a few years ago we denied a community of 2500 people the right to incorporate, so I

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would certainly be in opposition to this provision, and as a result, in opposition to the Bill. Thank you."

Speaker Breslin: "Representative Klemm, this Bill is on the Order of Short Debate. Do you still wish to speak? Representative Klemm."

Klemm: "Yes. I was just standing in support of the Amendment that was just discussed. It's a provision that's important to the community. Representative Steczo was kind enough to collapse a number of Bills and put this in 1255. I commend him for it. All the communities in Lake and McHenry Counties surrounding the communities support this Amendment, so I stand in support of the Bill and hope you'll give a favorable vote."

Speaker Breslin: "We don't usually need positions in support. Representative O'Connell, this Bill is on the Order of Short Debate. One person has already risen in opposition. Do you wish to ask questions?"

O'Connell: "I just have one question."

Speaker Breslin: "Proceed."

O'Connell: "I'm not in opposition. Just as a point for the record, Representative Leverenz put on an agreed Amendment with me. May I state your legislative intention that the purpose of this Bill as it relates to school buses, is not to preclude a non-home rule municipality from requiring that such school buses obtain vehicle stickers where there are no regulatory requirements imposed. Is that correct?"

Steczko: "That's correct."

O'Connell: "Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 1255 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 110 voting 'aye', 1 voting 'no', and

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none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1386. Representative Steczo? Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1386, a Bill for an Act to amend the Township Law. Third Reading of the Bill."

Speaker Breslin: "Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. Presently, many townships in the State of Illinois provide youth services, and those youth services were funded by, for the most part, general... by revenue sharing that the townships received. We know, of course, that revenue sharing is no longer available as a source of revenue to those townships, so what the townships have asked is that they be allowed to go to the voters and by front door referendum, allow a levy not to exceed .15 percent for the specific purpose of funding township youth services. This is a front door referendum, so the burden would be on the township to prove that those services would be needed, and in many cases, those townships do, in fact, provide very vital services to the youths of those areas, and I would answer any questions the House might have and would appreciate an affirmative vote."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1386. This Bill is on the Order of Short Debate. Does anyone rise in opposition? Hearing... the Lady from Cook, Representative Parcels."

Parcels: "It was just a question, Madam Speaker."

Speaker Breslin: "State your question."

Parcels: "This said... you said this was a front door referendum. But can this be done at the annual town meeting, or by vote of the entire township?"

Steczko: "This is by front door referendum at the next general election."

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Parcells: "Okay, because it is specified in the legislative synopsis, I thought, at a town meeting, but this would be done at the next general election."

Speaker Breslin: "On line 15... 14 and 15 it says that a referendum held in accordance with general election law."

Parcells: "Thank you very much."

Speaker Breslin: "The question is, 'Shall Senate Bill 1386 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 92 voting 'aye', 20 voting 'no', and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1387. Representative Mautino? Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1387, a Bill for an Act to amend the township law. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much... Thank you very much, Madam Speaker. House Bill... excuse me... Senate Bill 1387 is an expansion on the existing law that provides for senior citizens' services and the authorization of the tax levy which is currently one percent of the value as equalized for those services in the township. This provides for an increase by front door referendum to a half of one percent, making it .15 percent if so desired by the citizens who live in that township. It also provides as amended for those townships that already have the levy established to go to the 1... .15 percentile front door referendum identical to the previous Bill by Representative Stecco. This one addresses those senior citizens' services, senior citizens' centers as well as transportation, because there will be reductions at the federal and state level in those

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regards. It's allowing for the local people to make the determination of whether or not they want those services continued by front door referendum. I'd be happy to answer any questions."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1387. This Bill is on the Order of Short Debate. Does anyone rise in opposition? Hearing none, the question is, 'Shall Senate Bill 1387 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 89 voting 'aye', 23 voting 'no', and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1391, Representative Flinn. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1391, a Bill for an Act to amend the township law. Third Reading of the Bill."

Speaker Breslin: "Representative Flinn."

Flinn: "Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, Senate Bill 1391... 1391 permits the raising of the assistant... general assistance rate tax levy from 10 cents to 20 cents by front door referendum. This is an outcome of the Rock Township Government Task Force, and it's supported by public aid, and there's no opponents. I would move for the adoption of the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1391. This Bill is on the Order of Short Debate. Does anyone rise in opposition? Hearing none, the question is, 'Shall Senate Bill 1391 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The Gentleman from Vermilion, Representative Black. One minute to explain your vote."

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Black: "Thank you very much, Madam Speaker. I'd hope to ask the Gentleman a question. I heard him say front door referendum, and it's my understanding that this requires simply this issue to be voted on at the annual town meeting. Not a front door referendum in the strict sense of the word."

Speaker Breslin: "Representative Flinn, would you answer that question in an explanation of your vote?"

Flinn: "A front door referendum is a front door referendum, and that's all there is. There ain't no other way to get around it."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 72 voting 'aye', 37 voting 'no', and 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1415. Representative Piel? Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1415, a Bill for an Act to amend the Illinois Banking Act. Third Reading of the Bill."

Speaker Breslin: "Representative Piel."

Piel: "Thank you, Madam Speaker. I'd like leave of the House to bring Senate Bill 1415 back to Second Reading for a technical Amendment, please."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second for the purposes of an Amendment. Does he have leave? Hearing no objections, the Gentleman has leave. Are there any Amendments filed, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment 3, offered by Representative Piel."

Speaker Breslin: "Are there Amendments filed, Mr. Clerk?"

Clerk O'Brien: "Amendment 3, by Piel."

Speaker Breslin: "By Keane?"

Clerk O'Brien: "Piel."

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Speaker Breslin: "By Piel. Representative Piel on Amendment 3."

Piel: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. All Amendment #3 basically does is change the effective date to July 1st of 1988, and I would ask for adoption of Amendment #3."

Speaker Breslin: "Representative Piel has moved for the passage... the adoption of Amendment #3 to Senate Bill 1415. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Piel now asks leave for immediate consideration of Senate Bill 1415 as amended. Does he have leave? Hearing no objections, the Gentleman has leave. Read the Bill on Third, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1415, a Bill for an Act to amend Sections of the Illinois Banking Act. Third Reading of the Bill."

Speaker Breslin: "Representative Piel."

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1415 is put in for the Commissioner of Banks and Trusts and the Illinois Bankers' Association. Passed 58 to 0 out of the Senate, 24 to 0 out of Committee. Basically, what it does, it amends the Illinois Banking Act and authorizes a bank to incur obligation to pledge its assets to secure lease of personal or real estate property for... and... or other obligations and to own its... and possess and carry these assets such as stock on its records. I'd be more than happy to answer any questions you might have in reference to 1415."

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Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1415. This Bill is on the Order of Short Debate. Does anyone rise in opposition? The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Madam Speaker, not in opposition, a question for the Sponsor."

Speaker Breslin: "Proceed."

Homer: "The Bill is unamended save for the Amendment you just put on it?"

Piel: "Yes. Yes, Representative. The Amendment just changed the effective date. That was all it did."

Homer: "The Hoffman Amendments were withdrawn?"

Piel: "Yes."

Homer: "Thank you."

Speaker Breslin: "Any further discussion? Hearing none, the question is, 'Shall Senate Bill 1415 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 110 voting 'aye, none voting 'no', and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1506, Representative Flowers. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1506, a Bill for an Act to provide for public hearings in relation to changes and community based services. Third Reading of the Bill."

Speaker Breslin: "Representative Flowers."

Flowers: "Madam Speaker and Ladies and Gentlemen of the House, Senate Bill 1506 provides that any agency which proposes to establish, terminate or reorganize community based services shall first hold a public information hearing in the concerned area, and I would move for the passage of Senate Bill 1506."



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Speaker Breslin: "Excuse me, Representative Flowers. There is something wrong with the printer on the last Roll Call, so we are going to go back to that Bill, take the Roll Call again, and then we'll come back to your Bill. So Senate Bill 1506 was out of the record. Remember, Ladies and Gentlemen, this is Senate Bill 1415. It was the Bill presented by Representative Piel on bank and general corporation powers. Senate Bill 1415. Call for the... the question is, 'Shall Senate Bill 1415 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Representative Panayotovich, you're recorded as voting 'aye'. Don't keep hitting it. When you hit it again, it takes it off. Now, put it on. Very good. Have all voted who wish? The Clerk will take the record. On this question, there are 108 voting 'aye', none voting 'no', and 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1506. Representative Flowers. Read the Bill again... the Bill has already been read once. Representative Flowers, can you briefly explain the Bill again, and then we'll go to debate. Representative Flowers."

Flowers: "Madam Speaker, the Bill simply says that if a community organization wants to come into the community, they must first hold a public informational hearing, and I would urge for the adoption of Senate Bill 15... I mean, the passage of Senate Bill 1506."

Speaker Breslin: "The Lady has moved for the passage of Senate Bill 1506. And on that question, the Lady from Kane, Representative Deuchler."

Deuchler: "Question... question of the Sponsor. Representative Flowers, under Senate Amendment 1, when you speak about

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local or state agencies that would hold these hearings, for example, in my area and in many areas of the state, we have 7-0-8 boards. Would... are you implying that, for example, if there were changes in mental health funding in the communities or perhaps even dropping of programs by these 7-0-8 boards, that they would have to come before the community and explain their provisions...and plans?"

Flower: "You're absolutely correct, yes."

Deuchler: "Would they have to initiate this? I mean, are we looking to the board to take the responsibility of calling the meeting?"

Flowers: "Yes, we're asking that the board come before the community based group and explain to the community what type of changes they're proposing."

Deuchler: "Well, is there any proposal or way in which concerned members of the community could request such a hearing if one is not forthcoming?"

Flowers: "I don't think that matter is addressed in the legislation."

Deuchler: "Well, I think this would go a long way toward rectifying some problems that we've been having in my area, and I certainly would support the legislation. Thank you."

Speaker Breslin: "The Gentleman from Warren, Representative Hultgren. Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker Breslin: "She will."

Hultgren: "Yes, Representative Flowers, do I understand that this applies not only to governmental but also to private agencies?"

Flowers: "Yes, it does."

Hultgren: "You're going to require private not-for-profit agencies to have a public hearing before they begin a service, before they alter a service or before they end a

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service?"

Flowers: "It says here that the Department... yes, you're right, Sir. Right. Any public or private not-for-profit organization responsible for providing community based services or contracts with another entity to provide such services, that....this Bill applies to them also."

Hultgren: "What right does the State of Illinois have to require private agencies to hold these public hearings?"

Flowers: "Pardon me?"

Hultgren: "What right does the State of Illinois have to... to require private not-for-profit agencies to hold these hearings?"

Flowers: "If these not-for-profit agencies are dealing with the people in the community, it could be a private clinic that started off helping people and ended up working with dogs. We... the community should know what's going on in their community."

Hultgren: "Would this affect a United Way, for example, which is a not-for-profit agency which provides funding for community based services?"

Flowers: "Yes, it would, if there's any changes there."

Hultgren: "So that if the United Way Board in my county wanted to change the level of funding to the Boy Scouts, then they would have to have a public hearing? Is that right?"

Flowers: "No, Sir, not the level of funding. It's... "

Hultgren: "Well, isn't that a substantial change? Now, you said if they want to... if they want to start service, terminate service or substantially change services, if they wanted to cut the funding for the Boy Scouts in half, wouldn't that be a substantial change in service?"

Flowers: "Well, probably in your community, that would make a big difference, so you should want to know exactly why they're making the cut."

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Hultgren: "So that... So that the United Way Board in my community is going to have to have a public hearing if they want to cut the allocation to the Boy Scouts or if they want to double the allocation to the Boy Scouts. Is that right?"

Flowers: "I'm sure you would like to know that information."

Hultgren: "Thank you."

Flowers: "But I really don't think that applies, but if you want to be technical about it."

Hultgren: "Thank you, and to the Bill. It seems to me that this is overreaching the responsibilities and the authority of the State of Illinois, and I urge a 'no' vote."

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

Dunn: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of this fine piece of legislation. We're talking this spring about difficult times, tight budgets, shortfalls in revenue, and what the Sponsor is trying to do with this legislation is to provide the community back home with an opportunity to find out when drastic changes are being made in community based agencies. Those of us who deal closely with the people back home know that we must rely more and more and more upon the local agencies to provide the social services that are badly needed to our people back home. This is not the right way to do things. We should be getting help from the State and Federal Government, but we're not, so we have to deal with agencies back home. These agencies then ought to have closer scrutiny, and to ask them to let us know 30 days ahead of time before they do anything drastic is certainly not too much, and I would ask for an 'aye' vote in support of this fine piece of legislation."

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

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

Speaker Breslin: "She will."

Barger: "Thank you, Ms. Flowers. This Bill, as I understand it, with your discussion with Mr. Hultgren, leaves us in a community like mine with a considerable problem. We probably have well over a hundred community organizations that provide one service or another. We have Girl Scouts, we have Campfire Girls, we have Boy Scouts, we have senior citizen groups from all of the... many of them sponsored by different churches. We have the churches themselves that are community based groups, and they all do things, and they all do things through their own board of directors, and I don't think that I'm questioning whether or not you think the state should have authority to monitor the actions of all of these organizations."

Flowers: "Representative Barger, in my district a couple of years ago, an organization tried to come in and make a old YHCA into a prison program. We were down here in Springfield, so therefore, I was not aware of what was going on. I thought it would have been real nice had that particular organization come to address the leaders of the community to let us know exactly what it is that they're proposing. Because the people in the community are taxpayers of the community, they too should have a right to know exactly what is going on and what is coming into their community. That's basically the genesis of this Bill. The only thing we are trying to say is, if you are a legitimate community... community organization, come and address the community. Let us know what it is that you are proposing to do. If you started off being some type of a Boy Scout club and then you end up being some type of X-rated movie joint, I think the community should have a right to know.

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That's all the Bill is basically addressing."

Barger: "I think it's perfectly proper for the mothers and fathers of the Boy Scouts to know that they're operating an X-rated movie in your neighborhood. I do feel, though, that there are... in my neighborhood, there are 57 major organizations that provide welfare around the country and around the world. We send over two million dollars worth of medical aid to Africa every year out of my neighborhood, and I feel that it would be putting quite a burden on society to require them to review the actions of all of these groups. Therefore, I feel that this Bill should be limited more in its scope so that perhaps it would apply to a different kind of neighborhood without burdening my neighborhood with the requirement of monitoring all of these services, and therefore, I have to be opposed to this Bill in its present form. The idea is great, but the area that it encompasses is entirely too wide. Thank you."

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

Bowman: "Will the Lady yield for a couple of questions?"

Speaker Breslin: "She will."

Bowman: "Representative Flowers, the Calendar indicates that there are some Amendments on this Bill. Would you be kind enough to tell us what these Amendments involve?"

Flowers: "Amendment #2... Which... Representative Bowman, which Amendments are you in reference to, please?"

Bowman: "Well, the Calendar indicates there is Amendment #1 and Amendment #3 on the Bill. Okay, let me... "

Flowers: "Amendment #1 deleted everything after the enacting clause."

Bowman: "Okay. Let me... let me get right to the heart of the matter. In Committee, you may recall that I had a problem with this Bill, and there were some organizations present

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who had a problem with the Bill, and I thought that there was a chance of some Amendment being adopted that would take care of their problems, and... Is it all coming back to you now? Do you remember the incident?"

Flowers: "Representative Bowman, I thought that you were going to address the Amendment for what type of language that you wanted to see in the Bill, the type of technical changes. I agreed to working with you on the Amendment."

Bowman: "Well, maybe... okay. Representative Flowers, then to the legislation. Maybe there was miscommunication, but my understanding was that the organizations involved who raised the issues were going to work with you as to an Amendment. In any event, the problem with the legislation as I see it is, first of all, it's very vaguely defined when it talks about changes in programs. I mean, what does the change in a program involve, after all? I mean, I think I understand what the Sponsor is striving for, here, but the language is much too broad, and in fact, could be construed to include any change, no matter how minor, no matter whether it would be a source of concern to the Representative or her constituents. I think that would be a burden that we should not impose on any organization. Another problem, of course, is exactly who holds these hearings. It seems to me that if we're going to have hearings, they ought to be conducted by some official entity under known rules, but there are no known rules for these hearings. There is no transcript required, no report to State Government required, so that we have the hearing and what happens at the conclusion of that hearing? Nobody seems to know. It seems to me that there are other ways of dealing with this problem. The Bill, while I understand the Lady's... the situation the Lady wishes to get at, I think, goes way beyond the bounds of what we as the General

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Assembly ought to be doing. Goes beyond... in many ways, goes beyond the bounds of what government should be doing, and I would stand in opposition to the Bill."

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

Rice: "Would the Sponsor yield?"

Speaker Breslin: "Representative Flowers? Will you yield to a question? She will."

Rice: "When this Bill came before the Subcommittee, I think the Senator referred to situations such as public agencies coming in setting up police... prisons, halfway houses, that type of thing. Am I correct?"

Flowers: "That's correct, Sir."

Rice: "Okay. There was a question that the prior Representative talked about in a particular area on the north side, and it was alluded that you and he was supposed to get together and work those out. Has that been done?"

Flowers: "Pardon me? Has it been done?"

Rice: "Has it been done?"

Flowers: "No, I was under the impression that he was going to draft up an Amendment, and I would agree to it to go on the Bill."

Rice: "Okay. To the Bill. Any underlying areas of the city, many times public agencies come in and decide to establish halfway houses, prison reforms and whatnot. When the neighbors realize that these are taking place, the people are moving in to the private sector, human resource development, such agencies as United Way, such agencies as Catholic Charities. They come in, they have one office doing one kind of thing, and the next thing you know, they..."

Speaker Breslin: "Proceed, Representative Rice."

Rice: "Hello. They have taken over and changed their destiny and established these type of facilities. We understand that



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there's many people that need places to stay, we understand that youngsters need to be helped, but we certainly would like to know who's coming into the community, who is going to run the agencies, because most of the folks are cosmopolitan, they have nothing invested in the area, and they go home after 5:30, 7:00, 6:00 o'clock at night. And I think it's a fine piece of legislation, and I think folks ought to take a look at it, and that would cover both the private and public sectors."

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

Klemm: "Oh, thank you. Thank you, Madam Speaker. I..."

Speaker Breslin: "Representative Flinn, please."

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

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

Flowers: "Madam Speaker, Ladies and Gentlemen of the House, Senate Bill 1506 is a Bill that merely acts for any type of organization, private, public or otherwise, that wants to do business in your community be allowed to your... the people in your community should be allowed to know exactly who is it that's coming in, what is it that they're going to do. This Bill would simply call for a hearing. There is no type of penalties if they choose not to do so, or anything. It's merely a courtesy call to the people of the community, and I would urge for your 'aye' vote on Senate Bill 1506."

Speaker Breslin: "The question is, 'Shall Senate Bill 1506 pass?' All those in favor vote 'aye', all those opposed vote 'no'."

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Voting is open. Representative Braun, one minute to explain your vote."

Braun: "Thank you very much. To the Members here, the last thing you'd want to have is to be surprised when, next door to you or down the street from you, a service center opened up providing state services for which state contracts are let, and you have no idea what is going on, who these people are, why they're there or what they intend to do. That's the genesis of this Bill. That's the reason for this Bill, and that's why it's important. If you want to protect, if you want to be responsive to the people in your community to have the information to protect those communities, I think it is altogether appropriate that the Legislators be advised and people have an opportunity to comment on whether or not social services or any other kind of services, such as are described in the Bill, and it's not that broad if you look at the actual language of the Bill, whether those services are appropriate. It's the equivalent of having a low-level dump put next door to you without even so much as being informed or advised that it's coming in. I think it's important that we pass this legislation. I encourage your green vote."

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

Ropp: "Thank you, Madam Speaker. I... in all due respect to the Sponsor, I would think that she'd certainly want to maybe state that as of a beginning date, maybe any new entity that wants to come into a community ought to have a hearing. But you know, if you're going to impose every 'swing' and community service based agency involving churches, Boy Scouts, 4-H Clubs and everything to have a hearing any time they want to change or move into a new direction, that seems unnecessary. It's uncalled for, and

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I certainly urge everyone to vote "no'."

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

Hasara: "Thank you, Madam Speaker. I certainly understand the intent of the Sponsor and agree with that, but I believe this Bill goes much further than that. I would not have enough evenings in the year to attend all the hearings in my district, and there would not be enough meeting halls in my district, so I must vote 'no', the way this is written."

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

Weaver: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I think the concept is probably very good, but the way the Bill is worded, if there is a local emergency, community service groups like the Red Cross would have to hold a 30 day prior notice before they provide services. If we have a tornado rip through your community, all of a sudden you have your Red Cross having to hold a public hearing 30 days before they can provide services. I don't think that's the intent of the Bill, and I think maybe it ought to go back for a rethink."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Gentleman from Cook, Representative Williams, one minute to explain your vote."

Williams: "I just want to say that even though it may be somewhat burdensome upon some of the various state agencies, the thought is, is what about the burden that we're putting upon the various residents in the various areas? I believe that this is sort of at least a start. It doesn't require that the agencies follow the mandate of the hearing, it just says that they're going to have it. It's just this matter of notice, and it's sort of saying if you're going to do something in somebody's neighborhood, that that

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person should know, and I feel that we should at least consider this strongly, and I urge an 'aye' vote."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 53 voting 'aye', 54 voting 'no', and 3 voting 'present'. Representative Flowers, what is your pleasure?"

Flowers: "I'd like to have a poll of the absentees, please."

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

Clerk O'Brien: "Poll of those not voting. Capparelli. DeJaegher. And Krska. No further."

Speaker Breslin: "Representative Flowers, do you request Postponed Consideration? Put the Bill on the Order of Postponed Consideration. The next Order of Business, Ladies and Gentlemen, will be the Administration of Justice - Third Reading. The first Bill is Senate Bill 94. Representative Rea. Representative Rea? Out of the record. Senate Bill 126, Representative Cullerton. Out of the record. Senate Bill 469, Representative Bugielski. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 469, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Bugielski."

Bugielski: "Thank you, Madam President. Senate Bill 469 amends the Criminal Code. It increases the penalties for theft by deception committed in a certain manner. I ask a favorable vote on this Bill."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 469. And on that question, the Gentleman from Champaign, Representative Johnson."

Johnson: "Did you say it increases or decreases?"

Bugielski: "It increases."

Johnson: "Increases the penalties from what to what and for what offenses?"

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Bugielski: "Okay, there was... it increases to... it will be a Class 2 felony."

Johnson: "What is it now?"

Bugielski: "Right now, I believe it's a Class 4."

Johnson: "And the difference in sentence for... sentencing ranges for a 4 versus a 2 is what?"

Bugielski: "Well, you still would be able to get probation. We had on it originally, but there was an Amendment filed where probation now is..."

Johnson: "I didn't ask that. I said what is the sentencing range for a Class 4 that used to be, and what is the sentencing range for a Class 2 that you're going to make it?"

Bugielski: "Class 3 is a two to five, and now this is a three to seven years in prison."

Johnson: "I thought you said it used to be a Class 4. How much is the maximum sentence raised as a result of your passing this Bill, if you know?"

Bugielski: "The maximum now is seven years."

Johnson: "With your Bill, you mean. If your Bill passes, the maximum would be seven, right?"

Bugielski: "Yes."

Johnson: "And what is it now, under current law?"

Bugielski: "Three years."

Johnson: "Okay, so you double the sentence, or double the maximum sentence. Now, tell me what offenses or offense or offenses that you're talking about. Is it all deceptive practices are changed from a Class 4 to a Class 2?"

Bugielski: "No, it's deceptive practices against senior citizens. 5,000.... loss of 5,000 dollars or more in property or money."

Speaker Breslin: "Any further discussion? Hearing none... the Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Madam Speaker. The Bill, as I read it,

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Representative Johnson, would... deals only with the offense of theft by deception. And normally, theft by deception, if the value is under 300 dollars, it's a Class A misdemeanor. If it's over 300 dollars, it's a Class 3 felony. The Gentleman's Bill says where the value is over 5,000 dollars and the victim is over 60, that the penalty would be enhanced from a Class 3 to a Class 2 felony. The maximum for a Class 3 is five years. The maximum for a Class 2 is seven years, so that's in the current form, all that the Bill does."

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

McAuliffe: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I would rise in support of Representative Bugielski's Bill. I know in Chicago it's a common practice for gypsies to go around and chisel the old people, and they prey on people that are over 70 and 80 years of age. They got my neighbor two years ago for 5,000 dollars, because they came around and saw he was remodeling his back porch, and they came before the workmen came and represented themselves as the owners of the business and took 5,000 dollars, and when the workmen showed up, they said, 'Well, we already paid your boss. He was here this morning.' Well, these people, that's all they do, they live off the old people. They ride around in front and they check their chimneys and they do a lot of phony repairs and they take advantage of the old people because they know the old people, when they go to court, nine times out of 10 can't remember or can't identify them, or if the court case is drawn out, the people will die in the meantime. So let's get these guys off the street and put them in the penitentiary, and let them work their con in jail and see how they like that."

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

Stern: "Madam Speaker and Members of the House, I think I rise in opposition to this legislation. As a senior citizen, the one who is over 60, I think, while I appreciate the kindness and the compassion of my colleagues, I think that a crime is a crime is a crime, and it is no worse because it is perpetrated against an old person like myself. Thank you."

Speaker Breslin: "Representative Bugielski to close."

Bugielski: "I'd just like to reiterate what Representative McAuliffe said on that side. Up in Chicago, we do have a big problem with the gypsies that are preying on the older people, and I feel that we should just try to crack down on these people and try to catch them. Put them in jail and let them know that we do mean business, and I ask for a favorable Roll Call. Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 469 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 89 voting 'aye', 3 voting 'no', and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. With leave of the Body, I'd like to go back to Representative Cullerton's Bill, Senate Bill 126. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 126, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, if I could have leave to bring this Bill back to the Order of Second Reading for the purposes of two Amendments."

Speaker Breslin: "The Gentleman asks leave to return this Bill to

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the Order of Second Reading for the purposes of Amendments.  
Does he have leave? Hearing no objection, he has leave.  
Are Amendments filed, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative Cullerton."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. The reason why I'm bringing this Bill back for an Amendment is as a result of a compromise that I've agreed to after listening to the debate on the previous Amendments. This Bill deals with the issue of residential burglary, and as originally introduced, it provided for a sentence for residential burglars of 90 days in the county jail, so since then, it's undergone some changes. First of all, as was pointed out by Representative Petka, with a 90 day sentence, one could get day-for-day good time, and then that would be cut in half. So I've agreed to increase the penalty, to double the penalty, so that it's up to 180 days. The next suggestion came from the state's attorney in Representative Mautino's district, and... from Bureau County. I spoke with the state's attorney and he correctly pointed out that what we're really trying to do here is isolate the more serious residential burglars from the, you know, the first offender who is breaking into an attached garage. So this Amendment embodies a change that was suggested by that state's attorney, and that is that no authorized person be present in the residence at the time of the commission of the offense. So if anyone is home during the commission of this residential burglary, they would not be eligible for this half the year sentence. So the half year sentence would only be in the case of someone who has had no previous criminal convictions, including misdemeanors, and



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when they committed this offense, no one was home. Now, the third suggestion was one that was brought up by, I believe Representative Barger, as well as Representative Countryman. The... in some counties in the state there is a tremendous crowding problem, and there... these county jails are under court order. In other counties they actually have room and they actually contract with the Department of Corrections to house certain prisoners. So what we've done with this Amendment is to say that it will be up to the judge to determine whether or not the offender shall be committed to the custody of the Sheriff or to the custody of the Department of Corrections. I would point out, then, in the counties where they're very crowded, the judge would undoubtedly sentence that person to the Department of Corrections. Keep it in mind, the Department of Corrections now houses these criminals for, in most cases, two years. The minimum sentence is four years, they get day for day good time, they serve two years. Under this Bill they would be serving six months... anywhere from three to six months. So there would be a benefit to the Department of Corrections, even if they were sentenced to the Department rather than the county jail. However, as was pointed out in debate on previous Amendments, having the offender sentenced in county jail does have its advantages as well, and that would be an option. So I would be happy to answer any questions and I'd appreciate your support for Amendment #4."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4, and on that question the Gentleman from DeKalb, Representative Countryman."

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

Speaker Breslin: "He will."

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Countryman: "Representative, I was off the floor a few minutes ago and I didn't get to hear all the explanation, but does this do what I had requested the other day, give the judge the authority to either sentence to the Department of Corrections or the county jail?"

Cullerton: "That's absolutely correct. I just gave you credit for this particular Amendment. That's the main change in Amendment 23 and Amendment 24. And you would also... and you should also note that I also preconditioned this half year sentence on not only never having a conviction, but also making sure that no authorized person was present in the residence at the time of the commission of the offense. If anybody was home in the house, you don't have... you're not eligible for this sentence."

Countryman: "Right, that was a concern I think Representative Hautino had."

Cullerton: "That's correct."

Countryman: "... and I think that that's a legitimate concern that nobody be home at the house at the time that this occurs, because we're not trying to get at that situation. We're trying to get at the situation where, you know, the garage type situation and those sorts of things. Now if... if they get sentenced to the county jail, or if they get sentenced to the Department of Corrections, will the good time be the same under current law?"

Cullerton: "Yes. Wouldn't change."

Countryman: "So it doesn't matter where the judge would send them?"

Cullerton: "Right. The only thing that could change or... you know the Department, by rule, can provide for certain meritorious good time, and those rules, of course, have not been written yet with regard to this particular sentence. But basically speaking, the good time would be the same

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either in the county jail or in the State Department."

Countryman: "But, that... that's your intent, isn't it Representative, that the good time be the same no matter where they are sentenced?"

Cullerton: "Absolutely. Absolutely."

Countryman: "Alright. No further questions. I support the Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #4 be adopted?' The Gentleman from Will, Representative Petka."

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

Speaker Breslin: "He indicates he will."

Petka: "Representative Cullerton, there is a provision under the Unified Code of Corrections which provides that persons who are sentenced to a period of probation cannot be sentenced to the Department of Corrections. Under the provision that you have... or under your Amendment, how would that work out with that provision which is currently found under the Unified Code of Corrections?"

Cullerton: "Do you have a cite of this Section?"

Petka: "Yes, it's Section 1056-3, Subparagraph 11, or excuse me, Subparagraph D. It's page 262."

Cullerton: "Okay. I have it... I have it here. Give me one second. I'll read it. No. You're... you're correct. I think that would be in conflict with the provisions of this Bill as drafted, so I would like to... course, to adopt Amendment #4, and then hold the Bill on Second till we can prepare Amendment #5."

Speaker Breslin: "Any further discussion? Hearing none, the question is, 'Shall Amendment #4 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative

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McCracken."

Speaker Breslin: "Representative McCracken."

McCracken: "Thank you, Madam Speaker. Amendment #5 would allow a Notice of Violation of Probation to be sent either by the Circuit Clerk or by the Probation Service. Currently only the Probation Service is authorized to do this, and the Circuit Clerk is the authority commonly responsible for this type of thing in the court system, so I move its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #5 to Senate Bill 126, and on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #5 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "The Bill will remain on the Order of Second Reading. The next Bill... with leave of the Body, we'll go back to Senate Bill 94 for Representative Rea. Is Representative Rea still here? Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 94, a Bill for an Act in relation to seat belt violations. Third Reading of the Bill."

Speaker Breslin: "Representative Rea."

Rea: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 94 prohibits a law enforcement official from stopping or searching a motor vehicle solely on the basis of a violation or suspected violation of not wearing a seat safety belt. As the legislation was passed, that was the original intent, and during the debate on the original seat belt legislation, there was concern expressed that the measure could not be used to harass people, and after the Bill became law, the state police pretty much

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followed a policy of not issuing tickets to persons for seat belt violations unless a stop was made for some other offense. The Governor endorsed this policy by stating that the law is to educate, not to compel. And it should be noted that county and municipal police have been restricted... have not been restricted by the state police policy and some have actively pursued the enforcement of the seat belt law. This Bill came out of Committee 11 to 0 and out of the Senate 57 to 0 and I would ask for a favorable vote in terms of following up with the intent of the original law."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 94, and on that question the Gentleman from St. Clair, Representative Flinn."

Flinn: "Madam Speaker, I... could we have a little order. We have some conferences back here. Seems to be more important than what we're doing here on the floor. I voted against the Seat Belt Law when it was first passed, and I believe I was wrong. I believe I was wrong because I believe that seat belts do save lives, and if I had a chance to vote for the Seat Belt Law again, I would. But, I see no reason why we should hamstring the police from enforcing a law which is on the books. Now, I know this is a politically wise Bill and I'd be smart, I guess, if I voted for the Bill. But I would like to be a legislator this time instead of a politician, and I'm going to be opposed to this Bill, because I think the law enforcement people should enforce all the laws. If it's on the books, let's enforce it. If it's not worth anything, let's take it off."

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

Stephens: "Thank you, Madam Speaker, Ladies and Gentlemen of the

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House. We will be enforcing the law by not using this as a prime reason for arresting people. The intent of the Seat Belt Law was to encourage people to wear seat belts and if they were involved in some other activity that caused them to be arrested, that would be a secondary offense. That was the original intent. The... I think Senator Chew remarks, his remarks on the Senate floor when the Bill was in the Senate several years ago, and as a Senate Sponsor of the Bill, clearly stated that in the record, that that was his intent. That it not be used for a reason to pull people over and give them tickets simply for not wearing seat belts. I would agree with Representative Flinn that, indeed, wearing seat belts is a proper thing for people to do. We all ought to wear our seat belts. Many of us believe it ought not be the law, but since it is the law, I think Representative Rea's Bill ought to be passed."

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

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise in strong opposition to the Bill. I would first say that perhaps those of you who weren't here when we passed the Seat Belt Law should listen to what the original intent of the Bill... the Seat Belt Bill was. There was no debate in the House of Representatives, either in Committee or on the House floor, that indicated an intent to have this offense only be a secondary offense. If it was intended, it would have been written into the Bill and if it wasn't intended, but was obvious, there would be no need for Representative Rea's Bill. What happened in the Senate was that the Senator, Senator Chew, who was the Sponsor of the Bill, didn't have enough votes. This Bill did not originally have enough votes, and it had to be called more than once. He indicated in the Senate it

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was his intent that it probably would only be used secondarily. Now if you just reflect upon, for a second, how... what a wrong message we're sending when we tell the people of the State that the only way you'll get a ticket for not wearing a seat belt is if you have some other traffic violation. There's no other traffic violation in Illinois... there's no other law in Illinois, that has a secondary ... where a ticket can only be given as a secondary offense. This would be the only one. And it doesn't make sense. In what areas do we tell the police, if they have probable cause to believe that a petty offense is occurring, that they shouldn't... they have no right to issue a ticket. It's... it's... it's really not sensible at all. The Department of Transportation is opposed to this Bill. And they should be. Everyone should be opposed to this Bill. Now when we changed the driving speed limit to 65 miles per hour, I believe it was the first of May, that was done in conjunction with a crackdown by the state police on issuing tickets for seat belt violations. After one month... after one month, the fatality rate went down by 19%, even though it had been going up as more miles were being driven by Illinois motorists. It had been going up, up until that point. So the fact of the matter is, if you enforce the Seat Belt Law, the fatality rate goes down and we save not only lives, but we save a lot of money. Now what kind of a... what kind of a Session are we going to have here? We're going to go home in a few... in a week or so, and we're going to reflect upon the important Bills of this Session. I would suggest to you in the area of life and safety, that's really the jewel of all of the Bills that we pass. The stuff that deals with money, you know, it's always here. Those Bills are always here every year. But when we talk about saving a life, it's important. It's

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more important than anything else. This Bill is just the wrong message to send to the people of the State of Illinois. On July 1st, at 11:00 o'clock, there's going to be a reunion of survivors of the Seat Belt Law. People who survived because of the Seat Belt Law. There's going to be 115 people coming down to Springfield to say they're the ones whose lives were saved by this law. And this Bill goes the wrong direction. It will end up sending the wrong signal and more people will be killed. It's a very bad, bad concept. It should be defeated."

Speaker Breslin: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Madam Speaker. Will the Sponsor yield for questions?"

Speaker Breslin: "He will."

Mautino: "And maybe this can be directed to the Sponsor of the original Seat Belt Law, as well, who may want to respond. Your legislation addresses solely the question of non-use of a seat belt. Is that correct?"

Rea: "That is correct."

Mautino: "Was it the intention, since we were here when this was originally passed, that a seat belt violation be the same type of fine as a moving violation or a stop sign violation?"

Rea: "No. That was not the intent."

Mautino: "What is the fine for not using a seat belt as a sole traffic violation now?"

Rea: "\$25.00 and costs, which in many counties will end up as \$50.00."

Mautino: "\$50.00 for not using a seat belt. What is the violation cost for going through a stop sign? Is it not 25 and costs, \$50.00?"

Rea: "I believe that's correct."



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Mautino: "Then your legislation says that the intent of a secondary violation should not be in the same vein as a moving violation or a stop sign?"

Rea: "That's correct."

Mautino: "Okay. Thank you very much. If I may ask the original Sponsor of the legislation, Representative Cullerton... "

Speaker Breslin: "Sir, you may not. You may only pose questions to the Sponsor of the Bill."

Mautino: "Okay."

Speaker Breslin: "The next person to speak is the Gentleman from Perry, Representative Goforth."

Goforth: "Thank you, Madam Speaker."

Speaker Breslin: "Excuse me. Representative Mautino?"

Mautino: "In the process, of... I wasn't finished asking the questions of the Sponsor, and then I wanted to address the legislation, if I may."

Speaker Breslin: "Proceed."

Mautino: "Okay. Then it is your opinion, Representative Rea, that the fine for this offense should be less than a moving violation or a stop sign violation?"

Rea: "Yes, it is. And they should not be in the same category."

Mautino: "Okay. And then this says solely, for that purpose solely."

Rea: "It says solely. That's correct."

Mautino: "Okay, and then addressing the legislation, Madam Speaker. I think it's, at least from the intentions of the Sponsor and knowing the background of the initial legislation, I don't think that the seat belt fine and traffic violation should be addressed in the same vein as a moving violation or a stop sign violation. In that regard I find it unacceptable for most people to have to cough up fifty bucks if, in fact, that was the only traffic violation that they received, the non-use of a seat belt.

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I think that's only common sense, and by making it solely a secondary provision, I think you'll be doing thousands, in fact millions of people in the State of Illinois a favor. We're not saying, 'Don't use your seat belt.' If you don't use it and get caught, it should not be in the same vein as a traffic violation. I think you got a good Bill. Thank you, Madam Speaker."

Speaker Breslin: "The Gentleman from Perry, Representative Goforth."

Goforth: "Thank you, Madam Speaker. They's a lot of attorneys in this Assembly, and I think that it's a lot of policemen out there on the road that's the same thing. People... the objection to this Seat Belt Law... The Seat Belt Law don't say that you have to have a shoulder belt on. It says you have to have a seat belt. To have reasonable grounds to stop anywhere, anyone on the highway is you supposed to have reasonable grounds to stop them. Now you tell me how a policeman can tell whether a person has got a seat belt in... on when he's driving down the road. He can't see your lap. He don't know whether you got a lap belt on. That's all the law requires him to have. So, you know... the Bill's a good Bill. They's no reason for any officer to stop somebody because they don't have a seat belt on because he can't see where they got a seat belt on. Thank you."

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

Johnson: "The 115 people that Representative Cullerton says are going to come to Springfield to celebrate their... the fact that they are alive because of the Seat Belt Law, really aren't here for that reason. They are here, however many there are, because they exercised judgment on their own lives not to wear... or to wear a seat belt. I suppose you

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could come up with some percentage of people who would make a pilgrimage to Springfield because I've had a number of letters, as... Representative Rea has, and others, even though that I think they are in a minority statistically, who could testify and give you examples of why they are alive because they didn't wear a seat belt. But that notwithstanding, this Bill simply implements what everyone, or at least most people, understood was the original intention of the legislation. I don't know if it was Representative Cullerton or not, but certainly a majority of the Sponsors originally said, and I think if you checked the debate, the transcript of the debates on this issue, that we just want to set some kind of a policy here, some kind of a mentality here, that people ought to wear seat belts, and it was the specific intention of the supporters of this legislation expressed repeatedly, that no one would be stopped simply because they didn't have a seat belt on. If you're stopped for speeding or drunk driving or something else, the collateral offense, as Representative Mautino says, then we can deal with it. You can't talk about this issue without also talking just briefly about the core philosophy of the issue. And the philosophy of the issue being that people are the best judges in a free society of their own safety and their own lives. That notwithstanding, even if you support mandatory seat belts, even if you support criminal penalties for people making judgments in their own lives and their own safety, notwithstanding all that, this Bill is a modest attempt to try to implement the original intentions even of the Sponsors of the Bill. So I commend Representatives Rea and Goforth and Hartke, Hicks and Granberg. And I don't see..."

Speaker Breslin: "The Gentleman from Cook, Representative

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Terzich."

Terzich: "Representative Rea, if this Bill passes, how do they enforce the Seat Belt Law? Do you have any idea?"

Rea: "If this Bill passes, then, if they stop a motorist for some other offense, and they are not... they are not wearing a seat belt, then they can enforce the... enforce, as the original intent was."

Terzich: "Are you saying then they couldn't issue a ticket for not wearing a seat belt if they stopped someone and they decided not to give them say a ticket for going through a stop sign or something like that, but they couldn't give them a ticket for not wearing their seat belt?"

Rea: "If they have gone through a stop sign and a policeman stopped them for having run the stop sign, and they are not wearing their seat belt, then they can issue them a ticket."

Terzich: "Would they issue two tickets or just one."

Rea: "They can issue two."

Terzich: "Could they issue just one for not having a seat belt?"

Rea: "No. Because... not under this legislation."

Terzich: "In addition, what would happen if this legislation was violated? What's the penalty for stopping someone for not wearing a seat belt?"

Rea: "The penalty right now is \$25.00 plus costs."

Terzich: "No. What happens if a peace officer stops someone and he says, 'Hey, I'm going to give you a ticket for not wearing a seat belt.' What happens to the peace officer? Does he get fired? Does he get a fine? What's... what's the penalty for violation of this law?"

Rea: "I assume it would be like anything else, that the ticket would be tossed out."

Terzich: "Well, yes, but you mean that..."

Rea: "There's no penalty for the police officer whatsoever."

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Terzich: "So a judge would simply say, 'You didn't wear your seat belt.' They would throw that ticket out because the peace officer stopped him illegally?"

Rea: "If he had stopped him for the sole purpose of the... of not wearing a seat belt, yes."

Terzich: "But there's no penalty for the peace officer who gave the ticket?"

Rea: "And it would have tossed it out because of lack of probable cause."

Terzich: "Well, if he gave him a ticket, he must have had some cause. Would the peace officer be penalized for issuing a ticket when he shouldn't have?"

Rea: "That's... that's a legal question."

Terzich: "Oh, okay."

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

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

Speaker Breslin: "He will."

Weaver: "Representative Rea, let me offer a scenario and find out what your interpretation of the situation would be. Under current law, without your Bill going into effect, would it be legal and possible for a city policeman to stand either in a parking lot of a shopping mall or a downtown square area, observing people getting into their cars, and driving from one parking place to another, without fastening their seat belts. Could he then give them a ticket?"

Rea: "No. Because that would be... not if he stopped them for the sole purpose of the seat belt, he could not issue a ticket."

Weaver: "Currently he couldn't?"

Rea: "Currently, you can. Yes. But under this Amendment, this would correct it where it would not."

Weaver: "So... so what you are seeking to do with your Amendment

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is to prevent abuses like that from occurring."

Rea: "That's exactly right, because there are abuses and we are trying to correct that."

Weaver: "Now speaking to the Bill. This is exactly what is happening now. I've got a community in my district in which we have a city policeman station his deputies around the square and in one day he gave out 12 tickets because shoppers were going from one parking space to another without fastening their seat belts. It's a great way to raise revenue at the local level, but I don't think it's a wise way to raise revenue at the local level, and I think we have to put something into the law to prevent these kind of abuses. I think a green vote is the only vote on this Bill."

Speaker Breslin: "Representative Rea... excuse me. The Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you. Will the Gentleman yield?"

Rea: "Yes."

Brunsvold: "Representative Rea, now just so I can get this straight in my mind. I'm stopped for an offense, whether it be speeding, going through a stop sign. The first thing I'm going to see are red lights. Right?"

Rea: "Perhaps. Depends on if your eyes are open."

Brunsvold: "And I don't have my seat belt on. I don't have my seat belt on."

Rea: "Okay."

Brunsvold: "So I very quickly, with my other hand, buckle my belt when the officer... after I see he's turned his lights on. So he comes up and, of course, I have my seat belt buckled. What stops everybody from doing that, in fact, does that, in fact, eliminate the seat belt provisions altogether?"

Rea: "It doesn't stop you from doing it now."

Brunsvold: "I know it. But this... this... the stopping offense

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and putting that on... the only other alternative would be to ask you, 'Did you have your seat belt on?'. "

Rea: "Well, as I said before, it doesn't stop you from doing that in either case, and this legislation does not address that issue."

Brunsvold: "I'm as confused now as when I started to ask the question. Thank you, Madam Speaker."

Speaker Breslin: "Any further discussion? Representative Rea to close."

Rea: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. As it's been said by others, I am not opposed to the seat belt. Nobody else, I don't think, is really opposed. But the original intent was that to, on a secondary offense, and even in the transcript, I have here a copy of one of the transcripts. I wish I had both of them here before me, but I have one here that says, as it was debated, 'Law enforcement cannot stop a motorist simply because he observes that motorist driving or in the front seat without a seat belt.' And then it goes on and it says, 'When we had our conferences with the law enforcement in the State of Illinois, this was what was agreed upon, that the police departments of this State would not be harassing motorists because of a seat belt.' So what we're saying here in this Bill is that you would not stop them solely for the purpose of inspecting the seat belt or issuing a ticket, and the original intent was that of information. We... and we probably have even more people that will be utilizing the seat belt with this legislation. So I would ask for an 'aye' vote."

Speaker Breslin: "The question is, 'Shall Senate Bill 94 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this

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question there are 92 voting 'aye', 91 voting 'aye', 20 voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 126. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 126, a Bill for an Act to amend the Unified Code of Corrections. This Bill has been read a Second Time previously."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions or Amendments."

Speaker Breslin: "Third Reading. Special Call on Health Services. It appears on page 8 on your Calendar. Senate Bill 1115. Senate Bill 1115. Representative Rice. Representative Rice. Representative Rice? Do you want this Bill called? Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1115, a Bill for an Act to amend Sections of the Illinois Insurance Code. Third Reading of the Bill."

Speaker Breslin: "Representative Rice."

Rice: "Can we move this Bill back for Amendment? Can we move this back to Second?"

Speaker Breslin: "The Gentleman asks leave to move this Bill back to the Order of Second Reading for the purposes of an Amendment. Is there any objection? Hearing none, leave is granted. Mr. Clerk, are there any Amendments filed?"

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

Speaker Breslin: "Representative Shaw."

Shaw: "Yes. Thank you, Madam Speaker, and Ladies and Gentlemen of the House. Amendment #2 to Senate Bill 1115 addresses several concerns which has been expressed concerning the operation of health maintenance organizations over the last year in Illinois. I... this is a... this is some reforms that has been... that we've been working on for the last



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few weeks to address some of the concerns that have been brought to us by our constituents over the last few months. Amendment #2 addresses the... what we have in Amendment #2 is a guarantee association that was suggested that needed to be established in dealing with the HMO separate and apart from the now guaranteed association that covers the insurance agency. The guarantee association, I might add, is to cover the patients... those patients who have... would go to the hospital and maybe acquire a bill... some hospital bill and the HMO might go under. And the guarantee fund would make sure that the patient or the policy holder didn't have to be hung out on the limb for the hospital bill. Also, in Amendment #2 is higher financial standards for the HMO. It was at \$600,000.00. Now it called for two million dollar net worth for new companies... new formed HMO's, and I think that's a good position, and ... go a long ways towards solving some of the problem. Also, three, the patient complaint and grievance procedure. And I think, from what I've heard around the state, the many patients, when they was involved in... with an HMO, they had nowhere to go and this was one of the things that they protested vigorously about, and I think it's this type of procedure needs to be set forth. Also, in the Bill, is the four... physician requesting a second opinion. This also helps the patient and in that the second opinion, if the, in the past from what I've heard, many people have told me that they could not get that second opinion, and if they got the second opinion... second opinion, they would have to pay for it, and it caused great hardship on the part of many patients around the state, so now the physician can request that second opinion, and if the second opinion, if they can't agree on the second opinion, then a third opinion is provided, and

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that opinion is binding. Also, number five is truth in advertising. That's basically what it is and this is for the people who are on public aid who don't always hear the truth, and some... not all... some HMO's have, it was brought to my attention, came up and told people that they were from the Department of Public Aid and had the people to sign up. Otherwise they were going to cut them off of public aid. So I think that will solve that problem. It also gives the Department of Insurance rule making authority for alcoholic and drug abuse and mental health. I think this is one of the areas that have not been covered out of the total existence of health maintenance organizations in this state. Seven, dependents coverage for... includes coverage for adoption... for adoption... for adopted children and newborns. In the past this has not been covered and this is a great step in the right direction and, Ladies and Gentlemen of the House, this Bill has been agreed by everybody in the House and I think that out of the long hours that we have worked on this legislation, both from the Republic... the Speaker, the Minority Leader and the Republican side of the aisle, have worked on this legislation and we have come up with a package that have been agreed by everyone, and I think... it doesn't solve all of the problems that's dealing with HMO, but I think that this is a milestone in legislation that the people of Illinois can live with and I ask for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 1115, and on that question, the Gentleman from Cook, Representative Pedersen."

Pedersen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. You all probably recall that when this was proposed on a House Bill earlier in this Session, that I not only

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opposed it, but we defeated the Bill. After that I participated in many meetings and Representative Shaw is correct, that we've worked hard to work out all the problems of the various interests that are affected. We've added the tougher financial standards, which the HMO's felt were needed. We are now... this guarantee fund would do the same thing for HMO's that we're doing for the insurance companies and I concur with Representative Shaw on this Amendment and I urge the Members to all support it."

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

Terzich: "Yes... Representative Shaw, on the HMO's, is this the Amendment that the Director of Insurance wrote a letter on supporting Amendment the #2 to establish the guarantee fund?"

Shaw: "Beg your... I didn't hear you."

Terzich: "I said, is this the Amendment that the Director of Insurance, John Washburn, stated that, on the advice of the Illinois Association of HMO's, the Illinois Medical Society, the State Chamber of Commerce, the AFL-CIO, Blue Cross-Blue Shield, and Chicago HMOs are supporting this Amendment."

Shaw: "Yes."

Terzich: "Are they also supporting the provisions about second... second opinions?"

Shaw: "Yes."

Terzich: "Also, you made mention of the fact about public aid. The HMO I believe is a health maintenance organization which is established either by some hospitals or some doctor groups. Do they provide services to public aid recipients or do hospitals medical facilities?"

Shaw: "Yes."

Terzich: "HMO's provide medical service to public aid

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recipients?"

Shaw: "No. They have a contract with the hospital."

Terzich: "The HMO organization."

Shaw: "Right. The HMO."

Terzich: "And public aid recipients use the facilities of the HMO in connection with the hospital?"

Shaw: "They use both the HMO facility in Chicago, Michael Reese or Anchor have their own... "

Terzich: "Excuse me, Representative. Mr.... Madam Speaker, could we have a little quiet in the House a little bit? I mean, we got 200 conversations going on here. Now the public aid you mentioned that the recipients do go to HMO's that is connected with the medical or a hospital group. Is that correct?"

Shaw: "Right."

Terzich: "And they simply bill Public Aid for payment."

Shaw: "Right."

Terzich: "Alright. Thank you. Well, I... Madam Speaker, Ladies and Gentlemen of the House, this Amendment, of course, has been supported by a number of organizations and there certainly has to be some type of reform with regard to HMO organizations and I would urge your support."

Speaker Breslin: "The Gentleman from Morgan, Representative Ryder, on the Amendment."

Ryder: "Thank you, Madam Speaker. Will the Sponsor of this Amendment yield for a single question?"

Shaw: "Yes."

Ryder: "Single question."

Shaw: "Yes."

Ryder: "Representative, does this Bill... or Amendment legislatively mandate that a physician would be required to hold a patient harmless in the event that a HMO would become insolvent?"

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Shaw: "No."

Ryder: "Thank you."

Speaker Breslin: "Representative Shaw to close."

Shaw: "I think that basically I've said everything that the legislation ..."

Speaker Breslin: "Very good. The question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Rice now asks leave for immediate consideration of Senate Bill 1115, as amended. Does he have leave? Hearing no objection, the Gentleman has leave. Read the Bill on Third, Mr. Clerk."

Clerk Leone: "Senate Bill 1115, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Breslin: "Representative Rice."

Rice: "I ask this fine Body to vote on this fine piece of legislation. I certainly appreciate it."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1115, and on that question, is there any discussion? Hearing none the question is, 'Shall Senate Bill 1115 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Special Order, with leave of the Body, for a Bill that we had said we would come back to today is Senate Bill 161. Representative Hartke. Clerk, read the Bill."

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Clerk Leone: "Senate Bill 161, was brought back to Second previously today, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "The Bill is on Third Reading. Representative Hartke."

Hartke: "Thank you very much, Madam Speaker. Senate Bill 161 as now amended does several things. The original Bill would change the law dealing with a tarp regulation from a moving violation to an equipment violation. There are several Amendments on the Bill also. Amendment #1, by Representative Van Duyne, would allow for the County Superintendent of Highways to designate the most direct route for trucks from off the major highway to that major highway. Amendment #5 corrects a problem in the present law. At the present time the emission control testing law punishes by taking away a license from a person as opposed to what should be done and what was intended and that was to take the cars off the road, and this Amendment fixes that by denying those individuals new plates. Amendment #6 is strictly a technical Amendment doing some corrections and it was an Amendment offered by Representative McPike. I would be happy to answer any questions and would appreciate your support."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 161, and on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 161 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Lady from Cook, Representative Didrickson. One minute to explain your vote."

Didrickson: "Yes, Thank you, Madam Speaker. On Senate Bill 1115 I inappropriately voted my switch and I would like the

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record to show that I would have voted 'no'."

Speaker Breslin: "Have all voted who wish? The Clerk... Representative Williamson wishes to vote 'aye'. Would you vote Representative Williamson? Clerk take the record. On this question there are 111 voting 'aye', 1 voting 'no' and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Special Order of Administration of Justice, Senate Bill 1155. Representative Braun? Clerk, read the Bill."

Clerk Leone: "Senate Bill 1155, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of the Bill."

Speaker Breslin: "Representative Braun asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does she have leave? Hearing no objection, the Lady has leave. Are there any Amendments filed, Mr. Clerk?"

Clerk Leone: "Floor Amendment #1, offered by Representatives Levin and Bowman."

Speaker Breslin: "Representative Levin or Bowman. This is Amendment #1 to Representative Braun's Bill. Senate Bill 1155. Representative Bowman."

Bowman: "Yes, I believe we had agreed to withdraw this Amendment. Yes. We've agreed to withdraw this Amendment."

Speaker Breslin: "Withdraw #1. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Braun."

Speaker Breslin: "Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment 2 has been requested by the State Police to clarify their responsibilities under the authorization of the Act. It brings the State Police in support of the

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legislation and I urge the Amendment's adoption."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #2 to Senate Bill 1155, and on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Braun now asks leave for immediate consideration of Senate Bill 1155, as amended. Does she have leave? Hearing no objection, the Lady has leave. Read the Bill on Third, Mr. Clerk."

Clerk Leone: "Senate Bill 1155, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of the Bill."

Speaker Breslin: "Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. As amended, the Bill is in conformance with the State Police on understanding of their obligations. Essentially the Bill... or specifically the Bill simply requires that information be collected by the State Police regarding criminal offenses motivated because of race, religion or national origin. I encourage your support for this good Bill."

Speaker Breslin: "The Lady has moved for the passage of Senate Bill 1155, and on that question, is there any discussion? The Lady... the Gentleman from Will, Representative Petka."

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

Braun: "Certainly."

Petka: "How do you envision this to be worked out by the various police agencies?"

Braun: "They don't really wind up with any new obligations the



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way it is. They take the information they have and transmit to the state. That's all. And that was the purpose of the agreement with the State Police. And as you know, this information in large... the base information is already being kept by Criminal Justice Information. It's just spinning it out in this form so that we can have some trail on the occurrence of these kinds of incidents."

Petka: "Specifically, though, on certain arrest forms, especially those that I'm most familiar with in Will County, there is no provision made for nationality or ethnic background. Are you suggesting that there would be an additional need on these pre-printed forms to have nationality or ethnic background be part of the information that would be given as in connection with, first of all, an offense report, where victim reports being... being the object of a crime, and secondly, upon the arrest, taking the arrestee and asking for his particular background."

Braun: "No. No. No. No. No. This goes to incidences such as happened in Skokie. Incidences such as happened where there is a bombing. That's really the purpose of this so that those reports... Right now we're just not keeping this information, and it really should be kept, and I think probably everybody in this room figures that it already is being kept, but it is not. And people who are concerned... we are concerned about acts of... of... racial acts, racially motivated acts... acts against people of Jewish origin or other ethnic origin. We want to make certain that the information is made available to the State Police. There's no other mandatory language."

Petka: "We... excuse me... we currently have on the books a crime called Ethnic Defamation. Would this type of crime come under the... under the intent of your proposed legislation?"

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Braun: "The crime... this doesn't change any criminal law. All it is is an information collecting. That's all."

Petka: "I recognize that."

Braun: "Okay. So using the example you just gave, if a violation occurred under that Act, right now if it happened in Chicago, for example, alright, the State has no record. We have no record in the State Police. All this says is that the State will have a record."

Petka: "Once again, though, I come back to my original question. How are we going to be gathering statistics on... on victims backgrounds when, as I'm aware, at least in Will County, and I believe under State Police forms, there is no block set aside for specifically gathering information about the ethnic background of the victim. As it currently stands, we have 'male, black; female, black; male, Mexican; female, Mexican; male, white' but there is no 'ethnic, black', and how is that to be determined?"

Braun: "This is not... we're not reporting on the ethnicity of the person that's committed a crime. That's not what the Bill calls for. What it calls for is reporting of crimes that are ethnic intimidation, racial intimidation, that those crimes be reported to the State Police by the locals. That's all it is. So it doesn't require any new form keeping even by anybody other than the State Police, who will gather this information from Criminal Justice Information and from the locals, and provide it if... if requested. That's all."

Petka: "Okay. Just one more question."

Braun: "Sure."

Petka: "What would be the criterion that would be used... and that should be factored in in deciding whether or not a certain crime is an ethnic or biased type of crime?"

Braun: "What criterion are used? Well, it's my understanding,

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and, you know, you are... I started to say you have more familiar with the police..."

Petka: "I couldn't hear that response."

Braun: "I started to say that police training... you may be more familiar with police training than I, frankly. However, it's my understanding that the police in the various police departments are already trained to... to report this information."

Petka: "Thank you."

Braun: "Alright."

Petka: "Thank you."

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

Preston: "Thank you, Madam Speaker, and Ladies and Gentlemen of the House. I rise in support of this very good Bill. This Bill is identical to similar legislation that's been passed in other states. It's a means of giving law enforcement authorities some information on what areas that there is special need... special attention for not only law enforcement services, but social services, because of various types of ethnic intimidation that may take place. It's a necessary social service and law enforcement tool. It is needed to protect all the citizens of our State. New York has passed basically identical legislation to this. It's a good idea and we should do it, and I'd encourage as strongly as I can your 'aye' vote."

Speaker Breslin: "The Gentleman from Warren, Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker Breslin: "She will."

Hultgren: "Do I... do I understand that this is going to require both local police departments and county sheriffs offices to make these reports to the State? Is that right?"

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Braun: "Correct."

Hultgren: "Do you exempt this from the requirements of the Mandates Act?"

Braun: "We have... No. No. It was not exempted from the requirements."

Hultgren: "It's not exempted?"

Braun: "No."

Hultgren: "So is the State going to pay these local units of government under the Mandates Act the cost of filing these reports?"

Braun: "It was indicated... First off, Representative Hultgren, most of the locals already have the information. Okay. It's my understanding... and I have no way of verifying this, I don't have a letter from them... Chicago Police Department, for example, already keeps the information."

Hultgren: "But the Chicago Police Department isn't most. It's one."

Braun: "I understand that. I... I understand that. I used that by way of example, because I don't have... I haven't done a poll of the police departments throughout the State, but the information is already being kept. The only issue here is centralizing that information through Criminal Justice Information and the State Police."

Hultgren: "I understand what you are wanting to..."

Braun: "The State Police... the State Police have indicated that it is not a high cost item for them to get this information and it was for that reason that they came on in support of the legislation."

Hultgren: "I understand you're trying to centralize the information, and I understand you're saying it's not a high cost item for the State Police, but it's really not the State Police cost I'm worried about. It's the local sheriffs departments and it's the local town police and the

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cost that they have in filing the reports to the State.  
Do you follow where I'm coming from?"

Braun: "I do, and if you look at the State Mandates Act, Representative Hultgren, there is, you know, it's clear that if it's not a significant time cost, if it's not a significant expenditure cost, then the Mandates Act itself, internally within itself, does have that exception, and I believe this... this would fall under that proviso. It is... it's, frankly, unlikely that a given police department would, in any given year, have one case to report under this. It is unlikely. But where they... where it does occur, we think that it is important to have that information available here in the State of Illinois."

Hultgren: "But... but you're saying that they do have to file monthly reports, or is my analysis incorrect? It is monthly reports."

Braun: "Oh, no, that's... that... It's been amended. No. There's no monthly reports. It's not monthly. No. No, Sir. Not monthly reports. If they have something to report, you are correct. If they have something to report, they have to report it."

Hultgren: "So it's not your intention to require any police department to file a report unless they have some activity during that month that would fall under the provisions of the Act."

Braun: "Right. Right."

Hultgren: "Well, thank... thank you, and to the Bill, if I may, Madam Speaker. I really don't have any problem with the concept and I understand why the information is... there is a desire to collect it and to analyze it and to distribute it. I guess what I have a problem with, and it is something that I hear very frequently as I travel around western Illinois, is from local governmental leaders,

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'Please get off our backs.' And I think if we're going to require the local police departments to file these reports, then we should provide them with the... the funding, the wherewithal, to hire the extra help to get it done. I recognize that the Sponsor doesn't feel that this is going to impose a significant burden, but it's one more burden and, cumulatively, it seems to me we are creating a problem for our local police and sheriff's departments in terms of filing reports and other activities required by the State. So, with sympathy for what the Sponsor is trying to accomplish, I think, unless there is some money to go along with it, we shouldn't ask our local law enforcement agencies to be filing additional reports. Thank you."

Speaker Breslin: "Representative Braun to close."

Braun: "Thank you. I think everybody in this room in good conscience knows that where we have incidences of ethnic intimidation, where we have fire bombings, where we have situations where people are run out of communities, the major ethnic intimidations, that we would want to have that information here available in the State of Illinois with the State Police. This Bill is just that simple. It does not put a burden on the locals. Most of the locals have this information already. I would hazard to say they all have it already. It doesn't require any new record keeping. What it does call for is information sharing with the State of Illinois of what are not just heinous crimes with regard to an individual, but crimes, indeed, that go to the whole community and to the entire State of Illinois. I think we have an obligation to our citizens who are... who are... who might suffer from the shame of the kinds of incidences that we've seen in communities like Skokie recently, to have that information available for us here in

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the State, and I encourage your support for the Bill."

Speaker Breslin: "The question is, 'Shall Senate Bill 1155 pass?'

All those in favor vote 'aye', all those opposed vote 'no'.

Voting is open. Have all voted who wish? Have all voted

who wish? The Clerk will take the record. On this

question there are 77 voting 'aye', 35 voting 'no' and none

voting 'present'. This Bill, having received the

Constitutional Majority, is hereby declared passed. The

next Order is Special Order of Education. The first Bill

is Senate Bill 968, Representative Johnson. Representative

Johnson. Clerk, read the Bill."

Clerk Leone: "On page 16 of the Calendar, Senate Bill 968, a Bill

for an Act in relationship to finances of the University of

Illinois. Second Reading of the Bill. There are no

Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is offered by Representative

Johnson."

Speaker Breslin: "Representative Johnson."

Johnson: "This... this is an agreed Amendment that meets the

objections of some of the people who have voiced some

concern about the specificity of the project and various

other concerns. I know of no opposition and I move for the

adoption of Amendment #1."

Speaker Breslin: "The Gentleman has moved for the adoption of

Amendment #1 to Senate Bill 968. Is there any discussion?

Hearing none, the question is, 'Shall Amendment #1 be

adopted?' All those in favor say 'aye', all those opposed

say 'no'. In the opinion of the Chair the 'ayes' have it.

The Amendment is adopted? Are there any further

Amendments?"

Clerk Leone: "There are no further Amendments?"

Speaker Breslin: "Third Reading. Consent Calendar. There are

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four Bills that need to be read and amended. Would you begin with the first of those Bills, Mr. Clerk? This is on the Consent Calendar. These are Bills that have to be brought back from Third to Second for an Amendment and then moved back again. Proceed, Mr. Clerk."

Clerk Leone: "Senate Bill 929, a Bill for an Act to amend the Public Aid Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Next Bill."

Clerk Leone: "Senate Bill 1158, a Bill for an Act to amend an Act in relationship to criminal identification and investigation. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading."

Clerk Leone: "Senate Bill 1399, a Bill for an Act to amend an Act in relationship to pretrial services. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "There are no Floor Amendments."

Speaker Breslin: "Third Reading."

Clerk Leone: "Senate Bill 1482, a Bill for an Act in relationship to the protection, preservation and management of ground water of the State of Illinois. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "There are no Motions filed and no further Amendments."

Speaker Breslin: "Third Reading. Any further?"

Clerk Leone: "There are no further Bills on the Order of Second



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Reading, Consent Calendar, that need to be moved to Third."

Speaker Breslin: "Representative Krska. Representative Krska, you are recognized on three Bills."

Krska: "Yes. I'd like to move to take from the table and place in Committee on Registration and Regulation to place in Interim Study on the Calendar Senate Bills 456, Senate Bills 566, and Senate Bill 567. May I have leave?"

Speaker Breslin: "Representative Krska has asked leave to take the following three Bills from the table and to place them in the R & R Committee on Interim Study. Those Bills are Senate Bills 456, 566, and 567. Does the Gentleman have leave? Hearing no objection, the Gentleman has leave. Representative McCracken, for what reason do you seek recognition?"

McCracken: "Are we going to do the Consent Calendar?"

Speaker Breslin: "No."

McCracken: "Okay. I had a Bill that I would like to place in Interim Study as well, I thought, if..."

Speaker Breslin: "Proceed."

McCracken: "... we were doing it. I'd like to take Senate Bill 1459 from the table and place it in Interim Study."

Speaker Breslin: "Representative McCracken has asked leave to take Senate Bill 1459 from the table and to place it in what Committee, Sir?"

McCracken: "Judiciary II."

Speaker Breslin: "Judiciary II Committee on the Order of Interim Study. That is Senate Bill 1459. Are there any objections? Hearing no objection, the Gentleman has leave."

McCracken: "Thank you."

Speaker Breslin: "Agreed Resolutions."

Clerk Leone: "House Joint Resolution 105, offered by Representative Mays; House Joint Resolution 106,

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Matijevich, et al.; House Resolution 627, offered by Representative Sieben; 628, by McPike; 631, by Kubik; 632, by Kubik; 633, by Hensel; 634, by Morrow; and 637, by Ronan."

Speaker Breslin: "Representative Matijevich."

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House, we have examined the Resolutions. They are all of the congratulatory type and therefore I move the adoption of the Agreed Resolutions."

Speaker Breslin: "Don't... don't anyone leave yet, Ladies and Gentlemen. Representative Matijevich has moved for the adoption of the Agreed Resolutions. All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it, and the Agreed Resolutions are adopted. Representative McCracken is recognized for an announcement. Republican Members should listen to this announcement."

McCracken: "I have the pleasure, Madam Speaker, of announcing a Conference immediately upon adjournment for all my friends in Room 118."

Speaker Breslin: "There will be a Republican Conference immediately upon adjournment in Room 118. Representative Stephens, for what reason do you seek recognition?"

Stephens: "Is that for his friends?"

Speaker Breslin: "I think you're one of them, Representative Stephens. General Resolutions."

Clerk Leone: "House Resolution 626, offered by Representative Keane and House Resolution 629, offered by Representative Ewing."

Speaker Breslin: "Committee on Assignments. Representative Matijevich, for what reason do you seek recognition?"

Matijevich: "Only to tell my Democratic friends the pleasure to announce that we do not have a Conference and you can

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shortly be on your way."

Speaker Breslin: "Death Resolutions."

Clerk Leone: "House Resolution 630, offered by Representative Goforth in respect to the memory of Ray Porter; House Resolution 635, offered by Representative LeFlore, in respect to the memory of Wesley Spraggins; and House Resolution 636, offered by Representative Cowlshaw, in respect to the memory of Glen Schillerstrom."

Speaker Breslin: "Representative Matijevich moves the adoption of the Death Resolutions. All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Death Resolutions are adopted. Ladies and Gentlemen, by agreement of both sides of the aisle, the House will remain in Session in Perfunctory Session so that all Bills on the Order of Second Reading can be read a Second... on Special Order, will be read a Second Time. So that's all Bills on Second Reading on Special Order will be read a Second Time this evening in Perfunctory Session. Now Representative Matijevich moves that this House stand adjourned until 9:30 tomorrow morning. That's 9:30 tomorrow morning. All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and this House stands adjourned until 9:30 tomorrow morning. Thank you."

Clerk Leone: "Republican Members are to be in caucus in Room 118 immediately. That's Room 118, Republican Members. Messages from the Senate. A Message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in the passage of the following Bills, together with Amendments and adoption of which I'm instructed to ask concurrence of the House of Representatives, to wit; House Bills 934, 939, 971, 978,

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982, 989, 998, 1018, 1021, 1023, 1038, 1055, 1063, 1064, 1065, 1072, 1093, 1113, 1120, 1145, 1149, 1163, 1174, passed by the Senate as amended June 24, 1987. Linda Hawker, Secretary.\* A further Message from the Senate by Ms. Hawker, Secretary. \*Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of the following Bills, together with Amendments and adoption of which I am instructed to ask concurrence of the House of Representatives, to wit: House Bills 1234, 1237, 1256, 1275, 1336, 1368, 1391, 1411, 1412, 1429, 1432, 1433, 1473, 1484, 1508, 1560, 1567, 1583, 1597, 1616, 1636, 1646, 1680, 1681, 1684 and 1699, passed the Senate as amended June 24, 1987. Linda Hawker, Secretary.\* Senate Bills, Order of Second Reading. Senate Bill 100, a Bill for an Act in relationship to the acquired immune deficiency syndrome. Second Reading of the Bill. Senate Bill 1365, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Senate Bill 1376, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Senate Bill... on the Order of Senate Bills Second Reading, Senate Bill 28, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. Senate Bill 47, a Bill for an Act to amend the General Obligation Bond Act. Second Reading of the Bill. Senate Bill 85, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. Senate Bill 115, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Senate Bill 120, a Bill for an Act to amend the Election Code. Second Reading of the Bill. Senate Bill 192, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Senate Bill 385, a Bill for an Act to amend an Act to revise the law in

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Code of Corrections. Second Reading of the Bill. Senate Bill 1410, a Bill for an Act to amend an Act to amend the Bill of Rights of Victims and Witnesses of Violent Crime Act. Second Reading of the Bill. Senate Bill 1412, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. Senate Bill 1496, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Senate Bill 1497, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Senate Bill 441, a Bill for an Act to amend the School Code. Second Reading of the Bill."

Clerk O'Brien: "Senate Bills on Second Reading, Senate Bill 226... Senate Bill 226... that Bill was already read a Second Time. Senate Bill 487, a Bill for an Act to amend the Energy Assistance Act. Second Reading of the Bill. Senate Bill 1192, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Senate Bill 1047, a Bill for an Act in relation to reading machines for the blind and visually handicapped. Second Reading of the Bill. Senate Bill 1513, a Bill for an Act to amend the Trust and Trustees Act. Second Reading of the Bill. Senate Bill 1488, a Bill for an Act to amend an Act in relation to State Finance. Second Reading of the Bill. No further business. The House now stands adjourned."

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relationship to clerks of the court. Second Reading of the Bill. Senate Bill 451, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Senate Bill 482, a Bill for an Act to amend an Act in relationship to consolidation of alcohol and drug abuse programs. Second Reading of the Bill. Senate Bill 525, a Bill for an Act to amend an Act in relationship to the creation of dispute resolution funds. Second Reading of the Bill. Senate Bill 527, a Bill for an Act to amend the Condominium Property Act. Second Reading of the Bill. Senate Bill 569, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Senate Bill 570, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. Senate Bill 652, a Bill for an Act to amend the Election Code. Second Reading of the Bill. Senate Bill 653, a Bill for an Act to amend the Election Code. Second Reading of the Bill. Senate Bill 942, a Bill for an Act to amend the Funeral Directors and Embalmers Licensing Act. Second Reading of the Bill. Senate Bill 1000, a Bill for an Act to amend an Act to create the Bureau of the Budget. Second Reading of the Bill. Senate Bill 1001, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. Senate Bill 1025, a Bill for an Act to amend the Criminal Code. Second Reading of the Bills. Senate Bill 1043, a Bill for an Act relating to membership representation on certain interscholastic athletic organizations. Second Reading of the Bill. Senate Bill 1119, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. Senate Bill 1129, a Bill for an Act to amend an Act to require prompt payments by the State of Illinois. Second Reading of the Bill. Senate Bill 1132, a Bill for an Act to amend the Unified Code of Corrections. Second Reading

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of the Bill. Senate Bill 1154, a Bill for an Act to impose a tax on cannabis and controlled substances. Second Reading of the Bill. Senate Bill 1159, a Bill for an Act relating to polygraph examinations. Second Reading of the Bill. Senate Bill 1181, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Senate Bill 1206, a Bill for an Act to amend the School Code. Second Reading of the Bill. Senate Bill 1243, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. Senate Bill 1249, a Bill for an Act to amend the Private Business and Vocational Schools Act. Second Reading of the Bill. Senate Bill 1272, a Bill for an Act to amend the School Code. Second Reading of the Bill. Senate Bill 1283, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Senate Bill 1297, a Bill for an Act to create the Residential Mortgage License Act. Second Reading of the Bill. Senate Bill 1298, a Bill for an Act to establish the Illinois Savings and Loan and Residential Mortgage Licensee Fund. Second Reading of the Bill. Senate Bill 1316, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Senate Bill 1355, a Bill for an Act to amend the Juvenile Court Act. Second Reading of the Bill. Senate Bill 1370, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Senate Bill 1375, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. Senate Bill 1381, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Senate Bill 1393, a Bill for an Act to amend an Act in relationship to the Department of State Police. Second Reading of the Bill. Senate Bill 1397, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Senate Bill 1407, a Bill for an Act to amend the Unified

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