

STATE OF ILLINOIS  
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HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

133rd Legislative Day

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Speaker McPike: "The House will come to order. The Chaplain for today will be the Reverend Kathleen Spurgeon Edmisson from Westminister United Presbyterian Church in Kirkwood. Reverend Edmisson is a guest of Representative Hultgren. The guests in the balcony may wish to rise and join us for the invocation."

Reverend Edmisson: "Let us pray. Most Gracious and Eternal God, You have given us all that we know. The world in which we live, the sun, the moon and the stars, the earth and all that dwells therein. The fish of the sea, the birds of the air, the animals of field and forest. You have given us ourselves, human creatures bestowed with a variety of gifts. For all these gifts, God, we give You thanks. Here before You today is a diverse gathering of people. Men and women, black and white, young and old, Republican and Democrat. Transcend these differences and let heart speak to heart, need to need, joy to joy, hurt to hurt. Send Your Holy Spirit upon each individual here so that each one might be enlivened through the power of the Spirit and empowered to claim his or her unique gifts. May they come together as a transformed Body, united in their concern for justice and wholeness in this state, in this Nation and throughout our world. Give them concern for their constituents, compassion for those who are oppressed, courage to take a stand, perserverance to keep on going, kindness toward those with whom they disagree and wisdom beyond their years. We pray too, for this world, this one world in which we live. One in which there is abundance and yet limits. One in which there is food, and yet hungry people. One in which there is healing, and yet hurting. One in which there is peace, and yet war. We pray for this world which You love so much. Move through us in all that

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we do so that one day this world, Your world, will be a place where there is no hunger, no poverty, no pain. We come before You in the name of Jesus Christ, our Redeemer. Amen."

Speaker McPike: "Be led in the Pledge of Allegiance by Representative Hicks and Goforth."

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

Speaker McPike: "Roll Call for Attendance. Representative Piel."

Piel: "Yes, Mr. Speaker, would the record show that Representative Panayotovich is excused today?"

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen, the only excused absence on this side of the aisle is Representative Kurt Granberg whose father has passed away."

Speaker McPike: "Representative Cullerton, you want to hit your button...? Take the Roll, Mr. Clerk. 115 Members answering a Roll Call, a quorum is present. Representative Rea in the Chair. Representative Rea."

Rea: "Ladies and Gentlemen of the House, we have a special recognition today, and at this time I'd like to ask the Clerk to read the Resolution."

Clerk O'Brien: "House Resolution 1918, offered by Representative Rea.

WHEREAS, Tim Grounds, of Johnston City, has captured the World Goose Calling Championship; and

WHEREAS, The contest was held in Easton, Maryland, on November 12, 1988; and

WHEREAS, Outcalling 45 other contestants, Tim won the title

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with a flute-type call which he designed and manufactured himself;  
and

WHEREAS, The Tim Grounds Championship Goose Call has helped 8  
callers to first place finishes since August 1988; and

WHEREAS, Tim Grounds now holds the Triple Crown of Goose  
Calling, having won the World, National, and U.S. Open  
competitions; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-FIFTH  
GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate  
Tim Grounds for bringing the Goose Calling title home to Illinois;  
that we congratulate him on being a Triple Crown winner; and that  
we express our hope that the future never leaves him without a  
feather to fly with; and be it further

RESOLVED, That a suitable copy of this preamble and resolution  
be presented to Tim Grounds with our best wishes."

Rea: "All those in favor of the Resolution signify by saying  
'aye', those opposed... Motion adopted. At this time it  
gives me great pleasure to introduce a person who has  
received world recognition on goose calling, and goose  
calling has become quite an art and the goose hunting in  
Illinois has added very much to economic development. And  
certainly to our area of the state. We have, on the  
average, a hunter will spend 200 dollars a day while they  
are in our area hunting, so you can see this adds to the  
economy of our area. And today we're very fortunate to  
have a young man who has received national and world  
recognition. At this time I would like to introduce to you  
Tim Grounds and ask him to make a few comments and also to  
demonstrate for you the goose call that has won him the  
world championship. At this time, Tim Grounds."

Tim Grounds: "Thank you. I'm a ...I tell you what, I'm a little

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nervous up here but I'm going to get out of your way real quick. I thank you for the honor you give me and I'm proud to bring it back to Illinois. It's never left the east coast but one time. And I've got a presentation here. I'd like to present Representative Rea with a hat and one of the championship calls that I won with and an instructional cassette tape. Also, I'd like to present, on behalf of the floor... Speaker of the floor, also he's not here and Representative Rea is going to accept on his behalf is a call and a hat and a cassette tape. I want to give you a little sample of what I did out in the world competition. I'll back off this microphone a little bit. This is a world... This is what I did to win the world. When I built this call...two years prior, when I built this call, I built it to win the world, cause there's one little thing that I couldn't get out of the calls that I took out there before, and now... with what I've got out now on this tape I'm not interested in winning any more, cause anybody can win. I don't have no secrets left. I want to give you one little... one little demonstration here. (Quack, Quack). I thank you again. Thanks a lot."

Rea: "Thank you, very much. And if we had the Speaker out here now we would ask him to call and it might be a new technique for calling the House to order. McPike, do you want to try this? Thank you, very much."

Speaker McPike: "Representative Hultgren in the Chair. Representative Matijevich did you have a...?"

Matijevich: "Speaker, I only wanted to announce, if you see a photographer around the House, that's alright. He happens to be taking pictures of Jesse White and he's from Sport's Illustrated, so if you want to be in Sport's Illustrated, see Mr. Hurrin, here. I'm already in it."

Speaker McPike: "Representative Hultgren."

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Hultgren: "I'd like to introduce and share with you some guests from Monmouth, Illinois, the 1988 High School Champion Golf Team. But before introducing them, I'd like to call upon the Clerk to read a Resolution I believe we have prepared."

Clerk Leone: "House Resolution 1910, offered by Representative Hultgren.

WHEREAS, Monmouth High School won the State Class A Golf Championship in 1988; and

WHEREAS, The four-time State champs showed again that they are the best Class A golf team in the State; and

WHEREAS, Tadd Bednar was State medalist with 153 strokes, and Randy Briggs was second medalist with 156 strokes; and

WHEREAS, Tadd Bednar, Randy Briggs, Cardie Carnes, Scott Pieper, Erik Pieper, and David Goff combined their efforts for a two day team total of 629, 24 strokes ahead of runner-up Kankakee; and

WHEREAS, Coach Bill Pieper, who has two sons on the team, is proud of every one of his players; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Monmouth High School Zippers Golf Team on winning the State Class A Golf Championship; that we commend the players and coach on excellent spirit and sportsmanship; and that we wish all of the students at Monmouth success in their careers; and be it further

RESOLVED, That a suitable copy of this preamble and resolution be presented to Coach Pieper with our compliments."

Hultgren: "And now Senator Hawkinson and I join in presenting the coach of the four-time State champion team, Coach Pieper. And would you introduce the players on the team?"

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Coach Pieper: "Thank you, very much. Representative Hultgren, Senator Hawkinson, Ladies and Gentlemen of the House, it gives me a great deal of pleasure to introduce to you the members of this 1988 team, the Medalists of the State of Illinois. Senior member of the team, Tadd Bednar. Second medalist in the State of Illinois, Junior, Randy Briggs. Junior member, David Goff. Junior member, Cardie Carnes. Junior member and one of my two sons on the team which gives me a great deal of pride, Junior member, Scott Pieper. And Sophomore member, Erik Pieper. With one member that is a Senior and five returning, it gives us a great deal of pride at Monmouth, maybe even to see you again next year. Thank you very much for the honor."

Hultgren: "And with that we'd like to move the adoption of House Resolution 1910. All those in favor signify by saying 'aye', opposed.... The Resolution is adopted. Thank you, very much."

Speaker McPike: "Representative Ryder in the Chair."

Ryder: "Thank you, Representative McPike. Today it's my pleasure to introduce to you the volleyball team from Jacksonville High School. For the first time in 15 years, a downstate school won the Class AA Girls Volleyball Championship. They did that by defeating a team from Arlington Heights and attaining a 39 and 2 season record. At this time I would ask House Resolution 1922 to be read."

Clerk Leone: "House Resolution 1922, offered by Representative Tom Ryder."

WHEREAS, It has come to the attention of this body that the Jacksonville High School volleyball team has captured the Class AA State Volleyball Championship; and

WHEREAS, The Jacksonville High School volleyball team, otherwise known as the Crimson, were the first downstate Class AA

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team to reach the finals in the 15 year history of the tournament;  
and

WHEREAS, Under the leadership of Coach Larry Sample, the  
Crimsons beat Arlington Heights Hersey High School to capture the  
crown; and

WHEREAS, The 1988 Crimsons team consists of: Jackie Nettles,  
Sara Pilcher, Beth Foster, Lori Ludwig, Susie Green, Donna White,  
Marsha Braner, Shanon Hamilton, Missy Aggertt, Cheryl Carter,  
Carrie Wilson and Caroline Bone; statisticians Christy Shafter and  
Kari Farrell; managers Amy Rentschler, Darcy Wagstaff; and

WHEREAS, Not only teammates but great friends, the team has  
played together through Junior High, Club Volleyball and High  
School, and it was able to put things together to earn the respect  
of other teams in the Pumpkin Tournament, Discovery Tournament and  
State Tournament; and

WHEREAS, The numerous achievements of the Jacksonville High  
School volleyball team confirm the belief that hard work and  
dedication are effective when you set goals and strive hard to  
accomplish them; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-FIFTH  
GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate  
the girls volleyball team from Jacksonville High School on winning  
the Class AA State Volleyball Championship; that we commend the  
players and coach for their hard work and dedication; and that we  
extend our best wishes to them for success in the future; and be  
it further

RESOLVED, That a suitable copy of this preamble and resolution  
be presented to the members of the Jacksonville High School  
volleyball team."

Ryder: "Thank you. At this time I would ask for a Motion to

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accept the Resolution. All in favor say 'aye', all those opposed 'no', and the Resolution is adopted. It's my pleasure to introduce to you Coach Larry Sample, but I should bring to your attention that some of the members of this team have served on three State Championships, including two in Junior High. Coach Sample."

Coach Sample: "Thank you. It's an honor to be here and it's an honor to be able to introduce such a fine group of players. We have nothing to donate or give to you, but we do have the downstate State title for Jacksonville and the downstate area. On my left, Beth Foster, Donna White, Carrie Wilson, Cheryl Carter, Susie Green, Marsha Braner, Jackie Nettles, Lori Ludwig, Caroline Bone. To my right, Shanon Hamilton, Amy Rentschler, Darcy Wagstaff, Christy Shafter and Missy Aggertt and Sara Pilcher. We thank you for this honor and like I said, we're very proud to be the first downstate Class AA State Champion. Thank you, Representative Ryder. Thank you all."

Speaker McPike: "Representative... Representative Curran."

Curran: "Yes, Mr. Speaker. I'd like to draw the Members attention to a former Member who is now University of Illinois Board of Trustees, Kenny Boyle."

Speaker McPike: "Representative Martinez in the Chair."

Martinez: "Ladies and Gentlemen of the House of Representatives, I proudly stand before you to present the young lady who has certainly done herself, her family and her entire...the entire Hispanic community in Chicago... I think I better start all over again. Ladies and Gentlemen of the House of Representatives, I proudly stand before you to present the young lady who has certainly done herself, her family and the entire Hispanic community in Chicago, and for that matter the State of Illinois, proud. This young lady and her proud parents are certainly role models for most



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Hispanics, and I might even go further and state that she easily could be the same role model for the youth of our great state. Before I introduce her and her family, I was reflecting right now whether I should go ahead into this or not, but I think I might as well make a reference to it. I would like to comment, as Representative of the Twentieth District, I have strived to bring to my district legislation that will clearly benefit my constituents. This is something that is not easily understood at times, and like I said, I strive to bring benefits to my constituents, such as funds for bilingual education, day care services and state employment for Hispanics. As such, I was somewhat chagrined when a colleague of mine called some of my proposed Bills 'willy-nilly acts of legislation', of which he was tired of hearing. Now, I know that the Gentleman was caught up in the emotion of debate that often goes on on this floor. But it's because of such willy-nilly attempts that I stand here to present to you this fine lady that I feel somewhat rewarded for my efforts towards the youth of my district. Because of what this young lady has accomplished and my small efforts to give others that same chance. And now it gives me great pleasure to present to you this young Hispanic lady who boldly ventured to South Korea in September with the United States Olympic Team and came back with a gold medal in the sport of Tae Kwan Do. She is certainly a pride to the Hispanic community and as well as the entire State of Illinois. Ladies and Gentlemen, I give you Ms. Arlene Limas and her proud parents."

Ms. Limas: "Thank you very much, Representative Martinez. I'd like to thank the entire House for having me here today, I'm very honored to be here. I was very proud to represent the State of Illinois, as well as the City of Chicago,

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which I have lived my entire life, so thank you very much and it was very nice of you and I hope that good business is the product of this meeting. Thank you."

Speaker McPike: "Agreed Resolutions. Representative Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House, I've examined all the Resolutions and they are agreed to. By the way, one of them is for our colleague, Carol Mosley Braun, and I don't want to..."

Speaker McPike: "Representative Matijevich, let me interrupt you just for a second. Mr. Clerk."

Clerk Leone: "Senate Joint Resolution 167, offered by Representative Black. House Resolution 1908, offered by Representative Bowman. House Resolution 1911, offered by Representative Black. House Resolution 1912, offered by Representative Shaw. House Resolution 1913, offered by Representative Black. House Resolution 1914, offered by Representative Wyvetter Younge. House Resolution 1915, offered by Representative Stange. House Resolution 1916, offered by Representative Stephens. House Resolution 1917, offered by Representative Regan. House Resolution 1918, offered by Representative Rea. House Resolution 1919, offered by Representative Hasara. House Resolution 1921, offered by William Peterson. House Resolution 1923, offered by Representative Mays and House Resolution 1924, offered by Representative Capparelli, et al."

Speaker McPike: "Representative Matijevich."

Matijevich: "Yes, Mr. Speaker, now I move the adoption, and as I said, one of them is House Resolution 1914, which congratulates Carol Mosley Braun on her election to the Recorder of Deeds in Lake County, and also a farewell to Carol. It's been my honor to serve with her, and I know the only thing that she's going to miss is those airplane flights between Chicago and Springfield. Otherwise, she

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won't miss a thing here, but we all congratulate Carol Mosley Braun and wish her the best of luck in her new venture. With that I move the adoption of the Agreed Resolutions."

Speaker McPike: "Gentleman moves the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it, the Agreed Resolutions are adopted. Representative Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's with great pleasure that I welcome back a former colleague of ours. Standing over here, Congressman Denny Hastert."

Speaker McPike: "Congressman, welcome to the House floor. Good to see you. General Resolutions."

Clerk Leone: "Senate Joint Resolution 174, offered by Representative McPike."

Speaker McPike: "Committee on Assignment. Committee Reports."

Clerk O'Brien: "The Committee on Rules has met and pursuant to Rule 29(c)3 the following Bills have been ruled exempt on November 28, 1988: House Bills 2533, 2917 and 4256. Senate Bills 378, 898, 1080 and 1893. Signed, John Matijevich, Chairman. On November 28, 1988, the Committee on Rules met and pursuant to Rule 46.1 makes the following report on Senate Bill Amendatorily Vetoed by the Governor: Compliance with House Rule 46.1(b), Senate Bills 1532, 1562, 1599, 1685, 1800, 1856, 2035, 2050 and 2124. Noncompliance with Rule 46.1(b): Senate Bills 1470, 1626, 1875, 1996 and 2136. Signed, John Matijevich, Chairman. Representative Dunn, Chairman of Judiciary I of which the following Bills were referred, action taken November 28, 1988, reported the same back with the following recommendations: Do pass Senate Bill 2123. Do pass as amended House Bill 3008."

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Speaker McPike: "The Clerk has an announcement."

Clerk O'Brien: "Relating to the group picture of the Members in the House chamber, the copy is in the front here for you to view. The company will sell these pictures for twenty-five dollars apiece. They'll be available in January when we come back in Session. If you want a copy, you can come down and sign up for them. If you're interested in the frame that it's in, you can ask me about that. We can get that done for you in Springfield. The price of the picture is twenty-five dollars, the price of the frame is one hundred and five dollars, so a package deal is one hundred thirty dollars for the picture framed. We'll take orders on the pictures until Friday of this week and then we'll send it off, so we have all this week to sign up."

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

Speaker McPike: "House Calendar Supplemental #1. Under Amendatory Veto Motions appears Senate Bill 1599, Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to accept the Governor's Amendatory Veto on Senate Bill 1599."

Speaker McPike: "Representative Novak, I believe that the procedure that the House is following is for the Sponsor of the Motion to explain what the Amendatory Veto does so that the Members will have some idea of what they're voting on. Representative Novak."

Novak: "Thank you, Mr. Speaker. The Amendatory Veto puts responsibility on the homeowner, more responsibility on the homeowner as far as collecting landscape wastes and putting them in biodegradable bags, rather than the onus of the responsibility on the landfill operators. That's basically what the change was."

Speaker McPike: "Is there any discussion? Representative

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McCracken."

McCracken: "As Representative Cullerton would say, what did you say?"

Speaker McPike: "Representative Novak."

Novak: "Representative, Senate Bill 1599 established composting facilities for landfills by July 1 of 1990. Landscape waste, such as yard clippings, tree limbs, branches, would be put in biodegradable plastic bags and... to be marked in biodegradable plastic bags to be deposited in landfills. The landfills would be obligated to set aside composting areas where this... where the landscape waste in the biodegradable bags would biodegrade and form a composting area that would be used in subsequent years for mulching. The Governor chose to amendatorily veto it and to put more responsibility on the homeowner that collects the landscape waste, deposits them in those biodegradable bags before they're picked up by the refuse collectors and sent to the landfills."

Speaker McPike: "Representative McCracken."

McCracken: "Do you not consider the Governor's changing of your effective date for a portion of the Bill significant? Doesn't it violate the underlying intent of the Bill? Wouldn't you consider this a noncompliance type of Amendatory Veto? Does it depend on who the Sponsor is to determine whether an Amendatory Veto is either complied with or not complied with?"

Novak: "No, I don't think so. No, I don't think that has any relevance. This did not... the Amendatory Veto was accepted in the Senate by the Chief Sponsor."

McCracken: "Well, that doesn't matter. The House has a procedure for declaring these things noncompliance and then vote 'present'. Shouldn't we be voting 'present' on your Bill to be consistent?"

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Novak: "I don't see any consistency there. Or inconsistency."

McCracken: "Maybe if we had written rules that we could refer to by which to determine whether a Bill complies or doesn't comply, we would all be in better position. I couldn't make the Rules meeting this morning. Do you know if they explained why this was considered to be compliance, other than the Sponsorship?"

Novak: "Well, I wasn't at the Rules meeting either, Representative, but this is a good Bill."

Mccracken: "Have you asked Representative Matijevich why he found this to be compliance?"

Speaker McPike: "Representative McCracken, I think Representative Breslin would like to answer that question, if it's alright. Representative Breslin."

Breslin: "Representative McCracken, the reason that this Amendatory Veto was found in compliance was because there was an inconsistency between two Bills passed by this chamber and the Senate last year. House Bill 3800 and this Senate Bill."

McCracken: "That was your Bill."

Breslin: "As a consequence... No, it was not my Bill. As a consequence, it was determined that the Governor used his Amendatory Veto power appropriately to eliminate the conflicts between the two Bills, and in order to do that he had to make these changes. We think that was an appropriate use of the Amendatory Veto power."

McCracken: "Doesn't the statute on statutes require a reconciliation of a conflict by choosing the later passed statute?"

Breslin: "No. See, the two Bills were on his table at the same time. I think that applies only when... when he has signed both Bills. And there is a conflict determined later."

McCracken: "Okay. Are you... You sit on the Rules Committee, do

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you not?"

Breslin: "I do."

McCracken: "Are you aware of any written guidelines to which the minority can refer to determine whether you're correctly exercising this power you claim to have? Are there any written guidelines in existence to determine whether a Bill complies or does not comply?"

Breslin: "Well, the written rule is the determining factor and that was a matter that we adopted as a Body. It isn't the Majority party making the decision. We may be voting on it in a... apparently at this point, in a partisan fashion, but it is something that is open for joint discussion, and it was a rule adopted by this whole Assembly."

McCracken: "Yes, I'm aware of that. Were you present at the rule meeting this morning?"

Breslin: "I was not."

McCracken: "Okay. You don't know if there was an explanation given for why this was declared in compliance?"

Breslin: "I do not know."

McCracken: "Okay. Alright. Well, I suppose the Amendatory Veto makes this Bill a better Bill. That's what people are saying, at least, and apparently the Democratic Majority has chosen not to make a stand when one of its Members' Bills is at risk, so we will... we will make our decision on this Motion on the merits of the Bill. Thank you."

Speaker McPike: "Further discussion? Representative Novak to close."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendatory Veto's... is acceptable, and that's the reason why we're filing this Motion. This is a good Bill. It's going to promote new uses for corn products in our state and it's going to certainly address some of the significant problems we have with our landfills throughout

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the State of Illinois, so I urge your 'aye' vote. Thank you."

Speaker McPike: "You've heard the Gentleman's Motion. The question is, 'Shall the House accept the specific recommendations for change with respect to Senate Bill 1599?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. Representative Capparelli, 'aye'. On this Motion there are 108 'ayes', 3 'nos' and 3 voting 'present'. This Motion has received the required Constitutional Majority. The Motion is adopted and the House accepts the Governor's specific recommendations for change on Senate Bill 1599. Senate Bill 2050. 2050, Representative Mays."

Mays: "Thank you very much, Mr. Speaker. I move to override on Senate Bill 2050. This was an Audit Commission Bill which its hopes were to speed up the deposits in the state Government, thereby generating some extra dollars, one time only dollars, but extra dollars for our revenue, so I would move to override the Governor's Amendatory Veto."

Speaker McPike: "Is there any discussion on the Gentleman's Motion? Representative Keane."

Keane: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Motion. This is an Audit Commission Bill that we worked on and it's been overridden in the Senate. I would ask it be overridden here. Thank you."

Speaker McPike: "You've heard the Gentleman's Motion. The question is, 'Shall Senate Bill 2050 pass, the Veto of the Governor notwithstanding?' All those in favor signify by voting 'aye', opposed vote 'no'. Representative McCracken. Mr. McCracken is not here, so turn him off. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 115 'ayes', no 'nays' and



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none voting 'present'. This Motion having received the required Three-Fifths Majority is adopted. Senate Bill 2050 is hereby declared passed. Senate Bill 2124, Representative John Dunn. Representative Dunn."

Dunn: "I move to accept the Governor's Amendatory Veto on Senate Bill 2124."

Speaker McPike: "Representative Dunn, perhaps you were out of the chamber when the request earlier was made that... if someone makes a Motion to accept, if they would please explain what the Bill does."

Dunn: "But you have to be able to do that, you know, before you can... This is a Bill which affects the security interest in growing crops and the Amendatory Veto, basically, deletes the effect of House Amendment #1. And House Amendment #1 provided that the Act will only apply to a collateral assignment made on or after the effective date of the Act and not to those made before the effective date of the Act, so that's essentially what the Amendatory Veto does, and I move to accept."

Speaker McPike: "Is there any discussion on the Gentleman's Motion? Being none, the question is, 'Shall the House accept the specific recommendations for change with respect to Senate Bill 2124?' All in favor vote 'aye', opposed vote 'no'. This requires 71 votes. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 115 'ayes', no 'nays' and none voting 'present'. This Motion has received the required Constitutional Majority, the Motion is adopted and the House accepts the Governor's specific recommendations for change. Senate Bill 2124 is hereby declared passed. Under Item Veto Motions appears Senate Bill 2022. Representative Richmond on a Motion."

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

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House. I move to override the Governor's Item Veto which would restore... and restore to its original amount, notwithstanding the reduction of the Governor, page 25, line 10 to 15 of Senate Bill 2022. This would restore 450,000 dollars for planning and architectural and engineering work for the John A. Logan expansion... John A. Logan College expansion in southern Illinois for a 600... or a 60,000 square foot addition to the college. This project was recommended, number one, by the Illinois Community College Board for funding. The Illinois Board of Higher Education rated the project number six for all capitol projects statewide. The Governor approved the recommendations of the Illinois Board of Higher Education for the first four recommendations and then he skipped projects five through fourteen and approved the fifteenth project, so it would seem to me that it would be logical to go back and give the... and vote to override the Governor in this instance because of the need that's there and also the place on the priority list. Let me just give you a little bit more information concerning John A. Logan. They've experienced a 13.3 percent increase... enrollment increase this fall over last year and on top of that there was an increase... a 35 percent increase from 1985 to 1987 and it continues to be the fastest growing community college in Illinois. The only thing threatening that status is a limited number of sardines that can be packed into an existing classroom space. I ask for your support. This passed in the Senate with substantial support from both sides of the aisle."

Speaker McPike: "There's a request by Representative Black that his Motion be heard in conjunction with Representative Richmond's Motion. So we recognize Representative Black on the same Bill, Senate Bill 2022. The Chair would ask leave

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of the Body to vote on both Motions at once. Hearing no objections, Representative Black is recognized."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I would move that the item on page 27, lines 22 through 26 of Senate Bill 22... 2022 do pass, the Item Veto of the Governor to the contrary notwithstanding. Ladies and Gentlemen of the House, basically what this does is to restore 350,000 dollars to the reduction of the Capitol Development Board for the construction of an elementary school at Georgetown-Ridge Farm. I think this was the first consolidation under the Ed Reform Act that this Body passed two or three years ago. The people in this community passed their bond issue and consolidated based on that good faith effort that this Body said would take place. And given that fact and the subsequent reduction, I would now move for the restoration of the 350,000 dollars for that school district and I would appreciate your vote."

Speaker McPike: "You've heard the Motions by Representative Richmond and by Representative Black. Is there any discussion? Representative Mays."

Mays: "Thank you very much, Mr. Speaker. I'd just suggest that perhaps Representative Barnes would like to join her... perhaps she wouldn't. Perhaps we ought to take this out of the record for just a moment so we can discuss this, if that's alright."

Speaker McPike: "Well... I will stand at ease for just a second if you'd like to approach the Chair. Representative Mays withdraws any objections he had and the Body has heard the Motions. Is there any discussion? There being none, the question is, 'Shall these two items pass, the Motion by Representative Richmond and the Motion by Representative Black... Shall these two items pass, the Veto of the

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Governor notwithstanding?' All those in favor of the Motions vote 'aye', all opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On these Motions there are 108 'ayes', 2 'nos' and one voting 'present' and these two Motions having received the required Three-Fifths Majority prevail and the items on page 25, line sixt... The Chair stands corrected. On page 25, lines 10 through 15, 450,000. And on page 27, lines 22 through 26 for 350,000, is hereby declared passed, the Veto of the Governor notwithstanding. Representative Barnes. Senate Bill 2022. This is on the Regular Calendar, page 3 under Item Veto Motions."

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to override the Governor's Veto of 2 point... approximately 2.2 million dollars. It affects Moraine Valley community colleges that is located in Representative Keane, Representative McNamara, Representative McGann, Representative Leverenz and Representative Barnes' district."

Speaker McPike: "You've heard the Lady's Motion. Is there any discussion? There being none, the question is, 'Shall this item pass, the Veto of the Governor notwithstanding?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 87 'ayes', 18 'nos', 5 voting 'present'. This Motion, having received the required Three-Fifths Majority prevails and the item on page 25, lines 16 through 20 is declared passed, the Veto of the Governor notwithstanding. Supplemental... Representative... On Supplemental Calendar #1 under Amendatory Veto Motions, Gubernatorial Noncompliance appears Senate Bill 1470. Representative Bowman."

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

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House. If this had been a House Bill, I would've been happy to have moved to override the Amendatory Veto and have the Bill go into effect immediately. But this is a Senate Bill and if we do not take action to accept, the Bill dies. The Bill, you may remember, is a pension funding Bill that will stabilize our pension funding, reduce out year costs and preserve the hard won benefits for annuitants. Now, this Bill passed almost unanimously in both the House and the Senate. The Bill, however, had been on our Calendar for over a year, and so it was appropriate for... from a policy perspective for the effective date to be delayed. Now the Amendatory Veto of the Governor does precisely that and only that. There's nothing in this Amendatory Veto other than a delayed effective date. The Rules Committee found that to be a noncompliance. I respectfully disagree with the Rules Committee in this instance. The rule about categorizing Bills or Motions with respect to compliance or noncompliance is a new rule, and like any new law is subject to interpretation. Now, I believe that the intent of the Legislature was to put the pensions of this State on a sound financial footing, and I believe that it is within the constitutional limits of Gubernatorial discretion to delay implementation for a brief period. Now, we could say that if the Governor had chosen to delay the effective date ten years or twenty years, obviously he was trying to frustrate the will of the Legislature. But he did not. He chose a very reasonable, very measured course of delaying one year. And I think considering the fact that the Bill had... was introduced two years prior to the date that it actually passed, that it is appropriate to have a little period of time so that the administrative machinery for doing this can be geared up. That is the Governor's

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responsibility, to gear up that administrative machinery, to mobilize it on behalf of this legislation and I think that if it is necessary to provide an extra year that, so be it. So I would argue that in this particular instance, the action of the Governor was within constitutional limitations. I believe that over a period of time as we consider various issues under this subject heading that we will evolve a sort of common law, a rule of thumb that will guide the Rules Committee in the future. So with that in mind, I ask my colleagues to vote 'aye' on a Motion to accept the Gubernatorial Amendatory Veto."

Speaker McPike: "On the Gentleman's Motion, Representative Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House, it's not always easy for me to rise and debate a colleague of mine on this side of the aisle. However, I do so at this time and I also, as Chairman of the Rules Committee, I would ask the members, particularly on this side of the aisle to vote 'present' on this Motion. The Gentleman does need 71 votes on his Motion. I would ask that he... that we do vote 'present'. We did establish the standard on House Bills that the delayed effective date is a matter of noncompliance, and I really think that the Rules Committee is correct in that. I think we, as Members of this House, if we are honest within ourselves, that that is a fundamental change when the Governor does make that amendatory change. So I think it is a good precedent that we do follow. And now I would also remind everybody here that a pension Bill is being considered right now ...I don't know if... in fact, I don't see Representative Cullerton on the floor at the moment. Representative Cullerton has been getting all of the factions together, the pension systems, and is trying to work out a Bill right

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now and I...I think we can all be assured that a pension Bill will pass before we leave this week. So, I don't think there's anything in jeopardy at all if we vote 'present' on this matter. I think what is more in jeopardy if we vote 'aye' on this, is that we would be establishing a bad precedent and really undoing all that we did two weeks ago... week before last. Somebody called me from the Champaign newspaper with regards to what we did with the Amendatory Veto and I said at the time, I don't think there's probably another Member in this House that feels as strongly as I do about it because I've been here through all of the Governor's that have abused the Amendatory Veto power. So, what we are doing, really, if we hold to our precedent, really, is going to in the end benefit the legislative process and I think benefit the people of the State of Illinois. So I would urge the Members and particularly on this side of the aisle do something that may even be difficult for you, and that's to vote 'present' against one of your own Members. In the end we'll be better off for it and also we're going to get a pension Bill out this week, so nobody will be hurt by it. Thank you."

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I want to make clear that what we're discussing in this particular pension Bill is the issue of the underfunding of all of the State pension systems. In this legislation, we provide that we will deal with the unfunded liability over a 40 year period of time. This is a common practice across the country as states attempt to deal with their pension liabilities. This has nothing to do with the pension Bill that does anything with benefits. What this does is provide a funding mechanism which will make it

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possible for us to deal with the unfunded liability that is in place now, which has been created by two things. One, the passing of benefits by this General Assembly, and secondly, by the underfunding of the annual pay out and the requirement in the statutes to fund the pension on an actuarially sound basis. This is an effort...this is an effort to correct that. It has nothing to do with any kinds of benefits. I would suggest to you that this legislation ought not have been placed in this position on the Calendar, but notwithstanding that, this Bill passed the Senate... This Bill passed the Senate in this version 53 to nothing, which means in the majority of our cases, our Senator, whomever that may be, voted in favor of it. In fact, no one voted against it. There is not a annuitant of any of the State pension systems who are not in support or are not likely to be supporting this program. This is a good piece of legislation, notwithstanding the arguments made by the previous speaker. This legislation should not have been put in that category and I for one stand here in support of this legislation. I believe it is a step in the right direction. As many of you know, I chaired a pension committee about five years ago which dealt with this very issue. And I stand strongly in support of this and ask you to join with me, Representative Bowman and at least the fifty-three Senators who supported it in the Senate."

Speaker McPike: "Representative Hallock."

Hallock: "Thank you, Mr. Speaker, Members of the House. Will the Sponsor yield? The Sponsor's on the phone. I'd like to ask the Sponsor a question. He's cutting his own deals on the telephone, I think."

Speaker McPike: "Representative Bowman. Representative Bowman?"

Hallock: "Maybe he's talking to the Speaker."

Speaker McPike: "Representative Bowman."



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Bowman: "I think the issue's been debated fully. I simply ask for an affirmative vote. Thank you."

Hallock: "No. Wait, wait, wait...."

Bowman: "Okay. I thought you were asking me to close. Thank you. What's the question?"

Speaker McPike: "Representative Bowman."

Bowman: "By the way, I still think it's been debated fully."

Speaker McPike: "The Gentleman said he will yield for a question."

Hallock: "Thank you very much. I didn't mean to take you off the phone. Is everybody okay back home?"

Bowman: "Everything's fine back home. Thank you very much."

Hallock: "That's good. Thank you. I had a question about the Bill, pertaining to the Bill itself. I find it in the posture on the Calendar on the Gubernatorial Noncompliance Section and I wanted to ask you, what does that do to your Bill, when in fact it's on that Calendar?"

Bowman: "What does it do to my Bill?"

Hallock: "Well, you know, here we have an order laid down which suggests that we should not call Bills of this type cause we're on that order dictated by the Speaker, but yet you're calling a Bill."

Bowman: "The Speaker is not dictating anything. We called the Bill."

Hallock: "Well, Mr. Speaker, Members of the House, what's really lamentable here is, we have a Bill which, on its merits, is probably one of the best Bills we've passed in many years in the pension field. A Bill which has to be addressed, has to be passed this Session. And again, that's on the merits. But unfortunately, for various political reasons we have the Speaker, who has said that this Bill, for some reason according to his dictates, doesn't fall into compliance with what he feels the Bill should be if it's

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going to be in this posture. He is deciding by this measure that a Senate Bill could be decided, the fate, here in the House. He's deciding by this posture that the courts will have no impact, that we in the House will decide the constitutionality of these issues. And let's keep in mind for all of you that this has nothing to do with the merits of the Bill. This is all politics. If you stop and think about it, look at this Bill. This is a Bill that all our constituents have asked us to pass from time to time regarding the pensions. It's a good Bill. We ought to pass it, put the politics aside. Let's vote 'yes' for this Bill."

Speaker McPike: "Representative Bowman to close."

Bowman: "I already did. Thank you very much."

Speaker McPike: "This Motion requires 71 votes. The question is, 'Shall the House accept the specific recommendations for change with respect to Senate Bill 1470?' All in favor vote 'aye', opposed vote 'no'. Representative Breslin to explain her vote."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, it is the Rules Committee's opinion that this Amendatory Veto exceeds the constitutional power of the Governor. It is... it is appropriate, we think, that the Governor participate in the legislative process. That, however, has not been the policy of this Governor. Instead, he waits until Bills come to his desk and then he uses his Amendatory Veto power to write Bills as he so chooses. Had the Governor participated in this process, things would be different. Had the Governor participated even in informing this Assembly of his concerns prior to making his decision, things would be different. But he does not. It is the wish of the Rules Committee that instead of allowing this practice, that we send a message to this Governor that it

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will not be tolerated and that instead, in order to get the job done of this Legislature, we have a vehicle waiting for this Bill. We think the message needs to be carried to this Governor. As a consequence, and only for that reason, we ask Members to vote 'present' and at a later time, still this week, we will do the business of the people of this State and do it appropriately. Thank you."

Speaker Bowman: "Representative Ropp, one minute to explain your vote."

Ropp: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Might I say to the previous speaker, the message that you are sending is a message to those people who have and will be receiving pensions that you have no concern for them. That over the past several years the State has been delinquent in fulfilling its financial obligation to that pension system. The Governor has delayed that implementation by one year. It ought to be supported. You should not say to those people who are in waiting of their pensions that they are second class citizens. You deserve to con... reconsider and change your yellow, which I might say is not a big, strong vote. You want to switch it to green so that you can give justifiable assurance to those pension people who have put in many years of service that they will receive the same kind of pay from the State that they have already received when it has been taken from their checks already."

Speaker McPike: "Representative Hasara, one minute to explain your vote."

Hasara: "Thank you, Mr. Speaker. I can assure you that the people who are retired out there could care less about Gubernatorial Compliance or Noncompliance, nor do they understand it and to use them as a pawn in a political process is, in my mind, disgusting. I urge you to take

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those 'present' votes off and show the constituents in your district that you really care about reforming what we've done to their pensions."

Speaker McPike: "Representative Ewing, one minute to explain your vote."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I'm really appalled that this Bill isn't flying out of here. The Senate has passed this Bill and I assumed that the Speaker's Office and the Democratic dominated Rules Committee is going to tell the Senate what they think is right and wrong and where the Governor may have exceeded his powers, I think this is a real struggle between the Speaker and the Governor and the people of the State are the losers. And I think that message is going to come home. That the people of the State are the losers and the pensioners of this State are the losers and you can't hide behind your trying to send the Governor a message with this issue. Vote green because the people won't understand any other vote."

Speaker McPike: "Representative McCracken, one minute to explain your vote."

McCracken: "Thank you, Mr. Speaker. I see the timer is on for Republicans who speak. It wasn't on for Representative Breslin. So why don't you just take it off, let us have our say and then do what you're going to do anyway. Come on, take it off."

Speaker McPike: "Proceed to explain your vote, Sir."

McCracken: "I hope the press sees through this. Three Bills ago, Representative Novak had an extended effective date and it was a Gubernatorial Compliance Amendatory Veto Motion. Now we have an extended effective date and it's not in compliance. There are no written rules or standards to determine by which any particular Bill is going to be held

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in compliance or not compliance. It's a party line vote and I'll tell you what they want, they don't want the Governor to do his constitutional duty. It's not the Governor who intimidates the Legislature, it's the Legislature, even though the majority has less than 71 votes, who wants to intimidate the Governor. In effect, they want to be a veto-proof House, even though they don't have the votes to do it. And that's what's going on here today and don't let anyone pull the wool over your eyes and I hope you report it back home."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 63 'ayes' and no 'nays', 51 voting 'present'. The Motion fails. Representative Matijevich."

Matijevich: "Only on a point of clarification. As long as the press is here, as Representative McCracken said, there were other changes in the Novak Bill, so I don't want anybody to leave here thinking that was merely a change of delayed effective date. There were other changes."

Speaker McPike: "Senate Bill 2136, Representative Countryman. Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2136, the underlying Act provides provisions for Amendment of both the Income Tax Act and the Retailers' Occupation Act. What it did was, it created a procedure with regard to what are called 'stop orders'. Those are orders issued by the Department of Revenue to people purchasing a business. In the underlying Bill, on the Amendment which we put on would've required the Department of Revenue to pay interest on the money that was held by purchasers of business that ultimately could be paid to the Department of Revenue. The Amendatory Veto changes that Section and deletes the requirement that

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interest be paid. The interest payment would've required additional revenue from sources which we did not have. Under the Bill as the Amendatory Veto is worded, the initial stop order notice would be received would be provided to the purchaser within ten days after the Department of Revenue receives notice of the transfer of sale. That's a substantially less period of time, which will require the Department of Revenue to act faster. The other thing it does, the purchaser will then be required to withhold the amount stated in the initial order, but a formula for determining the maximum amount will be provided. That formula is not to exceed a minimum amount varying by the type of business, and that's to be established by Department of Revenue rules. That amount would be equated to twice the amount of the unpaid liabilities and twice the average liability from the proceeding filing times...the preceding filings. Times the number of unfiled returns which are not filed when due. That would be to protect the State, to make sure that the State would receive ultimately any revenue which has not been filed. Within 60 days after the initial... issuance of the initial order, the Department of Revenue is to write a second notice to the purchaser... purchaser. This provides the amount of actual taxes or penalties or interest due, which then could be paid by this fund, or if there are additional monies that are... that may become due as a result of unpaid taxes which were to be held by an employer, returns are not filed when due pending assessments and audits not completed. This would give the Department time to recognize whether or not it needed to perform an audit. Failure to provide either of these notices in a timely manner relieves the purchaser of the duty to withhold and of liability for the taxes for the

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unpaid seller. The purpose of all of this is to expedite the time process by which purchasers and sellers are required to hold money in a pending transaction so that the transaction can be completed and also to make a reasonable sum of money that would be have to be withheld by the purchaser of the business. It's been my experience that many times you cannot find a reasonable sum of money. That is, the Department of Revenue has withheld an unreasonable sum of money, and for instance, a business transaction which I was involved with, the business sold for ten thousand dollars. They required a withholding of five thousand dollars. As this Amendatory Veto is written, the requirement would be reasonable in light of the amount of taxes that would be paid on a consistent basis by this business. The business I referred to a few minutes ago was a beauty shop. Had very little in sales tax revenue. Sold shampoos and a few ancillary items, but generally was a service business. Fifty percent of the purchase price is an unreasonable amount of money, particularly when there are lenders involved and other people involved who are anxious to receive their money at a closing. I think this a workable solution to a problem. There were two other provisions to the Bill. One was the Uniform Federal Lien Registration Act which will remain unchanged and the other is a provision dealing with the ability of title companies to escrow or trust out monies that are due on a... on a... showing up as a judgment or a lien, tax lien to the State of Illinois. Under current law, you cannot escrow that money. In essence, the only way you can close a real estate transaction when there's a State Tax Lien is to get a release of that State Tax Lien from the State of Illinois. For those of you who are involved in the sale of real estate, you know many times that there are liens on

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property and that you have to provide a mechanism by which those liens can be released, particularly when there's an ascertainable amount of money that you can find, discover, escrow and pay that, particularly out of the proceeds of a closing, rather than out of monies that a seller many times doesn't have. Those provisions of the Bill remain unchanged. Those are the underlying provisions of the Bill. The third Amendment was an attempt to change the existing law to expedite the process to allow buyers and sellers of businesses to transfer their business in an orderly manner and without over burdensome from the State of Illinois and in the process we had two Amendments. The one Amendment we put on the Bill was the Amendment that passed, provided for payment of interest and effectively this is the parts of the other Amendment. I move your acceptance of this Gubernatorial Amendatory Veto. Thank you very much."

Speaker McPike: "On the Gentleman's Motion, Representative Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House, I would ask the Members on this side of the aisle again to vote 'present'. I think if we all listen to Representative Countryman's explanation of the Governor's Amendatory Veto, that is the reason why it is so important that we restrict the Governor's Amendatory Veto power. Now, it took Representative Countryman quite awhile to explain whether that Amendatory Veto is proper or not and whether it does expedite the stop order. Now, the fact of the matter is, we aren't sure. All we can do is take one person, Representative Countryman's word for it that that's right. If we are going to have the Legislature act the way it should, that type of change ought to be in committee. We ought to have the public respond to it. We ought to have



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lobbyists respond to it, we ought to have all sides of the issue expounded. It shouldn't be that one person get on the floor of the House and say, 'This is good. This is the way it should be'. We don't know, maybe it should be that way. But it's not the normal legislative process. This is a fundamental change, in addition thereto, he makes the fundamental change and then adds a new fed... delayed effective date for that fundamental change. This is why we ought to vote 'present'. We ought to finally say to the Governor, 'Let's do it right. Let's do it through the legislative process. You'll get your turn to veto or not in the end'. I recommend to this side of the aisle a vote of 'present'."

Speaker McPike: "Representative Hallock, on the Bill. On the Motion."

Hallock: "Well, thank you, Mr. Speaker, Members of the House. Here we have it again, the same situation. A Bill which ought to be, in all fairness to the Sponsor and also to the Senate Sponsors, debated on its merits. And the merits, I must say were explained very well by Representative Countryman. His explanation of what the Amendatory Veto does. But that's not the issue here. The issue is here whether or not he in fact, even had that called on the merits. And the Speaker has said, 'no, he cannot', because of his new procedure with noncompliance. I must say to all Members in this chamber, this is a Senate Bill. That if, in fact, the House does have some power to decide what Bills it hears, that should be in its own chamber. Any procedural questions on this Bill should've been resolved and decided upon in the State Senate, not in the Illinois House. This is a Senate Bill. So I say to all of you, let's hear this Bill on the merits. Forget the politics. Let's get on with it and let's abolish this Order of

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Business and pass this Bill."

Speaker McPike: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. It's interesting that the Majority's sensibilities are offended by the use of the Amendatory Veto. This Amendatory Veto message, which by the way is in writing giving the Governor's reasoning for what he does, something that we don't get from the Rules Committee, is dated September 2, 1988. It's almost 3 months old. Now, is 3 months not enough time in which to act? Is the Majority so offended by the use of Amendments on Second Reading, with very little notice to the public? Is it offended when the Rules Committee meets and waives the posting requirements, which are designed specifically to protect the public? No. We don't see any offense or any hackles raised in that case. We see a... an excuse, a pretext for doing what's done here today. Ninety days in which to respond to a written message explaining the Governor's position is a hell of a lot more than we get on this side of the aisle in conference committees, it's a lot more than the public gets when posting requirements are waived and it's a lot more than you should even ask to have. You have no right to claim that three months is an insufficient time in which to formulate public reaction to a Bill. That's a silly argument. It's just a pretext for doing the wrong thing, trying to intimidate the Executive Branch of our government."

Speaker McPike: "Representative Countryman to close."

Countryman: "Thank you, Mr. Speaker. As we work through this process, I think we discover that sometimes we don't always have the view of every agency, every department and our constituents in mind at the same time. When I put the Amendment on the Bill in the first instance, it was my desire to protect the little guy out there from abusive

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powers of the Department of Revenue. And at the same time, I think, I probably overlooked the fact that by requiring an interest payment by the Department of Revenue, we would need to appropriate additional money to do that and it could be ultimately costly to ourselves as a state. And when we have to balance those interests then we recognize that... that we, as the Legislative Body, have to reach that compromise. This Amendatory Veto is in fact that compromise. This Amendatory Veto, I think, is probably one of the best compromises that we could reach in this General Assembly. And I think to get caught up in the partisan politics between the Speaker and the Governor, is a serious mistake for this Bill. I'll venture to say to you that if you vote against this or vote 'present' for it, you're probably going to have somebody in your office, if not more than one person in your office or call you in the next year or two, to complain about the present mechanism that's in place. To complain they can't close a real estate transaction because the state law prohibits escrowing money to pay it out. This is a very reasonable measure. And I ask you to rise above partisan politics and vote to accept this Amendatory Veto. Thank you."

Speaker McPike: "Question is, 'Shall the House accept the specific recommendations for change with respect to Senate Bill 2136?' This Motion requires seventy-one votes. All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 59 'ayes', and no 'nays' and 51 voting 'present' and the Motion fails. Representative Panayotovich, a Motion. Representative Giglio. Representative Giglio. There's a Motion... Representative Giglio, for a Motion on House Resolution 1893."

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Giglio: "Mr. Speaker, Ladies and Gentlemen of the House, I move to discharge House Resolution 1893 from the Transportation Committee for further consideration, advance to the Order of Speaker's Table for immediate consideration. What this does... it was a Resolution to investigate the South Shore Railroad in my district and Representative Panayotovich's district. And the reason why I'm asking to move it along faster is because judge ruled that... the federal judge ruled that the South Shore Railroad, which is responsible for the approximately 7,000 commuters a day in Representative Panayotovich's district and my... my district, which adjoins one another, said that they could shut down the first of the year. Would... the Resolution said we were going to wait until July 1 before they would report back but in lieu of the judge's ruling, I would ask that we discharge it so the Department of Transportation could look into it immediately. And I would ask for your favorable consideration."

Speaker McPike: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker. I move to support the Gentleman's Motion to bypass the Transportation Committee. There's a lot of citizens on the southeast side of the City of Chicago and south suburban Cook County that are going to be detrimentally impacted if... if we don't do something. So I support the Gentleman's Motion."

Speaker McPike: "Further discussion? Are there any objections to the Gentleman's Motion? The Chair would ask leave for unanimous consent to use the Attendance Roll Call. Is there any objections? Hearing none, leave is granted. The Attendance Roll Call is used and the Motion carries. House Resolution 1893 is discharged from the Transportation Committee. Representative Giglio on the Resolution."

Giglio: "Alright, Mr. Speaker, I would just ask for your

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favorable support for the option of the... of the Motion to immediately consider this and, excuse me, continue."

Speaker McPike: "Representative Giglio, the first Motion passed. We are now on the Resolution itself. The Gentleman moves for the adoption of the Resolution, is there any discussion? The question is, 'Shall House Resolution 1893 be adopted?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Resolution's adopted. Representative Giglio in the Chair."

Speaker Giglio: "Supplemental Calendar #1 appears on the second page, Senate Joint Resolution 174, Representative McPike."

McPike: "Thank you, Mr. Speaker. I move to discharge the Executive Committee from further consideration, advance to the Order of Speaker's Table, Senate Joint Resolution 174. The purpose of the Resolution is to expand the Low Income Energy Assistance (sic - Issues) Task Force."

Speaker Giglio: "Any questions or discussion on the Gentleman's Motion? Hearing none, all those in favor signify by saying 'aye'... Roll Call. Gentleman have leave? Leave is granted. The Motion is adopted by the use of the Attendance Roll Call. And House... Senate Joint Resolution 174 is... been discharged from the Committee. Rep... on the Resolution, Representative McPike."

McPike: "Thank you. I believe this is an Agreed Resolution. It simply expands the Task Force that we created last year in Senate Joint Resolution 136. It increases it to fourteen and the three members, one would be a representative of community action, one would be a representative of the utility industry and one would be a representative of local administrating agencies. I move for the adoption of the Resolution."

Speaker Giglio: "You heard the Gentleman's Motion, any discussion? Hearing none, all those in favor by the

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Attendance Roll Call... the Gentleman from DuPage, Representative Hoffman. Representative Hoffman."

Hoffman: "Yes. Thank you, Mr. Speaker. I... I got a late light here and I'm sorry. I just rise in support. Obviously not necessary."

Speaker Giglio: "Any discussion? Hearing none... you heard the Gentleman's Motion... all those in favor of the... use of the Attendance Roll Call for the adoption of the Resolution... Motion is adopted by the Attendance Roll Call."

Speaker McPike: "Representative McPike in the Chair. Agreed Resolution."

Clerk Leone: "Senate Joint Resolution 176, offered by Representative LeFlore and Turner."

Speaker McPike: "Representative Matijevich."

Matijevich: "Speaker and Ladies and Gentlemen of the House, this is Agreed Resolution, I move the adoption of the Agreed Resolution."

Speaker McPike: "Gentleman moves for the adoption of the Agreed Resolution. All in favor say 'aye'... all in favor of the Agreed Resolution say 'aye', opposed 'no'. The 'ayes' have it. Resolution's adopted. General Resolution."

Clerk Leone: "House Joint Resolution 224, offered by Representatives Curran, Pullen and Hasara."

Speaker McPike: "Committee on Assignment. Death Resolutions."

Clerk Leone: "House Resolution 1920, offered by Representative Hasara, respect to the memory of Jane Chapin. House Resolution 1925, offered by Representative Ronan in respect to the memory of David Boyd. House Resolution 1926, offered by Representatives Morrow and Keane in respect to the memory of Crystal Pierson. House Joint Resolution 223, offered by Representative Parke - et al, in respect to the memory of Brigadier General James G. Fanning of Chicago.

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Senate Joint Resolution 173, offered by Representative  
Parcells in respect to the memory of Albert Jenner and  
Senate Joint Resolution 178, offered by Representative  
Virginia Frederick in respect to the memory of former  
Congressman Robert McClory."

Speaker McPike: "Question is, 'Shall the Death Resolutions be  
adopted?' All in favor say 'aye', opposed 'no'. The 'ayes'  
have it. The Death Resolutions are adopted. We have a  
Death Resolution for a former Member. The House will  
adjourn on the adoption of this Resolution until tomorrow  
at the hour of 1:30. Until tomorrow at the hour of 1:30.  
Mr. Clerk."

Clerk Leone: "House Resolution 1909, offered by Representative  
Virginia Frederick."

'WHEREAS, This body learned with sorrow of the death of former  
Congressman Robert McClory on July 24, 1988; and

WHEREAS, Robert McClory was a distinguished member of the  
General Assembly, serving two years in the Illinois House and ten  
years in the Illinois Senate; and

WHEREAS, In 1962, Congressman McClory won the first of ten  
terms in the U.S. House of Representatives in a vigorous 8-way  
race in the 12th District, which then was comprised of Lake,  
McHenry, and Boone counties; and

WHEREAS, As a member of, and eventually the ranking Republican  
on, the House Judiciary Committee, Congressman McClory sponsored  
numerous measures to strengthen criminal laws, reform the civil  
justice system, and extend civil rights to all Americans; and

WHEREAS, While serving on the House Judiciary Committee,  
Congressman McClory helped to lead the nation and the Republican  
Party through the difficult Watergate investigation; and

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WHEREAS, Congressman McClory's tireless efforts on behalf of his constituents and communities in his district were deeply appreciated by the people of Lake, McHenry, Kane, and Boone Counties, whom he represented during his 32 years in elected office; and

WHEREAS, Congressman McClory was an accomplished attorney and proud member of the legal profession before and after his years in Congress; and

WHEREAS, Throughout his career and, indeed, his whole life, Bob McClory conducted himself with the utmost intelligence, independence, integrity and good humor; and

WHEREAS, Bob McClory will be deeply missed by the countless people who enjoyed the warmth of his friendship and the honor of his company; and

WHEREAS, He leaves to cherish his memory: his wife, Doris; a daughter, Beatrice Etienne; sons, Oliver and Michael; a sister; six grandchildren; and a great grandchild; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we express our deep sorrow at the death of Robert McClory; that we offer our heartfelt condolences to his family; and that we join his many friends who mourn his passing and celebrate his good life; and be it further

RESOLVED, That a suitable copy of this preamble and resolution be presented to Doris McClory with our sincere sympathy and affection. And as a further token of our sadness the House will now stand adjourned.'

Speaker McPike: "Representative Frederick."

Frederick: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of



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the House. I... I knew Robert McClory when he was a very young man. He was a young husband, a young father. The thing I remembered most about him was his great integrity. He brought that integrity to his service in the political arena in this General Assembly and in Congress where he served for more than twenty years. He really believed that in order to carry on his responsibilities that he must take his heart to work. He was a mentor and a friend, an advisor to all of us, who sought to serve in this arena ourselves. I think many of you will remember the Watergate hearings, where Bob McClory took an action that was most unpopular with Members, many Members of his own party, but he did that because he thought it was right. We will miss him very much. Mr. Speaker, I move adoption of the Resolution and ask that all of us be added as Cosponsors. Thank you."

Speaker McPike: "Representative Stern."

Stern: "Mr. Speaker and Members of the House, Bob McClory was the first political human being I knew against whom I ran in a way. My husband was his opponent in 1966 in what was then the twelfth district. And it was my first introduction to partisan politics. And both Hub and I learned from Bob McClory that while politics is an adversarial profession, it is also an honorable, courtly and courteous profession. And as the years went by, although Hub was badly beaten as any Democrat would have been in that district, we became friends and I always felt that Bob McClory left a legacy of kindness, decency and openness with all who knew him. We will miss him."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I met Bob McClory when he ran for this House. He was a Republican and not many Republicans came to my hometown to

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campaign because it's a Democratic area. But he did and that's when I met him. And I shook hands with him in my hometown. And I got to know him, of course, much better. I didn't serve with him in this House, but I got to know him and I agree with all that has been said. He was partisan, but he was partisan in a friendly way. He was partisan in a way where you knew he was standing up for his convictions. He was a man of total integrity, as Representative Frederick has said. He was an incumbent, yet, in what is rarely done, they didn't carve a district for an incumbent. So he didn't come back, but he took that, too, as a man as he took everything. I will miss him as a good friend and I know that all that know him miss him, too. And I offer his family my condolences."

Speaker McPike: "With the adoption of this we will adjourn until tomorrow at the hour of 11:00 a.m. It's a correction, until tomorrow at the hour of 11:00 a.m. Representative Frederick asks leave that all Members of the House be added as Cosponsors of this Resolution, as she now moves for the adoption of the Resolution and the adjournment. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Resolution is adopted. The House stands adjourned."

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