

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

76th Legislative Day

November 2, 1989

Speaker Giglio: "The House will come to order. The hour of 11 o'clock having arrived. The Chaplain for today will be Father James Lyons from Saint Peter's Church in Volo. Father Lyons is the guest of Representative Klemm. The guests in the gallery may wish to rise for the invocation. Father."

Father Lyons: "Oh loving Lord, remove from our hearts any temptations, selfish inclinations that may darken our minds and dull our sense of justice. We pray that the laws passed in our Illinois House will always mirror and reflect Your eternal justice, love and peace. We ask that You give our Representatives the grace, the wisdom and the fortitude to act in accordance with the light of Your divine law as expressed in their consciences. May Your holy will always be done on earth as it is done in heaven. Amen."

Speaker Giglio: "Representative Klemm, would you please lead us in the Pledge of Allegiance."

Klemm - 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 Giglio: "Roll Call for Attendance. Representative Matijevich."

Matijevich: "Speaker, there are no excused absences on this side of the aisle. Thank you."

Speaker Giglio: "Representative Tate, are there any excused absences on the Republican side?"

Tate: "Representative Kubik and Harris."

Speaker Giglio: "Let the...let the...Harris and Representative Kubik. Let the record so indicate, Mr. Clerk. There are 118...115 present, a quorum is present. The House is ready to do its business. Representative Novak. Representative

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Novak."

Novak: "Ladies and Gentlemen, Mr. Speaker, thank you very much for this opportunity to introduce to you today the Bishop McNamara High School in Kankakee Golf Team. These young men and their coach fought real hard and they came in second place. They lost by one stroke to Representative Dave Hultgren's team that he had here yesterday, so...I don't see...I see Dave here today. Dave, like my Senator Joyce told your Senator, watch out for next year. These guys only lost by one stroke and we wish them well in their future endeavors. I'd like to introduce Coach Mike McGuckin who is the brother of Pat McGuckin that works for the Senate Democratic staff. Mike, would you introduce the players, please."

Mike McGuckin: "I'm pleased to introduce to you the Bishop McNamara Golf Team. Jay Mickle, Cory Palmin, Dave Piacetti, Andy Krier, Carl Ramirez, Mark Kramer, Bruce Shearer and Brad Zowetski."

Speaker Giglio: "Committee Reports."

Clerk Leone: "The Committee on Rules has met and pursuant to Rule 29c(3), the following Bills have been ruled exempt on November 2nd, 1989: Senate Bills...Senate Bill 97 and 1072."

Speaker Giglio: "Page 3 of the Calendar. Total Veto Motions. John Dunn, Hartke, Representative Hannig. Representative Dunn. Is Representative Dunn in the chamber? Out of the record, Mr. Clerk. Representative Hartke, Senate Bill 373. Out of the record. Senate Bill 647, Representative Hannig. Out of the record. Introductions, First Readings."

Clerk Leone: "House Bill 2865, offered by Representatives Shaw and Flowers, a Bill for an Act concerning public college and university scholarships. First Reading of the Bill. House Bill 2866, offered by Representative Ronan, a Bill

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for an Act to amend Sections of the School Code. First Reading of the Bill. And House Bill 2867, offered by Representative Saltsman, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill."

Speaker Giglio: "The Chair's going to proceed to page 2 of the Calendar. Senate Bills, Third Reading, Senate Bills Second Reading. I'm going to call up the list of the Representatives who are sponsoring these Bills: ...Steczo, 1161. Hasara, 1175. Second Reading, Ewing, 1096. Stern, 1404 and Representative Keane or Capparelli on Senate Bill 100. 1403, I'm sorry. So, on page 2 of the Calendar under Senate Bills Third Reading, Representative Steczo, Senate Bill 1161. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1161, a Bill for an Act to amend the Township Law. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Cook, Representative Steczo."

Steczo: "Thank you, Mr. Speaker. I ask leave to bring Senate Bill 1161 back to the Order of Second Reading for the purposes of an Amendment, please."

Speaker Giglio: "Gentleman have leave? Hearing none, leave is granted. Read the Bill, Mr. Clerk."

Clerk Leone: "Amendment #2 is being offered by Representative Steczo."

Speaker Giglio: "Representative Steczo."

Steczo: "Thank you, Mr. Speaker, Members of the House. Amendment #2 follows in the same footsteps as what we tried to do yesterday with Senate Bill 1116, and that takes care of a few problems that have arisen during the course of the summer. Amendment #2 does three things. Number one, it provides the language that was originally last year in House Bill 714, which relates to downstate forest preserve districts and clarifies that their properties are exempt from real estate taxation. There has been some problems in

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Kane and DuPage Counties with some questions and it was our intent to correct that last year. In fact, the House unanimously approved that. And this...the language got waylaid in the Senate and here due to some other problems. This restates that and is noncontroversial. Secondly, Mr. Speaker, there is language contained in this Amendment that deals with the Kankakee Forest Preserve District...Kankakee County Forest Preserve District, I believe, where this Legislature passed language last year, was signed by the Governor, but some legal problems have arisen. So this corrects those problems. Thirdly, it deals with municipal waste incineration and when the contracts begin to...begin to run. There have been some questions and this says that with regard to contracts involving those facilities, there's a 30 year contract limitation but those contracts will run on the date the facility begins accepting garbage or refuse. The purpose of that is to make certain that the bonds can be paid off and the state can be paid off for the loss of revenues due to the nature of the funding of these facilities. If there's any questions, Mr. Speaker, I would answer those, or if not, would move for the adoption of Amendment #2."

Speaker Giglio: "Any discussion? The Gentleman from Warren, Representative Hultgren."

Hultgren: "Yes, with an inquiry of the Chair. I don't have a copy of this. Could you check with the Clerk to see whether it's been passed around?"

Speaker Giglio: "Mr. Clerk?"

Hultgren: "Incidentally, I understand that we don't have copies anywhere on this side."

Speaker Giglio: "Mr. Clerk, the Amendment has not been distributed? Take the Bill out of the record. The Bill will remain on Second Reading. Messages from the Senate."

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Clerk Leone: "A 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 of Representatives in the passage of Bills with the following title, to wit: House Bill 1487, together with attached Amendments hereto have been printed by the Senate and adoption of which I am instructed to ask concurrence of the House of Representatives to wit. Passed by the Senate as amended, November 2nd, 1989. Linda Hawker, Secretary'."

Speaker Giglio: "Page 2 of the Calendar under Senate Bills, Third Reading appears Senate Bill 1175, Representative Hasara. The Lady from Sangamon."

Clerk Leone: "Senate Bill 1175, a Bill for an Act to amend the Crime Victims Compensation Act. Third Reading of the Bill."

Speaker Giglio: "The Lady from Sangamon, Representative Hasara."

Hasara: "Thank you, Mr. Speaker. Senate Bill 1175 strengthens our Illinois Crime Victims Compensation Act. It brings it in line with federal law in order to preserve two million dollars of federal funding we receive for our program. It simply really makes our program better. It lengthens the time that someone may apply. It covers reimbursement for domestic violence victims, for victims of DUI violations, for Illinois residents who are injured by a crime in another state that has no program, so I move for its adoption."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House pass Senate Bill 1175?' And on that question all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bugielski, 'aye'. Have all voted who wish? Mr. Clerk, take the record. On this

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question, 111 voting 'yes', none voting 'no', and none voting 'present', and the House does pass Senate Bill 1175 and this Bill having received the Constitutional Majority is hereby declared passed. Senate Bills Second Reading, 1096, Representative Ewing. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1096, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of the Bill. Amendment #1 was adopted previously."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Breslin, Didrickson and Anthony Young."

Speaker Giglio: "Representative Didrickson. Anthony Young. Representative Breslin. Representative Ewing."

Ewing: "Take it out of the record right now, please."

Speaker Giglio: "Representative Young? Out of the record. Take the Bill out of the record, Mr. Clerk. Representative Stern, 1403. Are you ready? Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1403, a Bill for an Act to amend an Act to revise the law in relationship to the election of county commissioners. It's been read a second time previously. Amendment #1 was adopted previously. Amendment #2 was withdrawn, Amendment #3 lost and Amendment #4 was withdrawn. There are no further Amendments."

Speaker Giglio: "No further Amendments? Third Reading. The Lady asks leave by the Attendance Roll Call to hear House Bill...or Senate Bill 1403 by the Attendance Roll Call. Does the Lady have leave? Hearing none, leave is granted. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1403, a Bill for an Act to revise the law in relationship to the election of county commissioners. Third Reading of the Bill."

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Speaker Giglio: "The Lady from Lake, Representative Stern."

Stern: "Mr. Speaker and Members of the House, this is a very small Bill that deals only with a situation in St. Clair County and DuPage County dealing with the term, 'following the census'. Those, if I understand it correctly, the Amendment, from Monroe Flinn's county...the county board chairs are elected at large and therefor do not need to have the term begin following a redistricting. They can continue to run every 4 years as they have. This simply corrects the Election Code in that regard."

Speaker Giglio: "Any discussion? The Gentleman from Lee, Representative Myron Olson."

Olson, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Lady from Lake yield, please?"

Speaker Giglio: "She indicates she will."

Olson, M.: "Thank you very much, Grace. 1403 rings a bell in my mind as an issue we just discussed as late as yesterday afternoon, is that correct?"

Stern: "That's correct, Sir."

Olson, M.: "Is that the Bill that entertained the John Countryman Amendment which would've given us uniform absentee ballot applications?"

Stern: "As I recall, this is that one."

Olson, M.: "And is this the same Bill that we had a very long, convoluted Roll Call vote as to whether or not that Amendment would go on?"

Stern: "I seem to recall some such vote, yes."

Olson, M.: "Alright. Well then, to the Bill, Mr. Speaker. This Bill is described as just a modest little Bill to take care of someone's concern in DuPage and St. Clair County, while the major overriding issue, which was offered in Amendment by Representative Countryman was discarded by those people on the other side, who never did give a logical explanation

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why this type of issue should not be developed by the State Board and made available to all of the people. So I would suggest to the Members on this side of the aisle, keep that in mind when you're hitting your button. This was the one we discussed yesterday at about 5:15. The John Countryman Amendment should've gone on. It must be there and in the interest of good election law we must hang on for that. I would urge the defeat of this Bill."

Speaker Giglio: "Further discussion? The Lady from Lake, Representative Stern to close."

Stern: "Mr. Speaker and Members of the House, at the present time the Bill only consists of this single issue dealing with St. Clair and DuPage Counties. I don't know how it happened that Representative Countryman's Amendment died, but I do know that this one is important to the voters of DuPage and St. Clair and I urge you to vote 'aye'. Thank you."

Speaker Giglio: "The question is, 'Shall Senate Bill 1403 pass?' All those in favor vote 'aye', opposed 'no'. The 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 62 voting 'yes', 43 voting 'no', and 6 voting 'present'. Representative Black, for what purpose do you rise, Sir?"

Black: "Thank you very much, Mr. Speaker. I had my light on and would simply...since we're so close, I would like to request a verification of this."

Speaker Giglio: "The Gentleman asks for a verification. Representative Balanoff would like to be verified, Representative Black. Representative Hartke. Mr. Clerk, proceed with the verification."

Clerk Leone: "Poll of the Affirmative: Balanoff, Bowman, Bugielski, Capparelli, Cullerton, Curran, Currie, Davis,



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DeJaegher, Dunn, Edley, Farley, Flinn, Flowers, Giglio, Giorgi, Granberg, Hannig, Hartke, Hicks, Homer, Lou Jones, Shirley Jones, Keane, Krska, Kulas, Lang, Laurino, LeFlore, Leverenz, Levin, Martinez, Matijevech, Mautino, McGann, McNamara, McPike, Morrow, Mulcahey, Munizzi, Novak, Preston, Rice, Richmond, Ronan, Saltsman, Satterthwaite, Shaw, Steczo, Stern, Sutker, Terzich, Trotter, Turner, Van Duynes, White, Williams, Wolf, Woolard, Anthony Young, Wyvetter Younge and Mr. Speaker."

Speaker Giglio: "Questions of the Affirmative, Representative Black?"

Black: "Yes, thank you very much, Mr. Speaker. Representative Williams?"

Speaker Giglio: "Representative Williams? Representative Williams is in the center aisle."

Black: "Thank you very much. Is Representative Monique Davis in her chair?"

Speaker Giglio: "Monique Davis? The Lady's in the center aisle."

Black: "Thank you. Representative Dunn?"

Speaker Giglio: "Representative John Dunn? Representative John Dunn? Is the Gentleman in the chamber? How is the Gentleman recorded, Mr. Clerk?"

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

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

Black: "Thank you. Representative Flinn?"

Speaker Giglio: "Representative Monroe Flinn? Representative Flinn in the chamber? Representative Monroe Flinn? How is the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call. Representative Santiago...Santiago votes 'aye'."

Black: "Thank you, Mr. Speaker. Representative Richmond?"

Speaker Giglio: "Representative Richmond? Is Representative

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Richmond in the chamber? Richmond. Mr. Clerk, how is Representative Richmond recorded?"

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

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

Black: "Thank you. Representative Giglio?"

Speaker Giglio: "Representative Giglio is in the Chair."

Black: "Oh, shoot. How about Representative Farley?"

Speaker Giglio: "Representative Farley in the chamber? Representative Farley? How is the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call. Representative Bowman and Steczo have leave to be verified, Representative Black? Leave is granted. Proceed."

Black: "Thank you. Representative Granberg?"

Speaker Giglio: "Representative Granberg? Is Representative Granberg in the chamber? How is the Gentleman recorded, Mr. Clerk?"

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

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

Black: "Okay. Representative Leverenz?"

Speaker Giglio: "Representative Leverenz? Is Representative Leverenz in the chamber? How's the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call and record Representative Wojcik as voting 'no'. And restore Representative Farley to the Roll Call, he has returned. Representative Breslin votes 'aye'. Representative Granberg has returned. Representative Leverenz has returned. Representative Black, are there any more questions of...?"

Black: "Is Representative Trotter in the chambers?"

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Speaker Giglio: "Representative Trotter? Representative Trotter in the chambers? How's the Gentleman recorded, Mr. Clerk?"

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

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

Black: "Representative Turner."

Speaker Giglio: "Representative Turner? Is Representative Turner in the chamber? How's the Gentleman recorded, Mr. Clerk?"

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

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

Black: "Representative Krska."

Speaker Giglio: "Representative Krska's in his chair."

Black: "Thank you. Nothing further, Mr. Speaker."

Speaker Giglio: "No further questions? Representative Brunsvold, for what purpose do you rise? Record Representative Brunsvold as voting 'aye', Mr. Clerk. Representative Turner has returned. Record Representative Turner to the Roll Call. On this question there's 61 voting 'yes', 44 voting 'no', 5 voting 'present', and Senate Bill 1403 having received the Constitutional Majority is hereby declared passed. Senate Bills, Third Reading on page 2 of the Calendar appears Senate Bill 1161 which is on Second Reading. Mr. Clerk, read the Bill."

Clerk Leone: "1161 on the Order of Second Reading. Amendment #2 is being offered by Representative Steczo."

Speaker Giglio: "Representative Steczo on Amendment #2."

Steczko: "Thank you, Mr. Speaker. I previously explained the Amendment, but quickly I will indicate that Amendment #2 contains 3 noncontroversial items. One is the clarification of the tax exempt status of forest preserve district property in counties under 300,000. Number two, the Kankakee Valley Park District...Forest Preserve District, I'm sorry...sought legislation last spring which we passed and the Governor signed, but there was problems

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with. This clarifies and takes care of those problems. And thirdly, contains the Section which allows the municipal incinerators to have up to a 30 year contract limitation. I would move for the adoption of Amendment #2."

Speaker Giglio: "Any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you. Representative, are there any matters in this Amendment or the underlying Bill which were the subject of an Amendatory Veto?"

Steczo: "Representative McCracken, not one item contained in this Bill was subjected to the Amendatory Veto process. Not one. Zero."

McCracken: "Zero. Alright. And what are the provisions again? One of them relates to incinerators? Will you tell us about that?"

Steczo: "Representative McCracken, yes. Right now under legislation, under state statute, there is a 20 year limitation on contracts for municipal incinerators. There is a problem that has been brought to us by...by some of the financial people and some of the attorneys, who say that the 20 year provision is enough to pay off the bonds for those facilities, but notwithstanding, once the bonds are paid off there is also a debt to the state for the difference between the higher rate that these facilities are able to sell electricity by and the current general avoided cost. So, what they're asking for is to have the authority to have up to a 30 year limitation on the contracts so the bonds for the facilities can be paid off and the state can be paid off as well."

McCracken: "And this is not in response to some protest about closing down a 20 year incinerator or anything of that nature?"

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Steczo: "No. This is...this is nothing like that."

McCracken: "And it's limited to municipalities, not forest preserve districts or counties?"

Steczo: "That is correct."

McCracken: "Okay. Alright, thank you."

Speaker Giglio: "Further discussion? All those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, the Amendment's adopted. Are there further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Gentleman asks...does the Gentleman have leave for immediate consideration? Hearing none, leave is granted by the use of the Attendance Roll Call. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1161, a Bill for an Act to amend the Township Law. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Cook, Representative Steczo."

Steczo: "Thank you, Mr. Speaker, Members of the House. House Bill 1161 now has 2 Amendments attached to it which make clarifications to state statute, 3 of which were just explained in Amendment #2. And just quickly to reiterate what was contained in Amendment #1 which passed...which was approved yesterday, or adopted yesterday is the original language of House Bill 1287, which allows forest preserve districts to increase their fines from \$200 to \$500 for ordinance violations. It makes some clarifications in former House Bill 379 which is now law, which are the result of negotiations which took place this summer between the Illinois Association of Fire Protection Districts and the CPA Society. It makes a change with regard to clarifying that school districts can request from municipalities information about when land is going to be annexed and schools built, et cetera, which is part of an

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agreement that was reached last spring. And also at the request of others has...makes some clarifications in terms of contractual situations with city and village managers. There's nothing controversial in either...any of these items. I would appreciate the support of the House."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall Senate Bill 1161...?' Excuse me, the Gentleman from Cook, Representative Pedersen."

Pedersen: "Will...Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Pedersen: "This Bill originally had something on it having to do with appointments and vacancies in townships. Has that been stricken?"

Steczko: "Representative Pedersen, yes. That has been stricken because it was felt that it wasn't necessary. It was not necessary."

Pedersen: "Alright, thank you."

Speaker Giglio: "The question is, 'Shall Senate Bill 1161 pass?' All those in favor signify by voting 'aye', opposed 'no'. The 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 111 voting 'yes', none voting 'no', and 2 voting 'present', and Senate Bill 1161 having received the required Constitutional Majority is hereby declared passed. On page 3 and 4 of the Calendar appears Item Veto Motions, Representative Giorgi, Representative Ropp and Representative Lou Jones. Senate Bill 284, Representative Giorgi."

Giorgi: "Mr. Speaker, this is a joint Motion by Representative Giorgi and Representative Hallock. What this Motion does, it's a Motion to override a line item Veto. Senate Bill 284, a \$500,000 item in the Board of Regent's budget. This

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500,000 is needed to continue the physical presence of Northern Illinois University in the northern Illinois area. This Veto received bipartisan support in the Senate. It overrode the Governor's Veto in the Senate and what we need...what's happening up in the Rockfordland area, the Winnebago, northern Illinois...there are over 800 manufacturing plants in that area and they need peculiar engineering courses conducted by Northern Illinois University and these courses are taught all over the City of Rockford, but we need a centralized location. This has been in the works for a long time and we'd like this money to continue that program and to foster that program so that these 800 plants in the Rockfordland area can get some engineering support. I urge your support of the override."

Speaker Giglio: "Any discussion? The Gentleman from Warren, Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Hultgren: "Representative, is the Board of Higher Education still opposed to this appropriation?"

Giorgi: "I haven't discussed it with them recently, but the Board of Higher Education was also against us acquiring the law school for Northern. They weren't too happy with locating a med school in the Rockford area and they weren't enthusiastic about the engineering school to begin with in Northern Illinois University area. So, their opinion at sometimes is at odds with what the constituents needs are."

Hultgren: "Thank you."

Speaker Giglio: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I reluctantly rise in opposition to my colleague's Motion. The money involved in this line item is money that should

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not be spent at this time. The Board of Higher Education has started a study to look at the needs for what will be necessary for providing a facility in the Rockford area. If that determination shows that we need funding for building purposes, then I think we should follow through with that, but it does us very little good to give responsibility to the Board of Higher Education to come up with information about the needs in the community if we're going to...to override that by doing our own thing here. Until we have the information available to us, it is not appropriate for us to put this money into the budget."

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

Klemm: "Well, thank you, Mr. Speaker. Will the Sponsor yield? Representative, is it just a half a million dollars you're talking about on this one?"

Giorgi: "That is correct. That is correct."

Klemm: "And a half a million dollars doesn't sound like it would pay for a school or a building, so how would the community of Rockford, perhaps, acquire such a facility?"

Giorgi: "Well, recently the Rockford school district closed down 10 schools and a couple of them are very...have a lot of acreage. They're willing to sell them at a bargain and all of these engineering courses can be centralized in one area with...so that it can be worked out."

Klemm: "Alright. So in other words, if we have the 500,000, that would be the use...used to renovate these buildings and they're almost a donation?"

Giorgi: "That's correct."

Klemm: "Well, it seems to me...to the Bill, Mr. Speaker, that for a half a million dollars, we'd certainly be well advised to at least have the school of engineering in the Rockford area. That certainly would serve the people in that area.



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Sounds like the best deal we've had...that I've heard today or the last few days. So I think we should support the Gentleman's Amendment."

Giorgi: "Thank you, Representative Klemm."

Speaker Giglio: "The Gentleman from Morgan, Representative Ryder."

Ryder: "First an inquiry of the Chair, if I may, please."

Speaker Giglio: "Proceed."

Ryder: "Would you advise which Motion? I have Motion 1, 2 and 3. I assume it's either 1 or 2. Which Motion is it, please?"

Speaker Giglio: "We'll answer your question right now, Representative Ryder. Representative Giorgi."

Giorgi: "Mr. Speaker, Hallock and I...this is a Joint Motion by Representative Hallock and Representative Giorgi, so I can put Hallock on as a Cosponsor of this Motion, so that takes care of the other Motions."

Speaker Giglio: "Representative Hallock."

Hallock: "Well, I can answer the question, too. Zeke Giorgi and I are both Joint Sponsors of both of these Resolutions. I think they were both filed about the same time and that's why maybe the first one didn't have my name on it, but we are Joint Sponsors of these and obviously we both feel very strongly about them. In the Rockford area for many, many years N.I.U. has offered courses throughout all our community and they've offered the courses by renting space at different facilities. We strongly believe that the needs of the Rockford community and also those of N.I.U. are better served, if in fact they have one location which they own and which they can then in that location offer courses that are needed not only throughout our city, but also throughout northern Illinois. This measure is supported and strongly backed by not only all the people in our community but also by the Community College and also

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Rockford College. So I would ask for your support on this Motion. And it is a joint Motion. It's Giorgi-Hallock or Hallock-Giorgi. It's for the good of our community."

Speaker Giglio: "Representative Ryder."

Ryder: "Thank you. I'm not sure that you answered my first question, so I'm going to give you a chance on my second question, if you don't mind."

Hallock: "Alright."

Ryder: "According to the information that we have, that item listed as Motion #1 was filed October 24th, 1989 and Motion #2, as you have indicated was filed October 19th, 1989. It's my understanding they do exactly the same thing. Further, it's my understanding that...or I would like for the Chair to then explain to me why a Motion filed 5 days before would then be second in order. And if you could explain that to me perhaps we could proceed with the business at hand."

Speaker Giglio: "The Motion is Motion #1, Giorgi-Hallock on this item, and then your question about the second inquiry, we'll check it out. Further discussion? Gentleman from Macon, Representative Tate."

Tate: "Well, thank you, Mr. Speaker. Along the same line of questioning on a point of order, if one of our Members files a Motion 5 days before one of your Members files a Motion, for the purpose of future clarification, I think it's a...and it's an important ruling to...and I understand this is an agreed Motion, but at the same time..."

Speaker Giglio: "Excuse me, Representative. Excuse me, Representative Tate. Would you want to take this out of the record, Mr. Hallock... Representative Hallock, while we discuss this? Representative Giorgi."

Giorgi: "Mr. Speaker, let's stay on this Order of Business and move to Motion #2. This is a very...a very important issue

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in the Northern Illinois area and I'd just as soon not get off the subject. Let's go to Motion #2."

Tate: "Well, wait a minute, Mr. Speaker. On a point of order. I mean, we would like to know how a Motion filed 5 days before a previous Motion gets filed, gets called. That's all we're asking for an explanation. We're not trying to deride this Amendment. We're trying to get...I mean, is there corruption in the Speaker's Office, in the Clerk's Office? I mean, what's the problem?"

Speaker Giglio: "No. No. We're going to call on the former Clerk, Representative...Myron Olson from Lee. Representative Olson."

Olson, M.: "Certainly wonderful of you to do this, Mr. Speaker, and Ladies and Gentlemen of the House. Let's not lose the essence of what's happening here in a discussion on Motions. I rise in support of the Giorgi-Hallock Motion relative to this issue. It is very important to our area and as a consequence, I think we should move forward and cast an affirmative vote for it."

Speaker Giglio: "Representative Hallock."

Hallock: "I think Representative Giorgi's going to withdraw 1, we'll go to 2, pass 2, and then move on to some other issue."

Speaker Giglio: "Representative Giorgi."

Giorgi: "I agree with my Congressman. Let's go to #2."

Speaker Giglio: "#1 is withdrawn, Mr. Clerk. Motion #2, Representative Hallock-Giorgi. Do you still want to take this out of the record until we solve the problem?"

Giorgi: "No. Let's go. No. Let's go."

Speaker Giglio: "Out of the record?"

Giorgi: "No. Let's go. Move it. You should join a sewing circle somewhere."

Speaker Giglio: "Representative Hallock."

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Hallock: "I move do pass. Let's vote on it and let's pass it out of here."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall this item pass the Governor...the Veto of the Governor notwithstanding?' Excuse me, Representative Satterthwaite, the Lady from Champaign."

Satterthwaite: "Mr. Speaker and Members of the House, let's not let the intervening discussion about the procedural call of one Motion or another detract from the point that this Motion still accomplishes the same thing as the other one. It is not appropriate for us to be passing funding for facilities before the study is complete about the needs for those facilities. If the Board of Higher Education has any value to you, then we should not be usurping their authority and their ability by putting forth this Motion and providing funding before we know what we need for a facility. That is clear. I urge a 'no' vote on the Motion."

Speaker Giglio: "The question is, 'Shall this item pass the Veto of the Governor notwithstanding?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk...Have all voted who wish? Mr. Clerk, take the record. On this question there are 92 voting 'yes', 16 voting 'no', 2 voting 'present'. This Motion having received the required Three-Fifths Majority prevails and the item is declared passed, the Veto of the Governor notwithstanding. Veto Motion #3, Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. This particular Motion deals with an agreement and authorization that we had agreed to a little more than a year ago, which would have allowed the Illinois State University to

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purchase the high school...Normal Community High School, just across the street in order to alleviate their expansion needs subject to the approval by the voters to build a new school. That vote was rejected at that particular time, but what we want to do is to continue with this agreement so that in the very near future if the district again votes, this money would be available and this would just be a continuation and will not be spent. It's bonded money, until there would be approval. If this doesn't occur in the next year or so, why certainly there would be need to not support this, but I would appreciate your support in this in order to keep the agreement that we had established a little over a year ago. I welcome your support on this Motion."

Speaker Giglio: "Any discussion? The Gentleman from DeKalb, Representative Countryman."

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

Speaker Giglio: "He indicates he will."

Countryman: "Representative Ropp, you and I discussed this the other day and I thought you indicated to me that you weren't interested in pursuing this."

Ropp: "I have had further discussions with my Senator and this is a joint effort now, and I welcome your support."

Countryman: "Well, but isn't this for a building which, as you just indicated, would require a referendum on the part of the taxpayers of the City of Normal and it was put to a ballot and they defeated that referendum?"

Ropp: "I had mentioned that was the case, and what we're attempting... because we have already have this agreement worked out and this authorization, we've come this far and we want to continue this funding mechanism so that we don't have to go through this whole process once again. It's not

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going to be spent, obviously, until the voters will support it."

Countryman: "But this is a capital project, is it not?"

Ropp: "It's the purchase of a high school. Yes, Sir."

Countryman: "And the Bill that we're dealing with is a Bill which you and I are Cosponsors of, which is the ordinary and contingent expenditures for the Board of Regents and for the Regency Universities, so we're not dealing with the capital Bill. We're not dealing with the CDB Bill here, are we?"

Ropp: "Well, we're dealing with this because this is where it is and this is what we have to do."

Countryman: "Well, what will this do to the other schools in the Board of Regents system if this...if this override is passed? Will it take away from the educational programs that we're trying to conduct at your school and my school and at all of our schools across the State of Illinois?"

Ropp: "Negative."

Countryman: "Well, why should we do this if the voters have turned it down? I guess I just...I don't understand that. They've only got one more election, which is a primary election in March?"

Ropp: "Because we've already established this mechanism for this transition...transaction. If in fact we do not authorize this...and it's just a continuing authorization, obviously there'll be no money spent at all, either through bonded appropriations and...we just need to have this available just in case there is another vote and it should pass."

Countryman: "Well Mr. Speaker, to the Motion."

Speaker Giglio: "Proceed."

Countryman: "Thank you. I've heard a lot of compelling cases down here for things and I've had to sometimes vote against them. But I haven't heard a compelling case on this one

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today and I reluctantly rise to oppose the good Representative who represents a companion school to the one I represent. But I just don't see a need for this money and I just don't see a need for us to override this line item Veto. The last one, there was already a transaction ready to go, we can put a program in place there, we can do it and we understand that the need's there. Here we don't have a need. We've got another budget year coming up next year. I'm not out to kill the project, but if the project's ready to go next year, then fine, let us come back and deal with it in the right budget at the right time and do it in the right place next year and so for that reason, I'd vote 'no'. Thank you."

Speaker Giglio: "The Gentleman from Adams, Representative Mays."

Mays: "Thank you very much. Will the Gentleman yield, please?"

Speaker Giglio: "He indicates he will."

Mays: "Representative Ropp, did you have this appropriation in a previous appropriation Bill, a capital appropriation for this purpose? This is not the first year we've addressed this, is it?"

Ropp: "No. No. We've had this...I think this is the second year. Maybe even the third, but at least the second."

Mays: "To the Bill."

Speaker Giglio: "Proceed."

Mays: "We inserted this in a capital Bill, I believe, previous to this one, maybe not...but the whole point is with capital, the Governor controls the release. The community has obviously not decided how it's going to go. As long as we've got the authorization in there though, it still provides a flexibility for the community and its leaders to determine at an appropriate time whether it's worth doing or not and then it can go to the Governor and he can determine whether he wants to release it or not. I see no

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harm in going along with the Gentleman's Motion on overriding. The control for this whole project still rests with the executive of this state and ultimately rests with the people of the Gentleman's district. And as a result, I rise in support of the Gentleman's Motion."

Speaker Giglio: "Representative Ropp to close."

Ropp: "Thank you, Members of the House. I appreciate your support in this. It is still controlled by the people and no money will be spent, but we do need to continue to comply with the initial authorization that we granted within the last 2 years. I welcome your support."

Speaker Giglio: "The question is, 'Shall this item pass the Veto of the Governor notwithstanding?' All those in favor signify by voting 'aye', those opposed 'nay'. The 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 52 voting 'yes', 48 voting 'no', 11 voting 'present', and the Gentleman's Motion fails. Representative Jones. Lou Jones. Page 4 of the Calendar."

Jones, L.: "Thank you, Mr. Speaker, Members of the House. I move to override the Governor's line item Veto of \$250,000 that would go to the City Colleges of Chicago for the Probation Challenge Program. Unlike most programs, Probation Challenge is an ongoing program with court mandates and students at all times. Quarterly progress reports are forwarded to judges with departmental recommendations. Few clients are lost because of the mandate and our flow to procedures. As this program is a condition of probation, then there is assurance that more than likely it would be an education, opposed to incarceration. And I ask for a favorable vote."

Speaker Giglio: "Any discussion? The Gentleman from Morgan,



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Representative Ryder."

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

Speaker Giglio: "She indicates she will."

Ryder: "Representative, this appropriation...is it...is it statewide or is it limited in scope?"

Jones, L.: "This is a pilot program for Olive-Harvey, and it's conducted out of Olive-Harvey College at the time, until 1991, and then it will be... hopefully, it will become statewide."

Ryder: "I take it from the answer to your question then that it is limited to the County of Cook, is that correct?"

Jones, L.: "Yes."

Ryder: "Alright, so we have a statewide program that is limited to the County of Cook and no...can you tell me if any other probation request for expansion of services in any other part of the state are being addressed in this Motion?"

Jones, L.: "No, I would not know."

Ryder: "So, this Motion is limited to the County of Cook?"

Jones, L.: "Yes."

Ryder: "And to my knowledge no other probation request from any other part of the state have been addressed. Okay, now this program has been in existence for quite a while, has it not?"

Jones, L.: "1979. 1979."

Ryder: "Right. And until now it's been entirely funded by private sources?"

Jones, L.: "I'm not sure."

Ryder: "Well, my understanding is that you've had the Xerox Corporation and some other folks who have been the primary source of funding. Additionally, it's our information that since the program started in 1984, that you've had 543 participants assigned to the program and only 15 percent were actually placed into a job. Do those statistics sound

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familiar to you, Representative?"

Jones, L.: "I wouldn't know. I don't have those statistics, Sir."

Ryder: "Alright. Mr. Speaker, to the Bill."

Jones, L.: "I do know..."

Speaker Giglio: "Proceed."

Ryder: "I'm sorry, I didn't mean to cut you off, Representative."

Jones, L.: "I do know that since 1979...1800 offenders, criminal offenders, come through the program."

Ryder: "Right. To the Bill, Mr. Speaker."

Speaker Giglio: "Proceed."

Ryder: "We rise in opposition of this for many reasons. I don't think I need to indicate all of them. First of all, this is only Cook County. It does not apply to any other part of the state. You and I both, for those of us that are not from Cook County, had requests from our probation department as to needs for their purposes that were not met this year. We had to say no to someone and as a consequence, we did. Cook County now has this program. To provide further funds means that in this situation those that have, get more. And finally, I would indicate that there's a real question as to the effectiveness of this program. The Probation Challenge Program, according to our statistics since 1984, has only been 15 percent successful, and while those 15 percent probably feel good about that, the other 85 are not doing so well. This is money that we don't have, money that we shouldn't be spending. And I would ask you to join me in opposing this Motion. Thank you, Mr. Speaker."

Speaker Giglio: "Representative Goforth."

Goforth: "Thank you, Mr. Speaker. If I may just take a moment. We have in our audience up there in the thing, my old Congressman from the 22nd Congressional District. Would

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you all give him a hand? Kenny Gray, stand up, buddy."

Speaker Giglio: "The Gentleman from Cook, Representative Young.  
Anthony Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have to rise to disagree with the previous speaker, and ask this House to focus on what we're trying to do here. We're talking only about \$250,000 for a program that clearly works. I don't know where those 15 percent statistics come from, but methinks you're misreading the success and the failure rate because the success rate is over 80 percent. One of the biggest problems we face in this state right now is jail space and prison overcrowding. This is a program that stops recidivism. This is a program where the people who participate in the program are not going back to the penitentiary. For \$250,000 that's a small price to pay for a successful program that is keeping people from returning to the penitentiary, and it's most important that we fund this fine program."

Speaker Giglio: "The Lady from Cook, Representative Parcels."

Parcels: "Thank you, Mr. Speaker. I rise in support of the Lady's Motion. My Senator has gone down there and worked in this community and has said this is an excellent program. It gives these young people a second chance. It's very tough on them, they have to go back to school, they have to get that education, and if they don't, then they'll go to jail. But it does give these young people a second chance. I think for \$250,000 it's well worth it and I ask for your 'aye' vote on the Lady's Motion."

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

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Lady's Motion. The Legislature should be the branch of government that

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determines the spending priorities in the State of Illinois. We made a careful determination in the spring that this was a good program, that the money was there to fund it, and we funded it. There...nothing has changed in the meantime. This is still a good program and the money is still there to fund it and I urge an 'aye' vote to override this line item Veto."

Speaker Giglio: "The Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. You know, at a time when we're trying to piece together a lot of different components to the criminal justice system, surely probation is one of those items that we have to consider every now and then. And yes, we always get beat on the head about probation being a cost effective mechanism to counter incarceration and other means of punishment for criminals, but let me just suggest to you and I hope everybody hears this. We have got a probation system in the state right now that is probably underfunded at least twice as much as the request that they're requesting for Cook County alone. So, with existing services for probation officers that are on board right now we will probably see a deficiency in the lines in the Supreme Court's budget for that right now. To go around and put \$250,000 in a different program for one county only when we've got a statewide need that is not fully addressed, I think is pretty irresponsible and I would urge a 'no' vote on the override Veto. No one is questioning whether probation is a good thing or a bad thing. It's questioning whether we should do it on a statewide basis or in Cook County only for a specific program, and that's why I would urge a 'no' vote on this override Motion."

Speaker Giglio: "The Gentleman from Cook, Andrew McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. I rise

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in support of this override. The previous speaker...and I've great respect for him...was in error in some of his remarks. Probation Challenge has been around with us since about 1979. I was one of the foremost supporters Probation Challenge when I was connected with the City College Board, the City of Chicago. We found that the work that they were doing was so important that we provided the space in the programs at our Olive-Harvey College. This program is probably one of the more successful programs that we have witnessed in this state. Yes, it is for Chicago. Yes, it is in Cook County, and yes, it is taking care of those individuals that have fallen through the cracks, have not upheld the law, and are now given an opportunity of another chance through education. We must continue this program.

If we do not we are most remiss. We have the problems with Cook County jails now; they're so overcrowded. We're witnessing a \$1,000 a day in fines, and what have you not. Why send more back in, when we have an opportunity through one program such as this to put them on the proper road? Give them that path of good, being a good citizen, an educated citizen. If we ever pass something out of this Legislature, it should be this \$250,000, because we waste more money on White Sox authorities and racetracks and everything else throughout the state. But we do not take care of the needs of the people. This is an example of taking care of those needs. I ask everyone to support this override item Veto of \$250,000 for Probation Challenge. Thank you for listening to me."

Speaker Giglio: "Gentleman from Cook, Representative Krska."

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

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Motion carries.

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The Lady from Cook, Representative Lou Jones, to close."

Jones, L.: "Again, I don't know where the...Representative Ryder got his success rate from, but I do know for a fact that it is 80 or 85 percent...success rate. With Probation Challenge as a mandate of the court, clients are able to learn various skills, and also get their GED's. I ask for a favorable vote."

Speaker Giglio: "Question is, 'Shall this item pass the Veto the Governor notwithstanding?' All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. This is final action. The Gentleman from Vermilion, one minute...Representative Black, the Gentleman from Vermilion, one minute to explain your vote."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I think particularly those of you downstate had better take a long look at this. I'm sure this program is a good one. I'm sure it's well-intentioned. Someone said a while ago, it's up to this Body to set priorities. Well, I would suggest that you do that. We're not funding probation services downstate to anywhere what we've promised them. I have vacancies in my county. Any of you downstate do. We're approaching a \$1,000,000 shortfall in probation services in the rest of the state. Now, if you send this money to Cook County, then when are you going to help the rest of the downstate people out, too? Let's set those priorities. Vote 'no'."

Speaker Giglio: "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 59 voting 'yes', 45 voting 'no', 2 voting 'present', and this Motion fails. Reduction Veto Motions on page 4 of the Calendar, Senate Bill 437, Representative Klemm and Representative Bowman. Representative Klemm, Motion #1."

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Klemm: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. We have in Senate Bill 437, 2 items that we're looking for to override the Governor's Veto. One is for the Meals on Wheels Program, if you will, on home delivered meals that a hundred...one million, five hundred thousand dollars were removed from the appropriation budget. Back in the Appropriation Committee days when we started early this year, we discussed on a bipartisan effort, the concerns that we had in trying to keep our senior citizens and the people that needed some of this assistance in their homes and tried to provide them some additional help, so that we didn't have to institutionalize these people. And one of the programs we had was the one to expand some of the meal programs that we offered. We voted on this Bill in committee; We've received unanimous support. It's passed through the Senate and it seems like we have no opposition. Even the Department of Aging, even the Governor's Office has not opposed this additional expense because we think it's good dollars. We think it's in a program that will actually save us money than if we had to house these people in nursing homes or other facilities. So I do ask for your support and would be delighted to answer any questions you may have."

Speaker Giglio: "Any discussion? Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Gentleman's Motion. In fact, I filed a Motion of my own on the same item. I believe that there is no excuse for this reduction. Indeed, the Governor gave no reason in his message. The Senate approved the override 57 to 0. I recommend that we also give this our unanimous support and make sure that these home delivered meals are provided adequately in all

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communities throughout the state."

Speaker Giglio: "The Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Would the Sponsor of this Motion yield?"

Speaker Giglio: "He indicates he will."

Ryder: "Representative, this past spring we worked on this issue, as I think you've already described and I am a little bit confused as to the overall program. Some of the folks that come talk to me indicate that if we don't return this million and a half dollars, that there'll be absolutely no Meals on Wheels. Is that correct? I thought that this was just a part of the amount."

Klemm: "Well, that's not totally correct, but leaving only \$338,000 doesn't go very far. And as we know, the federal government is lowering its assistance to the state for this program by about 4 percent this year. So this is to pick up the difference, if nothing else, and I think certainly if we can expand it, obviously we'll try to. But no, it would not end the program completely if this did not pass."

Ryder: "In fact, the amount that the state has offered, or been paying, has been relatively constant, has it not, at 338,000? That is the state amount of the funding over the past few years."

Klemm: "The constant figure has been inadequate all these years."

Ryder: "Inadequate though it may have been, it's still constant, I assume."

Klemm: "And the needs of course increase, so therefor we have to, I think, keep up with the inflationary times. Because remember, these agencies are trying to run the program on the same amount of dollars that inflation has eroded. So in fact if we don't increase it, we're in fact decreasing the program's effectiveness and the people we can reach and



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save."

Ryder: "Okay. To the Bill."

Speaker Giglio: "Proceed."

Ryder: "Thank you. This is a tough one and we all understand that, and the Motion, as indicated...what we need to be aware in this situation is the fact that the federal government is reducing the dollars, ultimately, perhaps, to be out of this program. If that's the case, what we're doing now is making a decision to start down the path so that we are again forced by the federal government to assume one of their programs at our cost. Gradual though it may be this year at a million and a half dollars, the increase will continue to be there. You need to understand the decision that you're making. That you're starting down the path to sign the check each and every year. The federal government, I guarantee, will continue to reduce that. Be aware of what it is that you're doing, what it is you're starting and the obligation that you're taking under. Thank you."

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

Ropp: "Thank you, Mr. Speaker and Members of the General Assembly. Certainly this is a very worthy project. I don't know whether you've checked with some of the individuals who are recipients of these programs, but this particular one allows for people who really do not receive a well balanced, nutritional meal at all. And because of this program, at least 4 or 5 times a week, they do received a meal or so. An extremely important program. And even though you might think, well, the federal government is not involved in it...I'm not sure the federal government ought to always be involved in our own kinds of services for our people. It seems if we can in fact take care of people who need nutrition, senior citizens, then

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why should we expect someone else to take care of it? I'm proud to be responsible for our senior citizens in Illinois, particularly this kind of person, people who are in need of good food. But more than that, oftentimes, it's the only time during that week that someone comes, knocks on their door and says, 'good morning, how are you? and what can we do for you and here is a meal.' I urge your support of this override."

Speaker Giglio: "The Gentleman from McHenry, Representative Klemm to close. Representative Klemm to close."

Klemm: "Well thank you, Mr. Speaker. I think we've debated the issue. I think we need the support and I do move that we restore the appropriation."

Speaker Giglio: "The question is, 'Shall this item be restored to its original amount notwithstanding the reduction of the Governor?' All those in favor signify by voting 'aye', those opposed 'nay'. The 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 115 voting 'yes', none voting 'no', none voting 'present'. This Motion having received the Constitutional Majority prevails, and the House restores line item 29. Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker. Mr. Speaker, it's come to my attention that I did not vote on the override on Senate Bill 286. I was inadvertent. I wish to vote 'aye' on that Bill. Representative McPike had also indicated he wished to vote 'aye', and I was to vote for him since he is in a meeting. It was my fault in not pushing the green vote. I want the record to reflect my willingness and desire to have voted 'aye' on those Bills...on that Bill."

Speaker Giglio: "Mr. Clerk, let the record so indicate Representative Cullerton's request. Motion #2,

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Representative Klemm."

Klemm: "Thank you, Mr. Speaker. Motion #2 is to again restore some dollars to the Department of Aging. It's a million, eight hundred sixty thousand dollars, and basically what this is for is your community based services. Now as you know, many times we start chasing after the institutional dollars, we sometimes forget about the community based organizations that are back home in our districts who are trying to serve those that need the assistance, and this is certainly the case. This is the second part of the Amendments that we had added in the Appropriation Committee which we had support from all sides of the aisle and all up and down the state. This money would be used not only for the helping in the home delivered meals but the transportation and the services and referral activities, that we would have the seniors who can call and find out where they can go for help. Being bused and travelled to the doctor and giving some assistance that again allows them to stay in their homes. Allows them to have some dignity. It's a small amount for the dollars that we do spend. It's a package and I do ask for your support and I'd certainly accept the previous Roll Call."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Klemm said it very well, and that last Roll Call was a very good one and I recommend that we do another Roll Call just like that one. Right, Representative?"

Speaker Giglio: "Gentleman from Morgan, Representative Ryder."

Ryder: "I briefly refer to my previous speech. Same speech, same result. Thank you, Mr. Speaker."

Speaker Giglio: "Representative Klemm."

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Klemm: "Same vote. The same vote also is asked."

Speaker Giglio: "Question is, 'Shall the item be restored to its original amount notwithstanding the reduction of the Governor?' All those in favor signify by voting 'aye', opposed 'no'. The 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, 114 voting 'yes', none voting 'no', and none voting 'present'. This Motion having received the Constitutional Majority prevails, and the House restores the item on line 29 to Senate Bill 437. Representative Bowman, Motion #3."

Bowman: "Withdraw. That's moot at this point."

Speaker Giglio: "Withdraw Motion #3, Mr. Clerk. Representative Bowman on Motion #4."

Bowman: "That is also moot, please withdraw."

Speaker Giglio: "Remove Motion #4, Mr. Clerk. On Reduction and Item Veto Motion appears Senate Bill 442, Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is also an issue that, generally speaking, affects the elderly but is not limited to the elderly. This involves funding for Alzheimer's Disease programming and research at 2 centers in the state. At Rush Pres St. Luke's in Chicago and S.I.U. Medical School right here in Springfield. This money was overridden by the Senate 57 to 0, just like the previous Motions. I would point out that this issue has been fought out on this floor 3 years in a row. The money is put in, the Governor vetoes it and we always restore it. I am calling upon you, my colleagues, to once again restore this money to provide the same level of funding that these programs have received for 3 years. This will not provide for expansion, it provides for

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exactly the same level of funding and so unless you want to see programming for Alzheimer's Disease cut back, I urge you to repeat history and vote to override this important matter. It is a \$600,000 item. The Senate overrode 57 to 0. Let's do the same. Thank you very much."

Speaker Giglio: "The Gentleman from Morgan, Representative Ryder."

Ryder: "Will the Sponsor yield?"

Speaker Giglio: "Indicates he will."

Ryder: "Representative, there's something you said that I didn't quite understand. I thought that the Alzheimer's Program received the same 5 percent increase that all the other programs do, and that the 600,000 was an add on, in addition to that increase, so that if we say no to the 600,000, that we still have the same increase so that the Alzheimer's is treated the same as other social programs. Correct me if I'm wrong."

Bowman: "Well, Representative, the problem is that the \$600,000 comes out of the base, because...and please correct me if I'm wrong, but this is the same level of funding that...excuse me, unless we put the \$600,000 in, the base amount will be reduced and that is just absolutely wrong and that is inconsistent to the way we treat other social programs. What's at issue is the base."

Ryder: "I don't think...I don't think that we're understanding each other because that's not my understanding. My understanding is that the base was increased by the 5 percent and that the 600,000 is over and above that, so let me go back and start from the beginning and ask you what this line item is, what we're spending on Alzheimer's in total. Maybe we can do it that way."

Bowman: "Okay. I'm...Representative Ryder, let me point out that we have added this money to the budget for 3 years in a

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row..."

Ryder: "I'm aware of that..."

Bowman: "The Governor has vetoed it 3 years in a row and we've overridden 3 years in a row, and I askus to do it for a fourth year."

Ryder: "I understand that and I get tired of playing ping pong as well. But my question, Representative, is...it has not been part of the base in the past, so as a consequence it is that extraordinary increase. If you answer my question about the base line, I think we can proceed."

Bowman: "Well, Representative Ryder, since we've overridden 3 years in a row, it is part of the base and consequently it cannot..."

Ryder: "Has it been spent to your knowledge? Does the Governor release the funds? Is it spent?"

Bowman: "Yes, I believe so. I am...my understanding is that it has been released. I can't recall what was lapsed in the line..."

Ryder: "We were told that it has not been released, that it has not been spent. That's why we keep playing ping pong with it. I need to know."

Bowman: "Well, Representative Ryder, it seems to me that this is an important enough issue that even though we may have a different information about what is...whether the money has been released or not, the issue is nevertheless important enough. The House of Representatives and the Senate passed a Alzheimer's Disease package several years ago almost unanimously, and it seems to me that we have gone strongly on record several times in favor of supporting these programs and to fail to do so now would be to...would be a hypocritical act, would be recanting on a long-standing position."

Ryder: "Representative...Representative, then let me ask you this

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question, if I may. Who receives the funds?"

Bowman: "It goes to 2 centers, there's an upstate and a downstate center."

Ryder: "Rush Pres and S.I.U. Med School in Springfield?"

Bowman: "That's correct."

Ryder: "And do they keep the funds or is it then distributed from them to other places?"

Bowman: "They keep the funds."

Ryder: "Okay. So we're talking about 600,000. Is it split fifty-fifty?"

Bowman: "Yes, but let me..."

Ryder: "So we're talking about 300,000 to Rush Pres and 300,000 to S.I.U. School of Medicine."

Bowman: "Yes But...?"

Ryder: "And what is it that they do with the money?"

Bowman: "They conduct programs, research and treatment and diagnosis for Alzheimer's patients in their catchment areas. Rush Pres St. Luke's handles..."

Ryder: "This is \$300,000 of research money?"

Bowman: "Representative Ryder..."

Ryder: "Is that right?"

Bowman: "Pardon?"

Ryder: "Is it \$300,000 of research money for each of those 2 schools?"

Bowman: "Diagnosis, treatment and research."

Ryder: "Oh, diagnosis, treatment. Alright."

Bowman: "Treatment and research, yes. You see, the problem with Alzheimer's Disease is, it's very difficult to diagnose in it's early stages..."

Ryder: "Thank you. It is impossible to diagnose. The only manner in which you can determine conclusively that Alzheimer's is present, is after death as a result of an autopsy, is that not correct?"

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Bowman: "Yes, Representative Ryder. Conclusive diagnosis only upon death."

Ryder: "Under current medical terms, current medical standing, it is not possible to diagnose Alzheimer's except based on your best estimate or best guess, although research is attempting to find other ways of doing it, is that not correct?"

Bowman: "Representative Ryder, you have absolutely put your finger on the very reason we need this money. Because..."

Ryder: "And \$300,000 is going to do that, Representative? Come on."

Bowman: "Representative Ryder, there are..."

Ryder: "\$300,000? I'm done."

Bowman: "Are you finished?"

Ryder: "I'm done. I'm done."

Speaker Giglio: "Representative Bowman to close."

Bowman: "Well, thank you Mr. Speaker. Ladies and Gentlemen of the House, it's frankly shocking to me that there would be such intransigence on the part of the spokesman of this committee against overriding this Motion for Alzheimer's Disease diagnosis, treatment and research. This is an item that the House has overwhelmingly supported 3 years running. To turn our backs now on this important problem would be a tragedy that we should not countenance. I urge everyone here to repeat the vote of the last 2 Roll Calls and to vote for this Alzheimer's program. Thank you very much."

Speaker Giglio: "Question is, 'Shall the item be restored to its original amount notwithstanding the reduction of the Governor?' All those in favor signify by voting 'aye', opposed 'no'. The 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 105



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voting 'yes', 1 voting 'no', and 6 voting 'present', and this Motion having received the Constitutional Majority prevails, and the House overrides the Governor's item reduction on page 11, line 8 to Senate Bill 442. Supplemental...Supplemental Calendar announcements."

Clerk Leone: "Supplemental #1 to the House Calendar has now been distributed."

Speaker Giglio: "Representative Munizzi, are you seeking recognition? Supplemental Calendar announcement."

Clerk Leone: "Supplemental #2 to the House Calendar is now being distributed."

Speaker Giglio: "On page 6 of the Calendar under Speaker's Table is Senate Joint Resolution 30. Representative McCracken, the Gentleman from DuPage."

McCracken: "Thank you, Mr. Speaker. This Bill was...or, this Resolution was amended yesterday to create a study task force and there was some controversy whether this matter was supported by the Medical Society. The Medical Society has been contacted and they are in support of this task force, and I move the adoption of the Resolution."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall Senate Joint Resolution 30 pass?' All those in favor signify by voting 'aye', opposed 'nay'. The 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 106 voting 'yes', none voting 'no', and 1 voting 'present', and Senate Joint Resolution 30 having received the Constitutional Majority is hereby declared passed. Supplemental Calendar #1, Conference Committee Reports appears Senate Bill 86. Representative Farley. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 86, a Bill for an Act to amend the Worker's Compensation Act. First Conference Committee

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Report."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 86 is a Bill and now a Conference Committee Report that has been negotiated over the last several months between business and labor, between the Leaders of our chamber and the Senate, and encompasses changes that have been agreed to with our agreed Bill process. Some of the highlights of this Conference Committee Report would accomplish the expedited cases for injured workers and business. Increased funding of \$2,000,000 this spring, which would provide for additional staff including arbitrators to expedite these hearings in these cases. A temporary panel of commissioners will be appointed in 1990 to specifically address case backlog. As I said in my opening remarks, this Bill has been negotiated throughout this Session and this year with business, with management and with those of us who have brought forth the complaints and the concerns of both business and labor. I would ask, Mr. Speaker and Ladies and Gentlemen of the House, that we do adopt the First Conference Committee Report to Senate Bill 86."

Speaker Giglio: "And on that discussion, the Gentleman from Lee, Representative Myron Olson."

Olson, M.: "Thank you and good afternoon, Mr. Speaker and Ladies and Gentlemen of the house. I'm speaking to this Bill in behalf of Loleta Didrickson who is unable to speak at this moment because she has a bad case of laryngitis. Some of us consider that perhaps to be good news, but not in this particular instance, because as the Republican spokesman to Labor and Commerce she's done an exemplary job for a number of years and has participated in the entire package as it has come to us at this point. Representative Farley has put it very succinctly. He has outlined the elements of

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the agreement. The issue that arose late in June relative to binding arbitration has been resolved with the folks who had a different view of that. They sought opportunity to remand to a circuit court if that didn't fly for them, that can be accomplished through administrative review. There's nothing else to say on this Bill, every Member of this General Assembly should be on it. We can move forward now with taking care of those injured workers who need speedy relief and also for the business people who are penalized for having these type of things hung on their workmen's compensation rates. Therefor, we'd like to see 116, if that's the number of people here today, 'yes' votes on Senate Bill 86."

Speaker Giglio: "Further discussion? The Lady from Kane, Representative Deuchler."

Deuchler: "Would the Sponsor yield for a question?"

Speaker Giglio: "He indicates he will."

Deuchler: "Representative Olson, is there anything in this Bill addressing the issue of the independent contractors?"

Speaker Giglio: "Representative Olson."

Olson, M.: "Thank you. This issue is not addressed here. That is still being considered outside the parameters of this issue."

Deuchler: "Thank you."

Speaker Giglio: "Further discussion? Representative Farley to close."

Farley: "I would just ask for a favorable Roll Call."

Speaker Giglio: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 86?' All those in favor vote 'aye', opposed 'no'. The 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 114 voting 'yes', none voting 'no',

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and none voting 'present', and the House does adopt the First Conference Committee Report to Senate Bill 86, and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Hoffman, the Gentleman from DuPage."

Hoffman: "Thank you, Mr. Speaker. I'd like the record to show that I would be...would've been recorded 'aye' on the last Bill. House Bill 86. Senate Bill 86."

Speaker Giglio: "Mr. Clerk, let the record so indicate Representative Hoffman's request. The Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Mr. Speaker. I rise on a point of an introduction. I have four charming young ladies from McLean County representing the McLean County Republican Women and they're in the back of our chamber and I'd like for them to stand and be welcomed, and...stand up, Ladies. Thank you very much for coming. I would also like to announce to you that it's been my pleasure to have been able to drive a vehicle that you all have been helpful in the last several years in creating the Diamond Star Motor Company and it's a red and black eclipse, which you might want to take a look at. Thank you."

Speaker Giglio: "Committee Reports."

Clerk O'Brien: "The Committee on Rules has met and pursuant to Rule 29c(3) the following Bills have been ruled exempt on October 31, 1989: House Bills 2079 and 2798. Signed, John Matijevich, Chairman."

Speaker Giglio: "Introduction, First Reading."

Clerk O'Brien: "House Bill 2868, offered by Representative Balanoff, a Bill for an Act to amend sections of the Illinois Pension Code. First Reading of the Bill. House Bill 2869, Kulas, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 2870,

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Hultgren, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. House Bill 2871, Williamson, a Bill for an Act regulating fireworks, First Reading of the Bill. House Bill 2872, Homer. a Bill for an Act in relation to the transfer of funds by taxpayers. First Reading of the Bill. House Bill 2873, Countryman, a Bill for an Act in relation to the organization, operation and dissolution of corporations. First Reading of the Bill."

Speaker Giglio: "Representative Ewing, page 2 of the Calendar, Senate Bills Second Reading. Senate Bill 1096. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1096, a Bill for an Act to amend the Civil Administrative Code of Illinois. This Bill's been read a second time previously. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "Corrected copy. Floor Amendment #2, offered by Representative Breslin."

Speaker Giglio: "The Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, Amendment #2 incorporates...the Spending Accountability Act that this House and Senate passed last year, at the suggestion and with negotiations with the State Chamber of Commerce and the Bureau of the Budget. The Governor has chosen to make some changes in those. They were found in noncompliance. I think that this legislation is legislation that this Assembly wishes to pass. We have incorporated the...the Governor's suggested changes. And I recommend that it be adopted in Amendment #2."

Speaker Giglio: "Any discussion? Hearing none, all those in

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favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

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

Speaker Giglio: "Representative Bowman on Amendment #3. The Gentleman from Cook, Representative Bowman on Amendment #3 to Senate Bill 1096."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move adoption of the Amendment."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

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

Speaker Giglio: "The Gentleman from Cook, Representative Capparelli. The Gentleman from Cook, Representative Ralph Capparelli on Amendment #4 to Senate Bill 1096."

Capparelli: "Mr. Speaker, Amendment #4 would simply allow the Metropolitan Fair and Exposition Authority to receive direct appropriations from Build Illinois Funds, rather than have the appropri...appropriation go through the Department of Conservation. I would ask for a favorable Roll Call."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the Amendment be adopted?' All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

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

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Speaker Giglio: "The Gentleman from Cook, Representative Jim Keane."

Keane: "Thank you, Mr. Speaker. Floor Amendment #5 is House Bill 2369, which had a noncompliance gubernatorial...it was gubernatorial noncompliance. The Governor changed the effective date. Amendment #5 has the Bill in the Governor's...the fashion that the Governor's Amendatory Veto had it in and I would ask for a favorable Roll Call."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt Amendment #5?' All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

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

Speaker Giglio: "Representative Bowman on Amendment #6."

Bowman: "Act...thank you, Mr. Speaker, Ladies and Gentlemen of the House. Actually, this Amendment that...that I should have adopted instead of the first one. So let me...I believe the Amendment that I argued before was Amendment #2...3?"

Speaker Giglio: "Three..."

Bowman: "Three. Could I move to table Amendment #3 and now move to adopt 6? I'm sorry. I got them confused..."

Speaker Giglio: "You heard the Gentleman's Motion to table Amendment #3 to Senate Bill 1096. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Amendment #3 has been tabled. Representative Bowman."

Bowman: "Thank you, yes. Amendment #6 is the same as 3 with a technical change or correction of an error. It...it's similar to...it's identical actually, to legislation that we've passed out of this House on two previous occasions."

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I move its adoption."

Speaker Giglio: "You heard the Gentleman's Motion. Shall the House adopt Amendment #6 to Senate Bill 1096. All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

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

Speaker Giglio: "Representative Turner on Amendment #7."

Turner: "Thank you, Mr. Chairman...Mr. Speaker, Ladies and Gentlemen of the Assembly. Amendment #7 simply says that monies allocated from the trust fund can be used for technical assistance in helping organizations get started as they apply for grants for the funds from the housing trust fund. And I urge the adoption of Amendment #7."

Speaker Giglio: "Any discussion on the Amendment? The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you. Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

McCracken: "Representative Turner, I...I couldn't hear the explanation. This allows the affordable housing trust fund to make grants for various purposes. Are there...is there a limitation on what the grants can be made for under current law?"

Turner: "No, there isn't. It just...what it does, is it spells out that monies can be used for technical assistance to help not-for-profit organizations as they start to apply for those grants. So it would be...in communities where you do not have organizations that are not now involved in housing, they could...some of the trust fund money could be used to help them for technical assistance."

McCracken: "What does outreach mean as used in the Bill?"

Turner: "What does outreach..."



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McCracken: "I'm not into my social work language."

Turner: "Well, actually it's...it's not a term that's used in the construction business, but primarily it...it allows...it's outreach."

McCracken: "Oh! Oh, oh, alright."

Turner: "It allows community organi...it's a...it's a term that's used to reach out. I mean, to help bring in those people that are interested in housing..."

McCracken: "...I used to be a social worker. I used to talk like that all the time."

Turner: "Well, I'm not a social worker either..."

McCracken: "...But, I'm not up on my terms."

Turner: "I'm not a social worker either. This...I think this came from IDHA."

McCracken: "Okay. Thank you."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Turner to close."

Turner: "I move for the adoption of Amendment #7."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Amendment #7 has been adopted. Are there further Amendments?"

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

Speaker Giglio: "Representative John Dunn on Amendment #8 to Senate Bill 1096. The Gentleman from Decatur, Representative John Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #8 encompasses the majority of the provisions in Senate Bill 13, which will provide a remedy for in-house counsel, who is asked to do something improper, essentially, on the same terms and conditions as other employees of corporations. And I ask for the adoption of

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the Amendment."

Speaker Giglio: "Any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Yes, this is not a party issue. It's...it's more a division among attorneys, whether the rights of retaliatory discharge should be extended to in-house counsel. And I know the Gentleman seeks to...to provide a remedy for what in a particular case was probably a wrong. But I think the medicine is much worse than...than the disease. Attorneys have to have with their clients a bond of trust and confidentiality that cannot be broken except by agreement of the client. It's just a fact of life. Our system does not work without that protection. And this, although it points to a wrong, is a remedy that will do much more violence over the long run, not only to the profession, but to clients who rely on lawyer's advice. This is absolutely a well-intended but terrible Bill. It really is going to hurt the system very much more than the problem it seeks to remedy. I know the Gentleman wants to get something done. I know Senator Berman has a strong opinion about this, but this is absolutely the wrong thing to do. In our society we have come to the point where we think we can provide a remedy for every conceivable wrong and that just is not the truth. We cannot do that in some cases, and this is one of those cases. This Amendment should not be attached to what otherwise appears to be a pretty innocuous piece of legislation. Please vote 'no'."

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

Ewing: "Yes, Mr. Speaker, I would ask the Chair for a ruling on the germaneness of this Amendment please?"

Speaker Giglio: "Representative Ewing, the Parliamentarian informs the Chair that the Bill...or the Amendment is

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germane. Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen, to the Amendment if I may, since it's my Bill. The Sponsor of the Amendment has never talked to me about this Amendment. If this Amendment goes on the Bill, it is the subject of a Bill that was vetoed by the Governor. So if he comes along now and amendatorially vetoes this Bill, if it goes out on it, I'm sure it'll come back here and be declared in noncompliance and we're right back in the same ball game, in the same spot that we are now. The reason we're doing this Bill is to pass legislation that was in noncompliance by a gubernatorial Amendatory Veto. And I'm willing to ask that the Sponsor, who never asked my permission, please take...and withdraw his Amendment or I will, if it is put on, have to take the Bill out of the record. And I'm asking him to please remove the Amendment."

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

Hultgren: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Hultgren: "John, I recently had the occasion to do some research on the issue of the client's right to discharge. And our Illinois Supreme Court in several recent decisions, has made it very clear that in the case of an independent attorney at any rate, that the client has an absolute right to discharge. Our...do you know whether the court has...has spoken to this issue of the in-house counsel and how they might differentiate the absolute right to discharge in the case of the in-house counsel as opposed to independent counsel?"

Dunn: "First, I might point out that the...the Bill does specifically exclude independent counsel..."

Hultgren: "...I understand that..."

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Dunn: "...Private law firms are not involved."

Hultgren: "I understand that..."

Dunn: "...The second part of your question, has the...has the court addressed the issue of in-house counsel. The answer is yes, that's what gives rise to this legislation. There has been an Appellate Court decision, which by all accounts was harsh. And a lawyer employee of a large corporation was asked by his superiors to do something clearly illegal. He refused to do it and was discharged. And then filed a retaliatory discharge action, and the action was thrown out. The court said he had no remedy. So, full-time house counsel who tries to do what is the right and honorable thing, found himself out on the street with no cause of action for damages. And this legislation is designed to address that problem."

Hultgren: "But, if I may follow up then. Apparently, the court has indicated that there is a right of discharge, not only of the independent counsel and that line of cases that I made reference to, but also a right to discharge in-house counsel as well. So, are we not then simply...are we not simply passing an unconstitutional enactment if this goes on this Bill?"

Dunn: "No, no. What we are...what we are doing is...is getting into the, essentially, into the twentieth century about what a corporate employee can and cannot do. If you want to talk about discriminatory classes, that's... that's all the more reason this legislation should be passed, because every other employee of a corporation, every other full-time employee, who is wrongfully discharged has a remedy. And that remedy is the right of retaliatory discharge, which can be brought for damages and for reinstatement or whatever is appropriate. Currently, the case...the case law in this area will deny the full-time

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employee, who happens to be an attorney, that same right. Simply, this legislation seeks to put those... those employees on an equal footing. The...the criticisms which you have heard are addressed to the long-standing rule that a client should have the right to discharge the attorney, but when you have a full-time employee situation, you have a different arrangement and I think that's what we're talking about here. And to the best of my knowledge, there is only one legal group, the Chicago Bar Association, which opposes this legislation and I believe I am correctly indicating that all the other lawyer groups are in support of this legislation."

Hultgren: "Mr. Speaker, thank you...thank you, John, for responding to those questions. I'm sure John's well-intentioned with this, and I certainly understand his goal and what he seeks to do. I do have, however, some serious reservations despite his explanation as to the constitutionality of Amendment #8. And would certainly encourage the lawyers and the nonlawyers in this group to take a look at that from a constitutional perspective, to determine whether in fact we might be stepping beyond the bounds of our authority here. Thank you."

Speaker Giglio: "Representative Dunn to close."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I certainly do appreciate the reservations which some of the attorneys in the group have, but we are a group which seeks to provide equal opportunity, which seeks to provide equal remedy, which seeks to provide cares and concerns for the broad spectrum of the citizens of our state. We have currently the law of the land in the State of Illinois, a situation where two employees of a corporation who are asked to do something which is clearly illegal and are...and refuse to do it, and are fired, are

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in different situations. One of those employees can go to court and to seek remedies against the company which asked that an illegal act be committed and the refusal...that employee can go to court and... and seek a remedy, get compensation, perhaps be reinstated if that is the choice. The other employee who happens to be an attorney at law cannot do so. This legislation seeks to put both those employees on equal footing and I would ask for your favorable consideration of this Amendment. Please vote 'yes'."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'no'. Representative Ewing. Roll Call, Mr. Clerk. All those in favor of the Amendment #8 to Senate Bill 1096 vote 'aye', opposed 'no'. The 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 60 voting 'yes', and 50 voting 'no', and 1 voting 'present'. Representative Ewing, for what purpose do you seek recognition?"

Ewing: "A Verification of the Roll Call."

Speaker Giglio: "The Gentleman ask for a Verification of the Roll Call. All Members please be in their seats. Mr. Clerk, proceed with the verification."

Clerk O'Brien: "Balanoff. Bowman. Breslin. Brunsvold. Bugielski. Capparelli. Cullerton. Curran. Currie. Davis. DeJaegher. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Hannig. Hartke. Hicks. Homer. Lou Jones. Shirley Jones. Keane. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Matijevich. Mautino. McGann. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Phelps. Preston. Richmond. Ronan. Saltsman. Santiago. Shaw. Steczo. Stern. Sutker.

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Terzich. Trotter. Turner. Van Duyne. White. Williams.  
Woolard. Anthony Young. Wyvetter Younge. And Mr.  
Speaker."

Speaker Giglio: "Questions of the Affirmative, Representative  
Ewing."

Ewing: "Representative Trotter?"

Speaker Giglio: "Representative Trotter. Is Representative  
Trotter in the chamber? Mr. Clerk, how's the Gentleman  
recorded?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call. Record  
Representative Rice as voting 'aye', Mr. Clerk.  
Representative Ewing."

Ewing: "Representative Bugielski?"

Speaker Giglio: "Representative Bugielski is in his chair."

Ewing: "Representative Novak?"

Speaker Giglio: "Representative Novak. Representative Novak in  
the chamber? How's the Gentleman recorded?"

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

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

Ewing: "Representative Saltsman?"

Speaker Giglio: "Representative Saltsman is in the aisle in front  
of his chair."

Ewing: "Representative Steczo?"

Speaker Giglio: "Representative...Representative Steczo.  
Representative Steczo is in the back of the chamber."

Ewing: "Representative Laurino?"

Speaker Giglio: "Representative Laurino is next to Representative  
Munizzi. Restore Representative Novak and add... does the  
Gentleman have leave, Representative Novak to be verified,  
Representative Ewing? No, he wants..."

Ewing: "Representative Granberg?"

Speaker Giglio: "Representative Granberg. How's the Gentleman

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recorded, Mr. Clerk?"

Clerk O'Brien: "The Gentleman is record as voting 'no'."

Ewing: "Leave him on."

Speaker Giglio: "Do you want to change him?"

Ewing: "No, just leave him on. Farley? Representative Farley?"

Speaker Giglio: "Representative Farley. He's in the back of the chamber."

Ewing: "Representative Edley?"

Speaker Giglio: "Edley? Representative Edley? Representative Edley in the chamber? He's in the back of the chamber by Representative Monroe."

Ewing: "I have no other questions."

Speaker Giglio: "On this question there are 60 voting 'yes', 50 voting 'no', and 1 voting 'present'. And the Amendment's adopted. Are there further Amendments?"

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

Speaker Giglio: "Representative Sam Wolf on Amendment #9 to Senate Bill 1096."

Wolf: "Thank you, Mr. Speaker, Members of the House. Amendment #..."

Speaker Giglio: "Excuse me...excuse me, Representative Wolf. Representative Ewing. Representative Ewing. Ewing. You're on, Representative."

Ewing: "Yes. Mr. Speaker, I would question the germaneness of this Amendment."

Speaker Giglio: "Parliamentarian informs the Chair that the Amendment is germane. It deals with...with the conduct of state government. And the Amendment deals with the Pension Code, which involves the conduct of state government. Proceed, Representative Wolf."

Wolf: "Thank you, Mr. Speaker and Members of the House. Amendment #9 to Senate Bill 1096 addresses the State



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University's Retirement System. And what it does is that it removes the cap of five hundred and seventy-five thousand from that system for the construction of a facility with which to operate the administrative functions of that system. The cap of five hundred and seventy-five thousand was put back...was put on back in 1960 and is greatly out-of-date. And it hampers the efforts of the system at this time to construct a new facility, which they're going to have to do by virtue of having to move from their present location to make...make it possible for the University of Illinois to expand. The Amendment also contains a provision authorizing the issue...issuance of bonds with which to finance the construction of a new facility, and it authorizes bonds up to the sum of ten million dollars. All issuance of bonds would have to be certified by the secretary of the board and filed with the Governor before they could be...could be issued. I would move adoption of Amendment #9 to Senate Bill 1096."

Speaker Giglio: "Any discussion? Hearing none...Representative Ewing."

Ewing: "Yes. I guess it was made plain by the Sponsor if everybody doesn't know that they're going to use the earnings in this pension fund to build a building. I'm not sure that many of us want to be voting for that, but that's my understanding of what this Amendment will do. I'm sure the pensioners would like that."

Wolf: "Mr..."

Speaker Giglio: "Further discussion? The Gentleman...Representative Wolf."

Wolf: "Mr. Speaker, if I may respond to that. The...there's a provision in this Amendment which states that the issuance of these bonds will be an obligation of the State University's Retirement System and will not be an

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obligation of the State of Illinois. And it also provides that no payments into that system by the State of Illinois can be used for the repayment of those bonds. I think this is a very worthwhile concept. It's one that the State University's Retirement System needs at this time to comply and to work with the University of Illinois, and I would move for your adoption of Amendment #9 to Senate Bill 1096."

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

Cullerton: "Yes, would the Sponsor yield?"

Speaker Giglio: "...Representative Wolf..."

Cullerton: "...Representative Wolf, will you yield?"

Wolf: "Yes."

Cullerton: "Representative Ewing just raised an interesting question and I'm want to...I think we should have it answered. Now, he just indicated that what this Bill would do would be to allow for us to use pension funds to build a building that would house the system. And he said, that he didn't think that the pensioners would like that. Now, let me ask you a question. Where is this system being housed right now?"

Wolf: "It's being...it's being housed in a building off the campus of the University of Illinois."

Cullerton: "Are they paying rent now?"

Wolf: "This building is owned by the state university system. But it's in the path of the progress and the expansion of the University of Illinois."

Cullerton: "So...so in effect, the pensioners in every system have to provide for a facility to house the system, is that correct?"

Wolf: "That is correct. As a matter of fact, there is under construction at the present time right here in the City of

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Springfield, a new building which is going to house three systems, the state employee's system, the judicial system and the General Assembly system."

Cullerton: "You mean our own system right now from our...we're... potential pension funds...we are spending money to build a new building?"

Wolf: "Yes, Sir."

Cullerton: "The alternative will be for us to pay rent."

Wolf: "That...that is correct."

Cullerton: "So, what they want to do is build a building instead of pay rent."

Wolf: "That is right."

Cullerton: "Well, that might be in the long run, that might benefit the pension system, would...would it not?"

Wolf: "Well, I think we have a very learned board administering the functions of the State University's Retirement System. These are all intelligent people and I'm sure that they have completely resolved that... that very subject."

Cullerton: "Well, it sounds to me that this would be a very good idea for the pension system rather than a bad idea."

Wolf: "Absolutely."

Cullerton: "Well, thank you, for answering my questions."

Speaker Giglio: "Representative Wolf to close."

Wolf: "Mr. Speaker, I thought I did close a couple of minutes ago. I would just simply repeat...I would ask for your adoption of Amendment #9 to Senate Bill 1096."

Speaker Giglio: "All those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

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

Speaker Giglio: "Representative Parke on Amendment #10."

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Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment 10 to House Bill 1096 (sic - Senate Bill) simply takes the wording for the State Employee Awards Board to allow us to have closed meetings to hear confidential information to protect whistle blowers who are trying to make the State of Illinois a more efficiently and economically run system. It also allows managerial personnel to make suggestions to the Award Board without receiving financial award. I ask for adoption of this Amendment."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of Amendment #10 signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

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

Speaker Giglio: "Representative Giorgi on Amendment #11 to Senate Bill 1096."

Giorgi: "Mr. Speaker, this clears up a problem that the lottery's had with a case that's been known throughout the state. And that the Amendment does...is it says that, prizes for lottery games which involve the purchase of a physical lottery ticket may be claimed only by a presentation of a valid lottery ticket. No claim may be honored which is based on the assertion that the ticket was lost or stolen. No lottery ticket which has been altered, mutilated or fails to pass validation test shall be deemed to be a winning ticket. I move for the adoption of this Amendment."

Speaker Giglio: "Any discussion on the Amendment? The Gentleman from Cook, Representative Levin."

Levin: "Yeah, Representative, just a question if you will yield?"

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Would this apply, assuming this passes, adopted and the Bill is passed and signed by the Governor, would this apply to future lotteries? In other words, starting next week or would it apply retroactively to any claim with respect to the past? So...so somebody came in tomorrow and after the Bill was signed, with an old claim, this would not apply to it? Perspective only."

Giorgi: "Taken place between now and when the law becomes effective."

Levin: "But..."

Giorgi: "...This is because of the court case we have..."

Levin: "...Let's say after the Bill is effective, somebody files a claim..."

Giorgi: "...It's too late..."

Levin: "...With respect to the past..."

Giorgi: "Then it's too late."

Levin: "So your intent is to cover the past as well as the future?"

Giorgi: "That's correct."

Levin: "Thank you."

Speaker Giglio: "Further discussion? All those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #12, offered by Representative Breslin - Didrickson and Anthony Young."

Speaker Giglio: "Representative Breslin withdraws Amendment #12. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #13, offered by Representative Cullerton."

Speaker Giglio: "Representative Cullerton on Amendment #13."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. The intent of this Amendment is to provide

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for a group health benefit within the Cook County Employee's Retirement System. Would allow the system to provide annuitants with a fifty percent health care coverage subsidy. Current law allows for the system to withhold funds for retirement annuity to pay the cost, but does not allow the pension system to subsidize the coverage. This has a sunset provision of December 31st, 1993 and it came as...with the approval of the... and at the request of the Cook County Board. So, I'll be happy to answer any questions and appreciate...if you'd adopt the Amendment."

Speaker Giglio: "Any discussion on the Amendment? The Gentleman from Warren, Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker. An inquiry of the Chair. Has this Amendment been distributed to the Membership?"

Speaker Giglio: "Would you like a copy, Representative Hultgren?"

Hultgren: "I'd like an answer to my question?"

Speaker Giglio: "No, it has not been distributed. Representative Hultgren."

Hultgren: "Mr. Speaker, if you'll give me just a minute to look at a copy?"

Speaker Giglio: "Fine."

Hultgren: "Thank you."

Speaker Giglio: "...Hultgren, okay. All those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Message...Further Amendments?"

Clerk O'Brien: "Floor Amendment #14, offered by Representative Cullerton."

Speaker Giglio: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The affect of this Amendment is simply to extend the sunset date on the Cook County Employee's

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Retirement System's optional plan of additional benefits and contributions from July 1st, 1990 to July 1st, 1992. This also is done at the request of the Cook County Board. Does not result in any cost increase to the system because of provisions and extension of current law."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #15, offered by Representative Daniels and Williamson."

Speaker Giglio: "Representative Williamson."

Williamson: "Thank you, Mr. Speaker. Amendment #15 authorizes an additional funding for the Rockford and Peoria Civic Centers above the maximum amount authorized in the formula in the Metropolitan Civic Centers Support Act. It also provides authorization for construction grants for the Rosemont Civic Center, up to twenty million beginning immediately."

Speaker Giglio: "Any discussion on the Amendment? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Did you say Rosemont?"

Williamson: "Yes. You've been there."

Cullerton: "Will the Sponsor yield?"

Speaker Giglio: "She indicates she will."

Cullerton: "I'm sorry. I caught the first part. You hear...you sa...I heard Rockford?"

Williamson: "Rockford, Peoria Civic Centers."

Cullerton: "And then there was another part? For Rosemont?"

Williamson: "Yes."

Cullerton: "And how much...how much for Rockford..."

Williamson: "...It also provides the authorization for construction grants for the Rosemont Civic Center up to

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twenty million beginning immediately."

Cullerton: "Twenty million?"

Williamson: "Twenty million."

Cullerton: "I thought that...I thought you were only going to ask... are you asking for twice what you really need or...I thought the request was for ten million?"

Williamson: "No. No. It is authorization for twenty million."

Cullerton: "How much did the whole place cost?"

Williamson: "I have no idea..."

Cullerton: "Are they going to tear it down and build another one or what?"

Williamson: "That's possible. No, we're just going to keep expanding. I mean, the business is there. The opportunity is there. We're going to continue to expand in Rosemont."

Cullerton: "Did you characterize this as an agreed Amendment?"

Williamson: "Not that I know of. No."

Cullerton: "Okay. So, this is...this is an Amendment which is not agreed on?"

Williamson: "No. This is something that...Representative Daniels, Representative Williamson, I'm carrying the Amendment since the Representative is not on the floor. This is the Civic Center Act that has been worked on and negotiated for months."

Cullerton: "It's...there's been attempts to negotiate it."

Williamson: "Correct."

Cullerton: "But they've been unsuccessful, so what you're basically saying is all the Republicans are supposed to vote 'yes' and all the Democrats are supposed to vote 'no'? Would that be your understanding?"

Williamson: "No, I'm asking everyone to support this."

Cullerton: "I see."

Williamson: "We want this Amendment on."

Cullerton: "Okay. Okay, well I...I think that you said it best



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when you said this is not an agreed Amendment. I think.  
How much money for Rockford and Peoria?"

Williamson: "This Amendment would take the cap off of the civic center for Rockford and Peoria so that they can get the money that they need. Whatever amount that they need."

Cullerton: "Oh, whatever amount that they need. But with Rosemont we're limiting it. We're putting a cap on Rosemont to twenty million."

Williamson: "Rosemont would be maxed out at twenty million."

Cullerton: "I see. So, if they want to spend twenty-one, they'd have to come back down to us and ask for permission?"

Williamson: "Or come up with the additional one million."

Cullerton: "I see. Okay. Well, I don't have any further questions. I think that at this time, we might be able...be able to vote for this later, but at this time, I think we should vote 'no' on this side of the aisle."

Speaker Giglio: "The Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Will the Lady yield?"

Speaker Giglio: "She indicates she will."

Brunsvold: "Representative, is the next Amendment going to be riverboat gambling?"

Williamson: "I have no idea. I do not have Amendment #16."

Brunsvold: "Yesterday, I was going around the floor and across to the Senate, probably all day and half the night trying to work out an agreement on ten million dollars for Rosemont. And this is the first time I've ever heard the twenty million dollars, and I think I've talked to every...almost everybody over there. Where did this come from?"

Williamson: "Well, app...my understanding is that this originally was proposed for the twenty million in the Senate. And it was sent over here for the twenty million."

Brunsvold: "Thank you, Representative. I would also suggest a

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'no' vote on this side of the aisle."

Speaker Giglio: "Further discussion? The Gentleman from Peoria, Representative Saltsman."

Saltsman: "Yes, will the Sponsor yield?"

Speaker Giglio: "She indicates she will."

Saltsman: "Did anybody from Peoria approach you on this Bill?"

Williamson: "No, they haven't."

Saltsman: "There's no grant in here for Peoria that just list the bonding limits and there's grants for Rosemont, right?"

Williamson: "My understanding, Representative, is this basically takes the cap off of Peoria and the Rockford Civic Center."

Saltsman: "Well, this is no favor for Peoria. I don't know anything about it, and I want a 'no' on this vote."

Speaker Giglio: "The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The affect of this Amendment would be to enable Peoria to apply for the three and a half million that was appropriated earlier in this General Assembly, an amount that has been appropriated. It would also enable...it would also enable Rockford to go ahead and get its half million dollars. Presently, there is some dispute be...or disagreement between the...what the Sponsor, Senator Luft has indicated to me that this would also solve a problem pertaining to certification and applying for this...within a July 1st deadline, in addition to the problem of lifting the caps. Everyone agrees that this would lift the caps and permit us to get the money that we have already appropriated for Rockford and Peoria. There is disagreement on whether it solves the additional problem of a timely application. The Sponsor's legislative intent is to with this Amendment, solve both problems and to in effect, repeal for these purposes the application

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requirement for July. So I would hope that that would be part of the legislative record of this Amendment, and would clear up questions by Representative Saltsman and Representative Cullerton."

Speaker Giglio: "Representative Ewing."

Ewing: "Mr. Speaker, there's been several people speaking against this Amendment, and we want to remember that this is a bipartisan Bill. We all are putting what we think are...is good legislation on this Bill with some very wide ranging rulings from the Chair. The twenty million's already in the law. We didn't add the twenty million. What we did, is we said that it's effective immediately and not beginning July 1, 1991. The twenty million's already in the law. You're not authorizing another twenty million. It's there. We're making it available sooner. And that's also what I think affects the Peoria and the Rockford Civic Centers."

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

Cullerton: "A parliamentary inquiry."

Speaker Giglio: "Proceed."

Cullerton: "I just question the germaneness of this Amendment. Now that I've had a chance to read the title, I don't think it's germane."

Speaker Giglio: "Representative Cullerton, the Parliamentarian informs the Chair that the Amendment is not germane. Are there further Amendments, Mr. Clerk? Representative McCracken."

McCracken: "Surely, this has to do with the conduct of state government."

Speaker Giglio: "Further Amendments, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #16, offered by Representative Ewing."

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

Ewing: "Yes, please take this Bill out of the record. After the shabby way that you have handled this, Mr. Speaker, and really the deplorable way that the Parliamen...Parliamentarian has ruled on this, this Bill should come out of the record. I am really amazed at you doing that here. You're always have some fairness, Mr. Speaker, but that Parliamentarian and the rulings today are certainly out of line. Please take it out of the record."

Speaker Giglio: "The Chair's been informed that you've been removed as the Sponsor and the Sponsor of the Bill is Representative Breslin. Senator Luft, the Sponsor of the Senate Bill has asked permission to have Representative Breslin as the Sponsor of this Bill. Representative Breslin. Representative Cullerton."

Cullerton: "Would...would...would Senator Luft be willing to at least keep Representative Ewing on as a hyphenated Cosponsor? Like maybe a Breslin - Ewing? Could we at least do it that way?"

Speaker Giglio: "I...I don't think that Representative...or Senator Luft wouldn't want to go that far. Representative McCracken."

McCracken: "Your organization is not efficient enough to have that paper on file. I want to see that paper. You guys don't have it. You don't run that fast. Steve Brown was just in the Senate a few minutes ago. He doesn't run that fast. Where is Senator Luft? Yeah, yeah. He left because he knew he didn't have the paper. Maybe Senator Marovitz signed it. Has anyone checked the handwriting? I want to see the handwriting. I don't believe it's Luft. Steve Brown did it. I can see it right there. Steve Brown did it. That Steve Brown's handwriting, I can tell from here.

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I can tell. I don't need to see it. I already know. I've seen Steve Brown. He's signed a million checks in my presence. I know his handwriting when I see it. Do you...do you take your Motions now on legal pads. As...as I recall, the Motions are little white things, you know, little rectangles and they've got blanks to fill in. He didn't have time to get that, huh?"

Speaker Giglio: "Representative McCracken, the Chair's been informed that the Senate is doing so much work that they're running out of paper and they have to use the...the pads in order to send the messages over to the House. The legal paper will be coming over shortly, but...in order to speed things up..."

McCracken: "...They ought call this illegal pads...they ought to call this an illegal piece of paper. It's not from a legal pad, it's from an illegal pad."

Speaker Giglio: "Alright, Representative McCracken, your point is well-taken. We'll take this out of the record and we'll wait until we get the legal notice on legal paper. And we'll return to the Bill with Representative Breslin as the Sponsor on the House side. Messages from the Senate."

Clerk O'Brien: "A 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 the adoption of which I'm instructed to asked concurrence of the House to wit: House Bills #713, 1072, 1609, 2045, 2079 and 2576. Passed the Senate as amended, November 2, 1989.' Linda Hawker, Secretary."

Speaker Giglio: "Representative McCracken, the Chair has just learned that Senator Luft has heard the dialogue on his Bill and he's going to come over here personally and inform the House. With the paper. We'll see what kind of paper.

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Representative McCracken."

McCracken: "He won't punch me out will he?"

Speaker Giglio: "No. Senator Luft would never do anything like that."

McCracken: "Steve's going to punch me out."

Speaker Giglio: "He...he may ask you to be a Cosponsor. Representative Ewing."

Ewing: "Yes, thank you, Mr. Speaker. I'm glad to hear that Senator Luft's coming over. I'd like for him to ask me personally to step aside for this great Bill, and I'm sure that he'll be here as the statewide candidate. He's going to want to be sure of all the good issues on his Bill."

Speaker Giglio: "Supplemental Calendar #1 on Concurrence, appears House Bill 1487, Representative Homer. Representatives, the Chair would like to announce that Senator Luft is in the chamber, our beloved Senator. Representative McCracken."

McCracken: "I demand a division of this question. There are some interesting Amendments on this Bill. I'd like to discuss them one at a time."

Speaker Giglio: "House Bill 1487, Representative Homer."

Homer: "Thank you, Mr. Speaker. The Gentleman has moved to divide the question, is that my understanding?"

Speaker Giglio: "That's correct."

Homer: "Then I would make a Motion that the House concur, first in Senate Amendment #1. And in brief explanation of Senate Amendment #1...that says Floor Amendment actually was a...it was a Senate Committee Amendment, if that makes a difference. The Senate Judiciary Committee adopted Senate Amendment #1, which does basically two things. First of all, it amends the Preamble of the Bill and also the Bill itself, to provide for notice to be given to state's attorneys wherever the Attorney General under this Bill,

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has called for the creation of a statewide grand jury. Any state's attorney who is...whose county is involved in the grand jury investigation would be entitled under this Amendment to be given notice of the fact that the investigation is ongoing. And also the state's attorney would be provided the right to participate along with the Attorney General in the grand jury investigation of those activities which are alleged to have transpired in that state's attorney's county. The second part of this Amendment modifies the distribution formula under the Narcotics Forfeiture Act to provide that the current fifty percent of the narcotic profits, that are currently distributed to the local government, which investigated or made the arrest; that half of those proceeds be required to be used by the local government through a DASA approved program for drug education treatment or prevention. The...there's also amendatory language in that provision that makes it clear that local governments, who merely participated in the investigation or arrest, also qualify for that fifty percent profit distribution sharing. So as to expand those incidents where local units of government benefit by virtue of proceedings through the narcotics forfeiture law. I would be willing to answer questions on Amendment #1, move for its concurrence."

Speaker Giglio: "Any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you. I was probably hasty in my demand of the division. I...I really want to address Amendments 8 and 11. And we...we can move to a direct consideration of those two Amendments, if the Sponsor wishes."

Speaker Giglio: "Representative Homer."

Homer: "I appreciate that. I think probably procedurally though, Mr. Speaker, we need...don't we to go ahead and concur."

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And I would therefore ask that the House now concur Senate Amendment #1 to House Bill 1487."

Speaker Giglio: "Representative Homer, you...you can request the concurrence of Senate Amendments #1, 3, 8 and 9, take care of that. And then discuss Amendments...Amendments #10 and 11..."

Homer: "Yes...yes...yes...May I...Well, I think...I think what the Gentleman is recommending...let me...let me modify my Motion then and see if that meets with his pleasure. I would move that the House concur in Senate Amendments #1, 3, 9 and 10 to House Bill 1487."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? The Gentleman from Cook, Representative Anthony Young."

Young: "Yes, Mr. Speaker, I would request that the Gentleman modify his Motion, so that Amendment #3 also be considered separately."

Speaker Giglio: "Representative Homer."

Homer: "This is becoming more complicated than if we did them separately. But, let me try once more. Let me modify my Motion one more time and I think we can dispose of at least a few of the Amendments on one Roll Call. I would...I would move that the House concur in Senate Amendments #1, 9 and 10. One, nine and ten."

Speaker Giglio: "You heard the Gentleman's Motion on concurrence of Amendments #1, 9 and 10. And on that question, the Gentleman from DuPage, Representative McCracken. One, nine and ten."

McCracken: "Okay. That's fine."

Speaker Giglio: "Alright. You heard the Gentleman's Motion. Any discussion? Hearing none, all those in favor of concurrences...concurrence to Senate Amendment #1, 9 and 10 to House Bill 1487. All those in favor vote 'aye', those



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opposed 'nay'. The voting is open. And this is final action on these Amendments. 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 108 voting 'yes', 3 voting 'no', and 2 voting 'present'. And the House does concur with Senate Amendments #1, 9 and 10 to House Bill 1487. Representative McCracken. Excuse me, Representative Homer."

Homer: "I would move that the House now concur in Senate Amendment #3."

Speaker Giglio: "You heard the Gentleman's Motion, that the House concur with Senate Amendment #3."

Homer: "I think I perhaps, Mr. Speaker, should briefly explain that Amendment."

Speaker Giglio: "Fine. Proceed, Sir."

Homer: "The Bill as it passed the House and went to the Senate, limited the grand jury...statewide grand jury jurisdiction to specific drug offenses, and in fact, the Bill enumerates the specific offenses, which...for which the grand jury would have jurisdiction. Specifically, it would be violations under the Controlled Substances Act, Cannabis Control Act, Narcotic Forfeiture...Narcotic Profit Forfeiture Act, Drug Paraphernalia Control Act and the Cannabis and Controlled Substances Tax Act. The offense of money laundering. And this Senate Amendment #3 provides an expansion of that jurisdiction to include the words, 'and for any felony discovered incidental to an investigation of the preceding offenses conducted pursuant to this Act'. So that Senator Barkhausen's Amendment, which is #3, would still limit the focus of the investigation to drug offenses, that would not change. But what the Amendment would do, would say that if during the course of that investigation there were discovered evidence

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of other felonies, that were incidental to that investigation, that the grand jury would in fact, have jurisdiction over those felonies as well. For example, if during an investigation of a drug offense, drug possession offense, there were evidence of a burglary; then under this Amendment, not only could the grand jury investigate the drug offense but also could investigate and file an indictment against the defendant for the incidental burglary. I would be willing to answer questions. I would move for the concurrence."

Speaker Giglio: "The Gentleman from Cook, Representative Anthony Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Amendment. I think this Assembly is taking quite a step to have a statewide grand jury period, even when we're limiting that to drugs. To expand that anything incidental to the investigation, I think is an expansion that's going to far for a new program that hasn't been tested yet. It's my understanding that the state's attorneys throughout the state are not in favor of expanding statewide grand juries in this manner. An incidental felony could include something such as official misconduct in some jurisdictions. I think the political ramifications are something we should all consider and let's see how statewide grand jury works on the problem that the Attorney General wanted to address, on the drug problem that is so sensitive to all of us. And if it works on that issue then maybe at a later time we could look at this incidental material uncovered. And this incidental felony could relate to anything that could affect anybody. It's much to broad a stroke for a program that's expanding the state's...the Attorney General's powers as much as the statewide grand jury is. For that reason, I urge a 'no'

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vote and ask for a Roll Call."

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

Countryman: "Well, thank you, Mr. Speaker. I join in the previous speaker. I oppose this Amendment. I heard this Bill in committee and I'm the minority spokesman on the committee and generally oppose expansion of these jurisdictions. But in this case, they felt the crisis was there and we ought to do it. The limitations in the Bills were decent ones that you had to apply to the Supreme Court. The Supreme Court had to authorize the Attorney General to convene the grand jury. You had to have clearance with the State's Attorney where the county in which it was going to be held, and then you were limited to those offenses. And now what we've done by this Amendment, we will open this up to any offense. And I'm certain courts will rule that well, yeah they were investigating some drug offenses, but some little information or what little cedilla of evidence appeared about some other investigation, as the prior speaker indicated, maybe something about official misconduct, that somebody wants to go on a witch-hunt, and all of a sudden you got some allegation that it's incidental to it. I think this is a poor Amendment and I join in the previous speaker, and I ask you to vote against it. Should the Amendment get on the Bill, I will withdraw myself as a Cosponsor."

Speaker Giglio: "The Gentleman from Cook, Representative Sutker."

Sutker: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I too, oppose Amendment #3. I think this is one of the matters that came before the committee that caused great concern to all of us. I would support the position taken by the Gentleman who just spoke and the previous speaker to him, that we do not wish to have this expansive

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power at this juncture entrusted to any person on a statewide level, and that includes the Attorney General. It's my intention, Ladies and Gentlemen, to suggest to you and to suggest to the Speaker, that the incidental means that have been referred to here will become the primary means. Turning around the intent...the intent of the legislation in the first instance, creating a Pandora's box for every state's attorney in the State of Illinois. And I would urge my colleagues to look very closely at this Amendment. It's a mischievous Amendment and I believe should be...should be rejected. Thank you very much, Mr. Speaker."

Speaker Giglio: "Representative Petka."

Petka: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Petka: "Thank you. Representative, can you please tell me what would be the mechanism for any court to limit the investigatory scope of a grand jury that is convened under your Bill?"

Homer: "I would think that would arrive by virtue of motions to quash, motions to suppress, that would be litigated in the trial court."

Petka: "Or perhaps a little factual backdrop. Back in the early '70's a special prosecutor was appointed in the case of People Ex Rel Barnabas Sears, vs. Hanrahan. And our Supreme Court held that the Legislature, that a...excuse me, that the Judicial Branch of government could not basically intervene and limit the scope of a grand jury investigation. Now, how can we possibly place limits on a grand jury investigation. What is the mechanism that that's going to be done?"

Speaker Giglio: "Further discussion? The Gentleman from Cook,

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Representative Williams..."

Petka: "...Excuse me, Mr. Speaker, my question has not been answered."

Speaker Giglio: "...Sorry. Oh, I'm sorry. Representative Homer."

Homer: "Representative...Representative Petka, my assumption would be that... that a...that where an indictment were returned, that the defendant could move to quash his arrest or suppress evidence that was gathered as a result of a tainted investigation because that investigation exceeded the legislative scope provided in this Bill for a statewide grand jury. I can conceive that those motions will be readily be filed and would be litigated, and that there would then develop a body of appellate review that would delineate and define the...the perimeters of that authority."

Petka: "Any situation where a statewide grand jury has been impaneled and during the course of the investigation evidence comes to light that...for example, public officials have been involved in money laundering or perhaps in assisting drug distri...drug distribution within a jurisdiction. What would be the mechanism to insure that a grand jury is not going to be exceeding its lawful and duly constituted authority under this Act? I mean, you stated there will be motions to quash, but during the course of the investigation itself, there is provision in the Bill to have the information turned over to a local state's attorney, and the state's attorney could act upon that information, correct?"

Homer: "Yes."

Petka: "How are you going to prevent a local state's attorney from prosecuting a case?"

Homer: "Oh, I don't think you want to do that. Why would you

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want to do that? I mean if, if...if evidence were developed through an investigation of a drug offense that some other crime was committed, I don't see any...any problem in turning that over to the state's attorney with jurisdiction and letting that state's attorney pursue that investigation. I don't see any problem with that."

Petka: "Okay, just one final question. If in fact, the Supreme Court has already stated that the Judicial Branch of government cannot effectively operate as a check on the scope of a grand jury investigation..."

Homer: "...Excuse me, Representative Petka, I'm having a hard time hearing that. Would you repeat it?"

Petka: "Mr. Speaker, could we have a little order in the House please?"

Speaker Giglio: "Yes. Get a little order...would you kindly give the Gentleman some order. It's a very important Bill. Everybody should be listening. It's going to affect you and me and everybody else somewhere down the line, very important."

Petka: "Representative, in those situations...the Supreme Court as already held a grand jury in the scope of their investigatory power cannot be limited. This Amendment which you've asked us to concur on, basically states that in fact there will be limitations as to what a grand jury can possibly consider. My question again and I...I...I...perhaps just for legislative intent, is how...what is going to be the mechanism that the Supreme Court is going to employ to ensure that this statewide grand jury will not exceed the limits that you have...you have suggested should be placed into the Bill?"

Homer: "Well, as you know, Representative Petka, the...there's a requirement that grand jury proceedings be transcribed by a court reporter, so there is a record made of all the grand

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jury proceedings. If in fact, the grand jury were to exceed the scope of its authority and that were to result in the bringing of a prosecution, then I would submit that it would be logical to assume that the defendant would utilize a pretrial motion procedures in order to bring the matter to the attention of the presiding judge. And that through the exclusionary rule and through a Motion to quash, that there would be adequate procedures to...to enforce those statutory limitations."

Speaker Giglio: "Representative Homer."

Homer: "To close?"

Speaker Giglio: "Yes."

Homer: "Thank you. I...I would urge that we...that we concur in Senate Amendment #3. I don't think it's at all any radical departure from what the original Bill provided. It is limited and provides that only those felonies discovered incidental to an investigation of a drug offense would be subject to the prosecution and investigation by the grand jury. For example, let's suppose that someone were arrested having possession of cocaine. As they were taken into custody they were found to have on them an illegal concealed weapon. Certainly in that case, it would be logical that during the investigation and prosecution of the drug case that the same prosecuting agency would be allowed to prosecute for the incidental unlawful use of weapon's charge. That's what contemplated. There's no intent here whatsoever, and I express it clearly for purpose of the legislative intent, to open up and to allow for independent investigations, that do not have a direct incidence in relationship and correlation to the investigation of the drug offense for which the grand jury is being created. I would also submit to you that as a second reason, that this would not really have a practical

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effect, since if in the course of the statewide grand jury investigation, if without this Amendment, evidence of some incidental crime were uncovered all that would be needed would be for simply the...the Attorney General to give that information to the state's attorney in the county where the incident occurred and invite the state's attorney to conduct an independent investigation of the incidental offense. It would be more cumbersome, but certainly would be very foreseeable. Finally, and I think most importantly, is the fact that we're going to offer concurrence of another Amendment that's forthcoming that will put a sunset date on this legislation. To provide that...two years that if...that this legislation sunsets. And if in fact, we find an Attorney General has abused the clear legislative intent restricting the scope of these investigations, that we certainly would have it within our province and our responsibility not to reenact this legislation. So, we retain control. We...we will insure by that accountability. One moment. There were those...there were...and finally, Mr. Speaker. There were those who suggested Senator Barkhausen, offer this Amendment not in furtherance of the Bill, but in fact as a ploy to provide a political excuse to kill the Bill. I don't...I don't accuse him of that because I know of his interest in law enforcement and I think I believe in his good faith. But I think that the vote, if this becomes a partisan vote on this Amendment, may in fact elucidate in fact that very question of motive that has been ascribed to him by some by offering this Amendment. I believe he did it in good faith. I don't think there's any radical departure, and I would urge bipartisan support for concurrence in Senate Amendment #3."

Speaker Giglio: "The question is, 'Shall the House concur with



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Senate Amendment #3 to House Bill 1487?' And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted? Have all voted who wish? Have all voted who wish? Representative Monroe Flinn."

Flinn: "Well, Mr. Speaker, I think this is the perfect example of talking something to death."

Speaker Giglio: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 22 voting 'yes', 80 voting 'no', 11 voting 'present'. The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Mr. Speaker. I...I now move to nonconcur in Senate Amendments #3 and 8. I have one more concurrence Motion. I want to a...I move to concur in Amendment #11, if that would be in order."

Speaker Giglio: "Representative White. Record...let the record show that Jesse...Representative White, wants to be recorded as voting 'no' on that Amendment, Mr. Clerk. Representative McCracken."

McCracken: "I'm just...I'm just waiting for the Motion. I don't understand it."

Homer: "Alright...alright."

Speaker Giglio: "Representative Homer."

Homer: "I...at this time, Mr. Speaker, I would move to nonconcur in Senate Amendment #3."

Speaker Giglio: "Representative McCracken."

McCracken: "I make a substitute Motion to lay that Motion on the table. Ask those who voted against this Motion to concur originally to join me in a vote in favor of the substitute Motion."

Speaker Giglio: "Representative McCracken, your Motion for a substitute Motion is not in order. All those in favor of

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Representative Homer's Motion to nonconcur...Representative McCracken."

McCracken: "I demand a Roll Call vote on the Motion to nonconcur and ask those who voted against the Motion to concur, to vote against the Motion to nonconcur. Vote against the Motion to nonconcur."

Speaker Giglio: "Representative Homer."

Homer: "Speaker, Speaker, to that...to the Motion to nonconcur. We had a fair and open debate about the issue. We moved to concur in the Senate Amendment, which was proposed by Senator Barkhausen in the Senate, that Motion failed. We now move to nonconcur. The Gentleman is urging people to...after having voted not to concur, now he's urging them to vote not...to nonconcur. Now there is...obviously, there is no rational logic for that, except what...and there's only one explanation. If in fact the House were to follow that advice and...and vote not to nonconcur, then in fact the Bill remains in the House and is dead. So, I realize that's what the Gentleman wants to have happen because he made it clear when we debated this issue before the House two weeks ago, that he was against the Bill and voted against the Bill. And he lost. And the Bill passed the House, went to the Senate and passed out of the Senate with these Amendments by a vote of 53 to 4. Where partisanship in the Senate was put aside in the interest of the public policy of this state and in the interest of the people who have called to us, to try to do something to put and end to the travesty that is occurring at the hands of these drug dealers and drug kingpens. House Bill 1487, is not going to solve all the problems of this state nor all the drug problems of this state. But what it does is try to let this Body be responsive to the people who put us here, by trying to do something to give the tools to law

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enforcement officials to take profits away from drug dealers and to try to make some improvement in the conditions of our neighborhoods and schools insofar as drugs are concerned. So this vote is very clear. Anyone who is recorded on the last Roll Call as voting 'no', who now votes 'no' again is making a clear statement; they're against this Bill, they're against the will of the people who want to take politics out of this issue and to give law enforcement an effective tool to battle drug dealers. So, I would urge everyone, whether you are for or against the last Motion to vote 'yes' on this Motion."

Speaker Giglio: "Question is, 'Shall the House nonconcur with Senate Amendment #3 to House Bill 1487?' And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who 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 60 voting 'yes', 44 voting 'no', and 8 voting 'present'. And the House nonconcur with Senate Amendment #3 to House Bill 1487. Representative Homer."

Homer: "Mr. Speaker, at this time I would move to nonconcur in Senate Amendment #8."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye'...Representative McCracken."

McCracken: "Amendments 8 and 11 are the ones that are conflicting in nature. Is your intent after this Motion to concur in 11?"

Homer: "Yes."

McCracken: "Apparently, the dye is cast, but I have good news for those of you who are not in favor of this Bill. Repr...Mr. Attorney General Hartigan is not running for Governor. He has told me that he is not going to run for

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Governor. He doesn't...he doesn't need this Bill anymore. He doesn't care about it."

Speaker Giglio: "You heard the Gentleman's Motion to nonconcur with Senate Amendment #8 to House Bill 1487. And on that question, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendment #8. Representative Homer."

Homer: "Thank you, Mr. Speaker. I now move to concur in Senate Amendment #11. Senate..."

Speaker Giglio: "Gentleman...now moves to concur with Senate Amendment #11."

Homer: "Speaker, a brief explanation. Senate Amendment #11 provides a sunset date of January 1, 1993. So that the legislation effectuating the statewide grand jury would sunset as of that date. The portion of the legislation creating the...or that enhances the penalties for violation the Drug Paraphernalia Act would survive past that sunset date. I would answer questions and move for concurrence."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #11 to House Bill 1487?' And on that question, all those in favor signify by saying 'aye', opposed...All those in favor will vote 'aye', those opposed 'nay'. 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 113 voting 'yes', none voting 'no', and none voting 'present'. And the House does concur with Senate Amendment #11 to House Bill 1487. Representative John Dunn, on page three of the Calendar under Total Veto Motions appears Senate Bill 13."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Motion to override the Governor's Veto of Senate

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Bill 13. Senate Bill 13 is...is a Bill which would put all employees of corporations on the same footing. It would protect the public from illegal acts of an employer and protect attorney employees of corporations from severe financial loss from unscrupulous employer. The...in a situation where an employer ask someone to do something illegal and fires that employee because they stand up and do the correct thing and have no remedy, it's a serious injustice. This Bill will correct that and I ask for your 'aye' vote."

Speaker Giglio: "Any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Well, thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Black: "Thank you. Representative, is this not...didn't you already embody this as a Floor Amendment to Bill 1096?"

Dunn: "Essentially, yes, but the Floor Amendment as you will recall, is a Bill that...that was on Second Reading and we're late in the afternoon or last day of the Session, and we may not get to that. Should both measures go to the Governor, of course, that will be taken care of and the later Amendment will prevail, I guess is what will happen."

Black: "...Alright, thank you."

Speaker Giglio: "Further discussion? Representative John Dunn to close."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a public policy Bill. This is a Bill to protect the public. The public has the right to know that corporations are...are doing the correct thing, and when the employee knows of something wrong they should be able to stand up and be counted and not suffer serious financial loss. The legislative intent of this Bill is, strictly

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speaking, not to apply to employees of municipal law departments, order employees or freestanding law firms. I would ask for your 'aye' vote."

Speaker Giglio: "The question is, 'Shall Senate Bill 13 pass the Veto of the Governor notwithstanding?' All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Gentleman from Kane, Representative Kirkland."

Kirkland: "Thank you, Mr. Speaker. This Bill makes sense and we should override the Veto. I believe the only State Bar Association which supports the measure is more correct than the Governor in saying, in drawing the distinction between a corporate attorney and an attorney in a contract, private attorney relationship with a client. The State Bar Association says in effect, that the in-house counsel may have spent an entire career working for this employer. There may be no other professional opportunity available at that time, even the strongest will to resist improper and illegal employer demands could give way to economic reality in this situation. No employee, attorney or nonattorney should have to suffer without recourse as a result of this kind of corporate misconduct. A further point is that this action would have to be proved by clear and convincing evidence, and I think the safeguards are there despite what the Governor says about the attorney client relationship, and would support the override."

Speaker Giglio: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, I urge you that have voted 'red' to reconsider your votes. At a time when many of you are attacking the ethics of attorneys, this is a Bill that will help attorneys' ethics. This is a Bill that says to an attorney who works for a corporation,

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who's told to do the wrong thing, that he can do the right thing; and that he has an opportunity by following the canon of ethics and following the letter of the law, to get recompense in...in the event that an employer fires him for trying to do what's right. We want to encourage our people to do what's right and many of you jokingly come to those of us who are attorneys and talk to us about the ethics of our brethren. This is an opportunity to help us police our own profession. It's an opportunity to say to attorneys, do the right thing in all cases and you will be protected. Please reconsider your votes if you voted 'no' on this issue. It's an important issue for the legal profession."

Speaker Giglio: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. A very close vote and I would just request a verification should it get the requisite number."

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

Cullerton: "Well, thank you, Mr. Speaker. In explaining my vote, let me just review the history of this Bill, just briefly. Over in the Senate, the Bill passed the committee 8 to nothing and then passed the Senate 55 to nothing. Now that in and of itself doesn't mean much, because that might mean that the Senators just didn't read it, but then it came over to the House. And it did go to the Judiciary Committee. The vote in the Judiciary Committee was 12 to 1 in favor of the Bill, and then we voted on Third Reading for this Bill and it passed 103 to 8. A 103 to 8. It wasn't on the Consent Calendar. We considered it. It was debated. Eight people voted 'no', but 103 voted 'yes'. So, it's more likely than not that many of us...many of you who are voting 'no' now, voted for the same Bill before.

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No new information has come forward to have...have you change your vote. And so I would appeal to you to just consider that whatever it was that decided...made you decide on June 14th to vote for the Bill, nothing has changed, in fact, it just makes more sense now, I think, to vote for it."

Speaker Giglio: "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 70 voting 'yes', 43 voting 'no', and none voting 'present'. Representative John Dunn request a Poll of the Absentees, Mr. Clerk."

Clerk Leone: "A Poll of those not voting. Petka and Trotter. No further."

Speaker Giglio: "On this question there are 70 voting 'yes', 43 voting 'no', and none voting 'present'. Representative Dunn, are you still seeking recognition?"

Dunn: "To explain my vote. This is legislation...we just need one more vote to pass this legislation. This is legislation which would simply put attorneys on the same footing as nonattorney employees of a corporation. If a corporation ask someone to do something clearly illegal, and the attor...and the employee's not...not a lawyer, and the employee refuses, does the correct thing, refuses and is fired; that person can go to court and seek damages. Because of a court decision, a lawyer in the same position cannot. So you have the situation where there is a...and it did come up. A lawyer was a full-time employee of a corporation and there was a lawsuit, and...or pardon me, a request to do something clearly illegal. The lawyer did the correct thing. He said, 'I won't do that'. That lawyer was fired. The lawyer went to court and the court said, 'You have no remedy and you're out of luck'. This Bill would just put the lawyers on the same footing as the



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nonlawyers. We're inclined in this chamber not to have much sympathy for lawyers, but this is one time when the...when the lawyers are already at a disadvantage and this Bill would simply place them on an equal footing with nonattorneys. And I request one more vote to...to pass this legislation and do what is correct."

Speaker Giglio: "Representative Black, do you want to change your vote, Sir?"

Black: "Well, I...I was almost convinced by that fifteen minute explanation, but I do have an inquiry of the Chair. Did you not say, ' Mr. Clerk, take the record?'"

Speaker Giglio: "No, I don't think that was said. Was that, Mr. Clerk? The vote is still open, is it not? Oh, somebody's going to have to get up and change their vote, the Clerk informs the Chair. On this question there are 70 'yes', 43 'no', none voting 'present'. And the Motion fails. On page...I mean, excuse me, on Supplemental Calendar #2, Senate Bill 731, Representative Brunsvold. Then Granberg, Steczo, Flinn, Farley, Terzich, Curran, Kirkland, Leitch, Woolard, Ronan, Mautino. Supplemental Calendar #2 - Second Reading, Senate Bill 731. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 731, a Bill for an Act to amend an Act concerning leave for firemen and firefighters. Second Reading of the Bill. Amendments #1 and 5 were adopted previously. Next Amendment is Floor Amendment #6, offered by Giorgi and Hallock."

Speaker Giglio: "Representative Giorgi."

Giorgi: "Mr. Speaker, this is an Amendment that applies solely to the Rockford Park District and it's in two parts. The first part is the tax increase with a front door referendum and the second part is a three cent tax increase with a backdoor referendum. Very simple it applies only to Rockford Park District, and I urge the support of the

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Amendment."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #7, offered by Representative Steczo."

Speaker Giglio: "Representative Steczo on Amendment #7."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #7 adds two Sections to the Bill. Number one deals with a provi...with a...an item that we've been dealing with in this Legislature for a while and thought we had taken care of, but a problem has...has cropped up and we're trying to resolve, and that deals with the annexation of the Village of Volo. So we extend in one Section of the Bill the filing deadline for the village to request a...petitions regarding the question of incorporation to be placed before the voters. It changed the date from January 1st, 1990 to January 1st, 1991. Section two deals with the City of Chicago and administrative hearings to deal with building code violations that are now heard by the housing court or by the Department of Inspectional Service Compliance Board. We're attempting in this...in this part of the Amendment to try to break the backlog that currently is evidenced in that department. It would allow the city to contract with hearing officers to adjudicate compliance cases. It still would provide that the most serious cases would be sent to housing court where approximately ten percent of the cases are heard at the present time."

Speaker Giglio: "Excuse me, Representative Steczo. Representative McCracken."

McCracken: "No one has seen this, the staff either."

Speaker Giglio: "Mr. Clerk, has the Amendment been distributed?"

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McCracken: "Can we take it...We're not trying to stand in the way, but... Oh, now I see it. Representative Parcells was hiding it from me."

Speaker Giglio: "Proceed, Representative Steczo."

Steczko: "Thank you, Mr. Speaker. As I mentioned, less serious cases would go to the Code Enforcement Bureau, and it just provides that when owners fail to appear that they would be subjected to a fine and the fine assessed could be vacated et cetera, and unpaid fines become liens on the property. I would hope that the House would see fit to adopt this Amendment. I would move for its adoption or answer any questions."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #8, offered by Representative Steczo."

Speaker Giglio: "Representative Steczo."

Steczko: "Mr. Speaker, in the interest of time, I would ask that we withdraw Amendments #8, 9 and 10."

Speaker Giglio: "You heard the Gentleman's Motion. Withdraw Amendments #8, 9 and 10, Mr. Clerk. Are there further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. The Gentleman asks leave by the Attendance Roll Call that this Bill be heard immediately. Does the Gentleman have leave? Hearing none, leave is granted. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 731, a Bill for an Act concerning leave for firemen and firefighters. Third Reading of the Bill."

Speaker Giglio: "Representative Brunsvold. Representative

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Brunsvold. Third Reading."

Brunsvold: "With the Body's leave, we'll allow Myron Kulas to explain the first Section of the Bill."

Speaker Giglio: "Representative Kulas, would you like to explain the first Section of the Bill with the Amendments?"

Kulas: "Thank you, Mr. Speaker. The first...Amendment #5 is actually House Bill 1185, which passed out of this House and the Senate unanimous...the Governor had made some changes. And it's...the Amendment is House Bill 1185 with the changes of the Governor, dealing with municipalities contracting."

Speaker Giglio: "Further discussion? The question is, 'Shall Senate Bill 731 pass?' All those...Excuse me, Representative Hultgren."

Hultgren: "Thank you. Inquiry. How many votes does this require? Does this have an immediate effective date? Did I read that correctly?"

Speaker Giglio: "While we're checking that, Representative Barger."

Barger: "Thank you, Mr. Chairman. I regret to mention the fact that I had not read this Amendment until just recently. But what it does say is that any small businessman, female, minority, any of those people who have difficulty with their cash flow, if they happen to be a little late with paying their sales tax, their income tax or their unemployment tax, if they happen to be just a little late with that, they are ineligible to bid for municipal contracts. Now, this is in my personal opinion as a small businessman, a Bill that should very definitely not be passed because the little people quite often will be behind a little in the payment of their unemployment tax. They will pay it before the three month period is over, but occasionally, they will miss a payment. They'll be a

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little late. And it puts them in jeopardy of committing a crime against the state, which I think is exceptionally harsh. That people...people in this category need all the help they can get. They don't need another government regulation that's going to make them in noncompliance and give them an opportunity of having to go to jail or pay a big fine. So I suggest that we vote 'no' on this Bill. Thank you."

Speaker Giglio: "Representative Kulas."

Kulas: "Just to answer Representative Barger. The Governor made some changes on this Bill where...the municipality with contract out, with someone who's delinquent, if there's a necessity, if they can't get other services. What you're saying is that we should protect the scofflaws, those people who don't pay their taxes. Well, this is saying, if you don't pay your taxes, and not just one month behind or two months behind, but if you're seriously delinquent, then you can't do business with a...with municipalities. That's all we're saying. You pay your dues first, then you can make your money. Don't make your money and let the state pay for it. This Bill passed out of the House unanimously. It passed out of the Senate, and I would ask for its passage now."

Speaker Giglio: "The question is, 'Shall Senate Bill 731 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. Excuse me. Representative Hultgren."

Hultgren: "I'm sorry. How many votes did you say?"

Speaker Giglio: "Seventy-one. 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 86 voting 'yes', 21 voting 'no', and 3 voting 'present' and Senate Bill 731, having received the Constitutional Majority, is hereby declared passed. Representative Granberg. Is

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Representative Granberg in the chamber? House Bill 168 - Conference Committee Reports. Out of the record. House Bill 416, Representative Curran. Representative Curran moves to take from the table and suspend Rule 79(e) and place on the Order of Conference Committee Report. Gentleman have leave? Hearing none, leave is granted by the use of the Attendance Roll Call."

Curran: "Thank you, Mr. Speaker."

Speaker Giglio: "Representative Curran on House Bill 416."

Curran: "Mr. Speaker, I'd like to defer to Representative Hoffman on the...on the initial contents of House Bill 416 and then I'll take it from there."

Speaker Giglio: "Representative Hoffman, the Gentleman from DuPage."

Hoffman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 416 - Conference Committee Report includes a number of items that were passed during the last Session. One of those items was included in Senate Bill 960. And this is the Bill that created the School District Emergency Finance Assistance Law to provide emergency state financial assistance to school districts certified to be in financial difficulty and to establish a secure financial base or basis for their continued existence. Establish oversight panels for school districts receiving emergency financial aid and creates a school district emergency financial assistance fund. This is one of the Bills that the Governor amendatorily vetoed, which he changed the effective date. And for that reason, it is back in the Conference Committee Report on House Bill 416. House Bill 416 also includes the contents of Senate Bill 112, which dealt with the requirements for admission to higher ed. and allowed the redistribution of up to three of the required fifteen units within the categories of math, science,

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social studies and the electives, gave the local school districts the option of using those how they saw fit and allowed other kinds of flexibilities for students who hadn't had the kinds of opportunities necessary to get the required courses. It also includes Senate Bill 1070...1079, which limited the number of hours spent on the state pupil assessment program to five hours a year per...per pupil. Unless I have missed something, I think that's the general coverage of the contents of the Conference Committee Report."

Speaker Giglio: "Further discussion? Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Giglio: "Indicates he will."

Cullerton: "Representative, have you cleared this with Representative McCracken?"

Curran: "I'm the Sponsor. No."

Cullerton: "Okay, thank you."

Speaker Giglio: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker. I just want to stand in support of House Bill 416, particularly in the area that deals with Senate Bill 112, because it now once and for all attempts to address those 70% of high school students that do not go on to higher education in allowing them to expand their skill options for going into the workplace when they graduate hopefully from high school. Thank you."

Speaker Giglio: "Representative McNamara."

McNamara: "Yes, an inquiry to Representative Hoffman. Representative Hoffman, in this Bill the provisions, if I understand correctly, the provisions before that are given to the State Board of Education is that they can dissolve the school board if they do not follow the dictates. Is that correct?"

Hoffman: "In order to participate in this program, the school

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board...the school board has to ask for that opportunity."

McNamara: "They have to ask for the opportunity. Yet once they are in, then...and if they do not follow the dictates of the state, the State Board can dissolve that school district and ask the superintendent of the school district to appoint new school board members. Is that correct?"

Hoffman: "What happens...What happens is that they voluntarily go in the program, if they don't...they don't do what they are suppose to do under the Act, then they can be...they can be taken out."

McNamara: "In other words, it's still that...we'll say in Cook County, Superintendent Martwick would have the ability to put in new board members. Is that correct? If they did not do what they were told. Is that provision still in there?"

Hoffman: "The Bill is exactly the same as it was last time..."

McNamara: "That provision is still in there then?"

Hoffman: "That provision is still in there. The only thing that's different is the effective date."

McNamara: "Okay. Second question, on the original Bill provision, there was a provision there for a tax increase without referendum, without either front door or backdoor, but merely instituted by the State Board of Education demanding that the tax be increased. Is that provision still in there?"

Hoffman: "That...The provision that requires a levy to repay the loan that is given out of the fund is in the same way that it was...in the original Bill."

McNamara: "Okay, so the provision for a tax increase without any referendum just by the State Board saying, 'Yes, you have to pay back these funds,' and institutes a levy to that without any input from the people, referendum otherwise is still in the Bill then. That's what you told me."



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Hoffman: "There is...It is no different than it was when we passed it."

McNamara: "Then I understand. It's still in the Bill. Okay. On this concept, I think that there is a very...To the Bill. I think that there is a very dangerous concept here. First of all, we have taken the control out of the people's hands, and we will allow the State Board of Education to allow the superintendent of the schools to appoint members of a school board if they deem that they are not following the directions, the direction of the State Board. The second thing in there is that if there are monies lent and those monies can't be paid back, the State Board of Education can institute a procedure whereby a tax increase without referendum, a tax increase without anything else other than their dictates, must be levied against the people so people have absolutely no input. I think this is a very bad concept. I think there are ways of strengthening it to allow people to come back into the process, but in this case, we are taking the people of an area totally out of control of a school district, and I think that's wrong."

Speaker Giglio: "Gentleman from Cook, Representative Piel."

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

Speaker Giglio: "Indicates he will."

Piel: "Representative Hoffman, let me give you a hypothetical example and tell me if this could take place under this Bill. A school district is really strapped for money and they put through a...they put forth a referendum. The referendum fails and we'll say it fails one, two, three times. They borrow money from the state. The...They do not have the funds to pay this back. The State Board then has the option of levying a tax to the residents of that

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district. Could this technically take place?"

Hoffman: "What...What happens is that initially the school board has to request that they participate in the process. It also provides that the...the local school district has to be certified by the State Board to be in financial difficulties on the terms of the School Code. A majority of those that board members have to petition for the Emergency Finance Authority assistance. They set up a oversight panel, three member oversite panel, and they can require that the Board of Education levy a separate, local property tax sufficient to repay such assistance."

Piel: "So in other words, what you're saying instead of a yes or no answer, what you're basically saying is a referendum could be defeated at numerous times in a district. They...Board could by a specific vote go to the State Board, ask for financial assistance, then go default with the State Board on this financial assistance, and the State Board then could levy a tax in that specific district to cover that default. Correct?"

Hoffman: "No, the Board...the Board would have to levy a separate property tax sufficient to repay the assistance that they received, because this is going to come out of a pool..."

Piel: "What I'm saying...What I'm saying is basically whether the state is levying this or the Board is levying this, what you're basically doing is giving the Board or the state, doing it themselves or giving the Board the authority to levy this tax whereas it's already been voted down on numerous occasions."

Hoffman: "Well, again, let me back up and point out that these school districts...any school district that involved...gets involved in this has to be in such dire financial straits that they can't even function as a school. I mean just..."

Piel: "I understand what you're saying, Gene, but when you and I

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have seen this many, many times to where taxpayers in a specific district have voted down on numerous occasions referendums to raise taxes, and so with this the way this is stated is that this could technically happen to where taxpayers in a specific school district could vote down many times referendums to raise taxes, and then the school board could go to the state and under their jurisdiction get the tax raised. Correct?"

Hoffman: "In...in order for them...In order for them to participate, for any school to participate in this, they have to meet the requirements of being in, you know, the requirements that are in the School Code which illustrate that they're in extreme financial difficulty. You can't just go because you haven't passed a referendum."

Piel: "I understand. I understand, but let's say they want the referendum because they are in, you know, dire financial straits. If they are in dire financial straits, technically what we are doing to them then is giving them the opportunity of, you know, passing a tax increase in that specific district without a...you know, without voter approval."

Hoffman: "Without...the Board has to ask for that assistance and the Board has to make the levy."

Piel: "Without voter approval, correct?"

Hoffman: "They...without voter approval, that's right."

Piel: "Okay, thank you. Thank you. No further questions, Mr. Speaker."

Speaker Giglio: "Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative, over here. Hi, my friend, how you doing? There's been a lot of questions asked and answered and I just have one point of clarification. On page 17 of the Report, subsection (1), it deals with reorganization or

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dissolution of the school district by recommendation of this panel...Subsection (1) deals with a recommended dissolution or reorganization of the school district by the General Assembly. Now does this mean that this panel may recommend to the General Assembly that this school district consolidate with another school district, and we would then have to vote on that over here?"

Hoffman: "No."

Weaver: "What...what level of approval does the General Assembly then exercise? It's on page 17."

Hoffman: "I think...Excuse me a second. My handlers are talking here."

Weaver: "Okay."

Hoffman: "That...That should have said...That should have said to the State Board of Education rather than the General Assembly. I cannot explain why that..."

Weaver: "Well, that is the source of my confusion as well. I...Yea, Mr. Speaker, Ladies and Gentlemen of the House, to this Report, it obviously has some major problems and perhaps they can be taken care of in a Second Conference Committee, but I think there is some major flaws in this situation that we absolutely can't let this out in its present form, and I would urge you to oppose this Conference Committee Report."

Speaker Giglio: "John Matijeovich...Mr. Hoffman, are you through? Monroe Flinn."

Flinn: "Well, Mr. Speaker, I think we've spent enough time on this. Why don't I move the previous question. We'll move along."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The previous question's been moved. Representative Curran, close."

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Curran: "Thank you, Mr. Speaker. Let me shed a little light here. What we've been talking about is a local school district which would be in deep financial trouble, coming to state asking for help. And some of the things that some of the Legislators are upset about are really just good government practices, making sure that once a loan is made that that loan has to be paid back. It is not the case that...that referenda after referenda could be defeated and then that same amount simply be achieved this way through the backdoor. It is only the amount of a loan that would have to be repaid. We would all want that to be repaid, because that is simply a good government practice. This Bill has passed the Senate twice, the House once. It passed both committees, House and Senate. And I think we need to understand that what we're talking about here is simply a good government practice of helping a troubled school district out of serious problems and then making sure that good sound financial practices are backing up that loan. Now in addition to this particular aspect that we've talked so much about, I want to make it clear that this Bill also has in...this Conference Committee Report also has in it the provisions of Senate Bill 112, Senate Bill 960 and Senate Bill 1079. These are provisions which are approved of and your support is being sought by the State Board of Education and the Illinois Education Association, to mention just two. We've already passed this Bill; the Senate has already passed it. This is an excellent idea. This is simply good government. We're simply monitoring to make sure that the loans get paid back, and I ask for an 'aye' vote in the name of those organizations that are in favor of this legislation."

Speaker Giglio: "The question is, 'Shall the House adopt Conference Committee Report to House Bill 416?' All those

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in favor signify by voting 'aye', those opposed 'nay'. The voting is open. One minute to explain your vote, Representative Mulcahey."

Mulcahey: "Mr. Speaker...Mr. Speaker, forget it."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? The Gentleman from Lake, Representative Matijevich."

Matijevich: "It's not necessary now. Thank you."

Speaker Giglio: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 89 voting 'yes', 17 voting 'no', 5 voting 'present'. The House does adopt the First Conference Committee Report to House Bill 416 and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Olson."

Olson, M.: "Thank you, Mr. Speaker. The Republicans request a Conference in 118 for one hour."

Speaker Giglio: "Republi...Republicans...Alright, the Republicans have asked for a Conference in Room 118. The Republicans will kindly go to Room 118. The Democrats will go to Room 114. Democratic Conference in Room 114; Republican Conference in Room 118...for approximately one hour. The House will stand in recess."

Speaker Giglio: "The House will come to order. Messages from the Senate."

Clerk O'Brien: "Message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives the Senate has refused to concur with the House in the adoption of their Amendments of the Bill with the following title, to wit; Senate Bill #1136, House Amendments #1 and 2, action taken by the Senate November 2, 1989, by a three-fifths vote. Linda Hawker, Secretary.' A Message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of

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Representatives the Senate has adopted the following Senate Joint Resolution, the adoption of which I'm instructed to ask concurrence of the House of Representatives, to wit; Senate Joint Resolution #106, adopted by the Senate November 2, 1989. Linda Hawker, Secretary.'"

Speaker Giglio: "Alright, the House will return to Supplemental Calendar #2 and on that Order of Business on Conference Committee Reports, the following Representatives have Bills. I would ask if you're not in the chamber, you're in your office, to return to the House chambers for...to proceed. Representative Homer, Representative Curran, Mautino, Farley, Terzich, Kirkland, Leitch, Woolard, Ronan and Mautino again. On that Order appears House Bill 168 - Conference Committee Reports. Supplemental Calendar #2, Representative Homer."

Homer: "Thank you. Mr. Speaker, Ladies and Gentlemen, this Bill is left over from the spring and in its current form in Conference Committee #2, I believe to be very noncontroversial. It would be in the identical form that the Bill passed here last year by a vote of 110 to 7. The Bill provides for liquidated damage clauses to be enforced in agreements between private organizations and students for loans or grants for medical education or recommendation to medical schools. Currently, the Illinois Farm Bureau and the Illinois State Medical Society have a joint board which recommends students to medical schools and also provides grants and loans requiring the student to sign a contract with this liquidated damage clause in it. If the student then decides or changes his or her mind about locating in a medical shortage area as prescribed in the contract, then the student is required to pay the liquidated damage agreed upon in the contract. This Bill simply provides legislation to provide that the liquidated

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damage clauses are enforceable. I would answer questions. I think it's noncontroversial however, and I would urge adoption."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 168?' And on that question all those in favor signify by voting 'aye', those opposed 'nay'. The 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 110 voting 'yes', none voting 'no', and none voting 'present', and the House does adopt the First Conference Committee Report to House Bill 168 and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Mautino on House Bill 2798. And on that for a Motion, Representative Mautino moves to take from the table and suspend Rule 79(e) and place on the Order of Conference Committee Reports. Does the Gentleman have leave by the Attendance Roll Call? Hearing none, leave is granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2798, a Bill for an Act to amend the Illinois Banking Act with a Second Conference Committee Report."

Speaker Giglio: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you very much. Mr. Speaker and Members of the House, the Second Conference Committee on House Bill 2798 addressed the previous Bills that were passed as it pertains to the savings and loans and the banks as it pertains to holding companies and expansion of facilities. This legislation is the result of the federal action taken under the Federal Financial Institutions Reform, Recovery and Enforcement Act of 1989. This has the support of the



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Illinois Bankers Association, the Community Bankers Association of Illinois, the Illinois League of Savings Institutions, the First National Bank of Chicago, City Court Savings of Illinois, Bank for Savings and Loan Associations, Commissioner of Banks, Bill Harris, the Commissioner of Savings and Loans, the Corporate Officers, Continental National Bank and Household International. There are no known opponents to the Bill. The Conference Committee Report incorporates all of those changes that are needed in the financial institutions, both banks and savings and loan. The legislation amends the Illinois Banking Act and the Illinois Bank Holding Company Act and the Illinois Savings and Loan Act of '85 to provide the necessary emergency solutions to deal with the sale of assets or mergers of banks and thrifts to implement those provisions of FIRIA. The specific provisions allow for the bank holding companies to charter a new bank, to buy the assets and to assume the deposit liabilities of either a bank or a thrift of the Illinois Bank Holding Company Act under that provision as well as Section 8 and 31 of the Illinois Bank Act. This permits a healthy state bank or savings association to merge with an eligible depository institution, which is a bank or a thrift, which could be or is in default or in danger of default with a healthy bank or thrift resulting as the case may be. It also permits the healthy state bank or savings association to purchase the assets and assume the liabilities of an eligible depository institution. It also permits a state bank or savings association to purchase up to 35 percent of deposits of a bank or a thrift, which will not...while not in default or in danger of default, does not meet the current minimum capital requirements. So basically, what we've done with this legislation is incorporate all those

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changes that were provided in the Federal Law and moving them into the Statute of the State of Illinois. We've made other...other additions and corrections as it pertains to...what was Senate Bill...Senate Bill 952, to move the investments in a community development to its own individual paragraph and for imposing the limits of five percent of a bank's capital and surplus for those activities. I could go on and on concerning the provisions also for the Illinois Savings and Loan Associations which has been signed off to or by all of those involved. It's been a long process over the past three months to put everything under one provision. And I move for the adoption of Conference Committee Report #2 to House Bill 2798, and I would be happy to answer any questions on the subject."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? The Gentleman from Cook, Representative Piel."

Piel: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I also stand and rise in support of House Bill 2798. Basically, what Representative Mautino stated is true. I don't know of any known opponents. I know that everybody in the savings and the banking industry, whether it be the commissioners of the said organizations or the organizations themselves, they are all in favor of this. And basically what this Bill does, there's a lot of, you know, gobbledygook so to speak, but it brings up with the Federal Law. And I would ask for a favorable Roll Call."

Speaker Giglio: "The Gentleman from Cook, Representative Parke."

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

Speaker Giglio: "He indicates he will."

Parke: "Representative Mautino, in the conversion of a thrift or a savings and loan to a bank, what happens to the insurance

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powers that that savings and loan or thrift had?"

Mautino: "That's a darn good question, Terry. Give me about a second or two but I..."

Parke: "Well, for intent, I will tell you that they will lose that and they will not have insurance powers upon the conversion to another bank. If you have a thrift or a savings and loan..."

Mautino: "I have been informed by a reliable source that if that occurs and the thrift have the insurance certificate and it was molded into a bank, that certificate would go bye-bye and...and the...bank would not have the certificate for insurance."

Parke: "That is correct. So, in essence there would be no insurance powers in this Bill?"

Mautino: "That's what I'm informed."

Parke: "Thank you. I rise in support of this legislation then."

Speaker Giglio: "Representative Weaver."

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

Speaker Giglio: "He indicates he will."

Weaver: "Just a couple quick questions to clarify...I'm not able to find any direct reference in here, but this does not allow for any new branch banking provisions, does it?"

Mautino: "None that are in this Conference Committee Report, no."

Weaver: "Does this deal with the shelf certificates at all?"

Mautino: "That was addressed in two other Bills that corrects some language that was necessary according to Commissioner Harris, yes."

Weaver: "Okay. Thank you."

Speaker Giglio: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

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Black: "Thank you. Representative, a very quick question. There is some language in here dealing with automatic teller machines, Easy Answers, those kinds of little drive-ups, and I think all of us are familiar with. I think all you're doing is clarifying how that's reported under the Fair Credit Act. You're not...you're not restricting access or eliminating or regulating any...in any way, shape or form ATM machines here, are you?"

Mautino: "No, we put them in the proper provisions of our statute, and they are not intended to be within that credit information program administered by the Commissioner of Banks. It is a corrected measure only."

Black: "Thank you very much, Representative. Thank you, Mr. Speaker."

Speaker Giglio: "Representative Mautino, to close."

Mautino: "I think everyone understands that we've made those changes that were directed and provided by the Federal Government into Illinois Statute under FIRIA, and I ask for your support for Conference Committee Report #2 to House Bill 2798."

Speaker Giglio: "The question is, 'Shall the House adopt Second Conference Committee Report to House Bill 2798?' And on that question, all those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? The...Representative Giorgi, are you seeking recognition?"

Giorgi: "No."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'yes', none voting 'no', and 1 voting 'present', and the House does adopt Second Conference Committee Report to House Bill 2798 and this Bill, having received the required Constitutional Majority, is hereby

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declared passed. Representative Farley. Is Representative Farley in the chamber? Out of the record, Mr. Clerk. Representative Terzich, Senate Bill 136. Out of the record. Representative Curran. Representative Curran on Senate Bill 632."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to accept Conference Committee Report on Senate Bill 632. It now contains the provisions of Senate Bill 10, Senate Bill 333, House Bill 1395 and House Bill 1555. There are four provisions here. One deals with the higher education student financial assistance. It's a Illinois State Scholarship provision that among other things prohibits the issuance or renewal of license for attorneys who default on educational loans; talks about the educational service centers and that three of the members of that eleven member governing board be public school teachers; talks about special education, that's the provision of House Bill 1395, where handicapped children when mainstreamed would be provided with the supplementary services to assist them to benefit from a regular education; and then it also deals with the transitional bilingual educational certificates as to whether those can be substitute or transitional certificates. I know of no opposition and ask for a favorable Roll Call."

Speaker McPike: "Representative McPike in the Chair. On the Gentleman's Motion, Representative Kirkland."

Kirkland: "Yes, will the Sponsor yield?"

Speaker McPike: "Yes."

Kirkland: "I just want to ask a question on the part of the Bill that pertained to former, is it House or Senate Bill 1555 and ask if that applies to Cook County?"

Curran: "I believe that it does not. Thank you for asking the question."

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Kirkland: "Okay, thanks."

Speaker McPike: "Further questions? Representative Curran, to close."

Curran: "I think it's been laid out. I don't know of any opposition, ask for favorable Roll Call."

Speaker McPike: "Question is, 'Shall the House adopt the Conference Committee Report...the First Conference Committee Report to Senate Bill 632?' This is final action. The voting is now open. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 114 'ayes', no 'nays', none voting 'present', and the House does adopt Conference Committee Report #1 to Senate Bill 632 and the Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 85, Representative Farley. Out of the record. Senate Bill 667, Representative Kirkland."

Kirkland: "Thank you. I believe there's...we need a Motion to suspend Rule 79(e) and place the Bill on the Order of Conference Committee Report."

Speaker McPike: "Yes, you've heard the Gentleman's Motion. Is there any discussion? On the Motion, Representative? Representative Doederlein, do you want to discuss the Motion? Representative Doederlein."

Doederlein: "Mr. Speaker, will the Sponsor yield for a question?"

Speaker McPike: "Yes."

Kirkland: "On the Motion? Sure."

Speaker McPike: "Yes, he will."

Doederlein: "Can the Sponsor tell me if there are any new firearm regulations in this Bill?"

Kirkland: "Any new what?"

Doederlein: "Any new firearm regulations in this Bill?"

Speaker McPike: "Representative, Representative, we're on a Motion. You want to wait until we get to the Bill."

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Doederlein: "Oh, I'm sorry."

Speaker McPike: "Alright. Is there any discussion on the Motion? Hearing none, the question is, 'Shall the Motion be adopted?' Using the Attendance Roll Call, the Motion carries. Now, Representative Kirkland."

Kirkland: "I'd like to present the Bill on Con...move for approval of Conference Committee Report #1."

Speaker McPike: "Representative, did you want to explain the..."

Kirkland: "Yea, yes. Okay, several parts to this Bill. It amends the State Comptroller Act, provides that the Comptroller's annual list of all state employees shall not include the home address of Department of Corrections employees, Department of State Police employees or DCFS employees. It also amends the statute enumerating the powers and duties of the county boards, providing that a county board may require a court services fee be paid by a defendant who is sentenced to probation without entry of judgment pursuant to the Criminal Code Section on aggravated battery of a child. Amends the Juvenile Court Act, provides that when a minor is confined in a county or municipal jail for more than six hours, the minor shall be under periodic and that...periodic supervision. The current term in the statute is continuous supervision. I want to put in the record that the intention of the periodic supervision is that still involves supervision every five or ten minutes and certainly not more than every fifteen minutes. Amends the Criminal Code, provides that a second or subsequent offense of aggravated battery of a child committed after a conviction, but before five years have elapsed following completion of the sentence for that prior conviction, is a Class X Felony. The current statute calls for only three years to have elapsed. Amends the Criminal Code, providing it is a Class 4 Felony unlawful

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use of weapon and, Representative Doederlein, listen up here, unlawful use of weapon to discharge a firearm from a vehicle, but also provides an affirmative defense for that charge if the defendant was hunting for game at the time the firearm was discharged. I might add that I believe Representative Tate has looked this over and given his approval. Amends the Criminal Code, provides an affirmative defense for an arrestee who brings contraband into a penal institution if the contraband which he possessed at the time of his arrest was brought into the penal institution due to the arresting agency overlooking the contraband during its search of such arrestee. Also redefines employee within the Section of unauthorizing of bringing contraband into a penal institution by an employee. This definition was at the request of IDOT. Provides that it is a Class I Felony for an employee to bring, permit to be brought or possess a weapon without proper authority in a penal institution. Provides it is a Class X Felony for an employee to bring, permit to be brought or possess an explosive firearm ammunition or a firearm without proper authority into a penal institution.

Ask for passage of the Conference Committee Report."

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

Doederlein: "Yes, Mr. Speaker, I want to thank Representative Kirkland for explaining the Bill so thoroughly, and I would just state that I may have a conflict of interest so I will vote my conscience."

Speaker McPike: "Representative Countryman."

Countryman: "Will the Gentleman yield?"

Speaker McPike: "Yes."

Countryman: "Sure. Now let's see, you can...you can...You can't shoot a firearm from a vehicle; that's going to be a Class



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4 Felony. But if you shoot at a bird or a game mammal or a fur bearing mammal, then that's an affirmative defense. Is that right?"

Kirkland: "That's correct."

Countryman: "Well, how...I mean aren't you always going to be saying I was shooting at that dove over there?"

Kirkland: "You know, I've been thinking about this question a long time, Representative. Ask your question again."

Countryman: "Well, I mean, aren't you going to...every time somebody gets arrested for this offense, they're going to say there was a dove over there and I was shooting at the dove, so it's an affirmative defense?"

Kirkland: "The defendant would have to prove that as an affirmative defense. That's correct."

Countryman: "But, I mean, aren't we really making a worthless offense here by...by giving almost to anybody a reason for saying I was shooting at a dove or I was shooting at a raccoon or something like that?"

Kirkland: "Well, I think everybody's going to have to draw their own conclusion. I would say that this is not my language, but this might be a good case for a young judge to have come before him and decide and maybe go up on appeal and see what happens."

Countryman: "No, what is a fur bearing mammal? We...we as human beings, we're mammals, aren't we?"

Kirkland: "Good point."

Countryman: "Don't we...don't we...I think Representative Hultgren's got a beard. Is that a fur bearing mammal?"

Kirkland: "Very good. Correct, Representative."

Countryman: "Alright, now with regard to the juvenile detention though, you said that your intent as the Sponsor of this legislation is that periodic supervision would include in your judgment somebody looking in on that juvenile within

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at least every fifteen minutes, not more than fifteen minutes."

Kirkland: "Yes, preferably five to ten minutes. The problem was that the Department of Corrections was...was...defining the word 'continuous' as, you know, continuous supervision which just wasn't practical."

Countryman: "But, you...you're not thinking of a time more than fifteen minutes where somebody wouldn't check in?"

Kirkland: "Absolutely. That's correct...that's correct."

Countryman: "And then...when you're talking about an affirmative defense to possessing contraband in a penal institution, the person wouldn't have to be arrested for the offense of possessing the contraband in order for this to be affirmative defense, would they?"

Kirkland: "That's correct."

Countryman: "Okay. Thank you."

Kirkland: "Okay."

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

Kirkland: "I just ask for passage of the Bill. Thank you."

Speaker McPike: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 667?' This is final action. The voting is now open. All voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 100...Curran, 'aye'. On this Motion there are 113 'ayes', no 'nays', 2 voting 'present'. The House does adopt the First Conference Committee Report to Senate Bill 667. The Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 856, Representative Leitch. No? Out of the record. Senate Bill 85, Representative Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move that we do not adopt the First

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Conference Committee Report on Senate Bill 85 and ask for a Second Conference Committee. There are some corrections that have to be made and I would so move, Mr. Speaker."

Speaker McPike: "The question is, 'Shall the House reject the First Conference Committee Report to Senate Bill 85?' And the Gentleman asks for a Second Conference Committee. All those in favor of the Gentleman's Motion say 'aye', opposed 'no'. The 'ayes' have it. The Motion carries. Senate Bill 136, Representative Terzich."

Terzich: "Yes, Mr. Speaker. I move that we do not adopt the First Conference Committee Report and ask that a Second Conference Committee be called."

Speaker McPike: "Representative Terzich, you have to call your Motion first. Representative Terzich moves to suspend the rule..."

Terzich: "Well, I'd like to suspend the appropriate rule."

Speaker McPike: "...Yea, he moves to suspend Rule 79(e) and place on the Calendar of Conference Committee Report, Senate Bill 136. Any objections? Using the Attendance Roll Call, the Motion carries. The Gentleman now moves to reject the First Conference Committee Report to Senate Bill 136 and asks for a Second Conference Committee. All those in favor of the Gentleman's Motion say 'aye', opposed 'no'. The 'ayes' have it. The Motion carries. On the Order of Conference Committee Reports - Consideration Postponed. Senate Bill 1075, Representative Ronan."

Ronan: "Thank you, Mr. Speaker. I'd like to defer to my distinguished colleague, Representative DeJaegher, to handle this Bill."

Speaker McPike: "Representative DeJaegher."

DeJaegher: "Thank you, Representative Ronan. I move to accept the First Conference Committee Report to Senate Bill 1075. As you all know, there were (sic - was) a controversy

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pertaining to this particular Bill. The amendatory wording that the Governor recommended has been incorporated into this Bill. The...appropriation has been already passed. And basically all this does is put us in conformity with federal regulations pertaining to home health care services. I don't feel that this Bill will have controversy at this particular time, and I hope for...and I move for passage of Senate Bill 1075."

Speaker McPike: "Any discussion? Representative McCracken."

McCracken: "I think we can do this agreeably this time, Bob. Can we take it out of the record for just a minute though?"

Speaker McPike: "Yes. Out of the record. On the Speaker's Table, Senate Joint Resolution 13. Representative Mautino. Is he here? Yes."

Mautino: "Thank you very much, Mr. Speaker. I believe I have a Motion on this Resolution and there is an Amendment. So for the purposes of Amendment, I'd like to present that. I think it's Floor Amendment #1."

Speaker McPike: "Mr. Clerk, do you have a Motion on this? Representative Mautino, we don't have any Motion on this."

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

Speaker McPike: "Representative Mautino on the Amendment."

Mautino: "Thank you very much, Mr. Speaker. The Amendment...Amendment #1, all that Amendment does...it's been cleared with the other side of the aisle. It changes the name from the Joint Committee on Affordable Health Insurance to the Advisory Panel to the Department of Insurance. And I move for its adoption."

Speaker McPike: "The Gentleman moves to adopt Amendment #1. Is there any discussion? There being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's

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adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Representative Mautino."

Mautino: "Thank you very much. This Amendment was the result of two proposals that were presented to the General Assembly, namely House... Senate Bill 400, House Bill 1500. It establishes the Advisory Panel to the Department of Insurance with committee members to be named, and it includes Members of the Senate...Chairman of the Senate Committee on Insurance Pensions and License Activities, the Chairman of the Health Insurance Committee, as co-chairs, Members of the Senate, and public members appointed by the President of the Senate and Speaker of the House. The charge of the Advisory Panel is to address the questions of escalating health cost care... health care costs in the State of Illinois and a reporting date back to the General Assembly their findings because of the escalating cost of health care to be March 1st of 1990. And I move for the adoption of SJR 13."

Speaker McPike: "And on the Motion, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Parliamentary Inquiry. Does this require 71 votes for passage? It requires a report back to this Body by March 1, I believe, 1990."

Speaker McPike: "Representative McCracken, it requires 60 votes."

McCracken: "To the Motion, thank you. This is duplicative of the Governor's Task Force, which is going to begin meetings in the very near future, maybe even tomorrow or within the next week or so. And as such, I think it really doesn't serve a useful purpose. As a matter of fact, it is at least duplicative and may, in fact, work at cross purposes with the other task force that has already been convened. I rise in opposition."

Speaker McPike: "Representative Mautino to close."

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Mautino: "Thank you, Mr. Speaker. I think the Gentleman remembers the previous Bill he was a Sponsor of as it pertained to Medical Waste Task Force and the duplicity of the legislation he just presented. This proposal was brought to us by the Hospital Association, and I believe that there is no cost whatsoever to the State of Illinois because the participants in the panel will be handling their own expenses in this regard. I think that the broader scope that has been provided on the questions of uninsured individuals in hospital care and the fact that this was the initiative of the Hospital Association themselves, I think is a credit to the Joint Resolution. And for the life of me, I don't understand why the good Representative McCracken would stand in opposition when, in fact, I think the...one of the spokesmen and one of the advocates of the legislation...or two of them are from his side of the aisle and prominent members of the Insurance Committee, Representatives Regan and Parke. I ask for your support."

Speaker McPike: "The question is, 'Shall the House adopt Senate Joint Resolution 13?' All those in favor of the Motion vote 'aye', opposed vote 'no'. Representative Petka. Never mind, turn him off. Have all voted? Have all voted who wish? Take the record, Mr. Clerk. On this Motion there are 106 'ayes', 8 'nos', none voting 'present', and the House does adopt Senate Joint Resolution 13. Under Motions on Senate Bill 97, Representative Mautino on a Motion."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 97 is a con... Oh, I'm sorry. There is a Motion, I'm sorry."

Speaker McPike: "On a Motion."

Mautino: "On the Motion. I move to suspend Rule 79(e) and place

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on the Calendar of the Order of Conference Committee Reports, Mr. Speaker."

Speaker McPike: "Any objections? Any discussion? Hearing none, the Attendance Roll Call will be used. The Motion carries. Representative Steczo on a Motion. Senate Bill 1072."

Steczko: "Thank you, Mr. Speaker. I move to suspend Rule 79(e) and place Senate Bill 72 (sic - 1072) on the Order of Calendar Conference Committee Reports, please."

Speaker McPike: "This is on Senate Bill 1072. Any discussion? Any objections? Hearing none, the Attendance Roll Call will be used. The Motion carries. Returning to the Order of Conference Committee Reports - Consideration Postponed is Senate Bill 1075, Representative DeJaegher."

DeJaegher: "Thank you, Mr. Speaker, Members of the General Assembly. I think the differences that this side of the aisle had with that side of the aisle has been completely resolved. I don't believe it's necessary to discuss the Bill anymore in its entirety. I just ask for a favorable Roll Call."

Speaker McPike: "Any discussion? Representative Dunn, do you want to discuss this?"

Dunn: "Yea. Is this riverboat gambling?"

Speaker McPike: "Yes."

Dunn: "What I'd like to know is...is the Arlington Park provision still in this Bill?"

Speaker McPike: "No."

Dunn: "Will the Sponsor yield and answer that question?"

Speaker McPike: "Representative...Representative Dunn ...Representative Dunn, I thought you asked me if he was a riverboat gambler and I replied yes."

Dunn: "No, I know you are."

Speaker McPike: "This Bill has nothing to do with riverboat gambling."

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Dunn: "Alright. Will the Gentleman tell me what this Bill does?"

Speaker McPike: "He just did, Representative Dunn. Do you want him to repeat it?"

Dunn: "I couldn't hear."

Speaker McPike: "Do you want him to repeat it?"

Dunn: "Yes."

Speaker McPike: "Representative."

Mautino: "Representative Dunn, basically, what it is, is providing more home health care services."

Speaker McPike: "Further discussion? Representative McCrack...There being none, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1075?' This is final action. The voting's now open. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 114 'ayes', 1 'no', none voting 'present', and the House does adopt the First Conference Committee Report to Senate Bill 1075. The Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Cowlshaw. On page 2, House Bills - Second Reading. Did you wish to make a Motion on this Bill?"

Cowlshaw: "Yes, thank you."

Speaker McPike: "Thirteen eighty-two (1382)."

Cowlshaw: "Thank you, Mr. Speaker. House Bill 1382, which is listed at the top of page 2 of the Calendar, had been on the Interim Study Calendar of the Higher Education Committee. We had felt we might need it for something during this Veto Session, but that need has not materialized and so I would move to place House Bill 1382 back on the Interim Study Calendar of the Higher Education Committee."

Speaker McPike: "You've heard the Lady's Motion. Is there any objection? Hearing none, the Attendance Roll Call will be



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used and the Bill is on Interim Study. And Representative,  
you have a second Motion."

Cowlshaw: "Yes, thank you."

Speaker McPike: "Page 6 of the Calendar on House Bill 485."

Cowlshaw: "Yes, thank you, Mr. Speaker. House Bill 485 was also  
one of those that the library systems thought they might  
need. I move to take House Bill 485 from the table, to  
return it to the Committee on Counties and Townships and  
place it there on Interim Study status."

Speaker McPike: "Alright, the Lady moves to take it from the  
table. This Motion on the table...in the Calendar is not a  
correct Motion. The Lady moves to take the Bill from the  
table and place it in Interim Study on the Committee on  
Counties and Townships. Any objections? Hearing none, the  
Attendance Roll Call will be used. The Motion carries.  
Alright, Representative Giorgi on a Motion."

Giorgi: "Mr. Speaker, I have a Motion filed with the Clerk to  
take the Bill from the table and put it on Interim Study  
also."

Speaker McPike: "What's the Bill number?"

Giorgi: "Does the Clerk have it there?"

Speaker McPike: "We don't know the Bill number, Representative.  
If you can tell us the Bill number. Mr. Clerk, take  
Representative Giorgi out of the record. The Chair is  
waiting for Supplemental #3. Representative Giorgi."

Giorgi: "Mr. Speaker, I have the Bill number now, but the..."

Speaker McPike: "Yes. State your Motion."

Giorgi: "The Motion is to take House Bill 554 from the table and  
place it on Interim Study so we can have a hearing between  
now and next Session. Jud. I Committee."

Speaker McPike: "On the Motion, Representative McCracken."

McCracken: "Is that the dreaded riverboat gambling vehicle for  
next spring?"

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Giorgi: "No, it's the Malpractice Lawyers' Bill."

McCracken: "Lawyers Malpractice?"

Giorgi: "I'm shoveling for lawyers."

McCracken: "It's alright with me."

Speaker McPike: "Hearing no objections, you've heard the Gentleman's Motion. The Attendance Roll Call will be used. The Motion carries. Representative Giorgi, I understood your Motion was to take it from the table and place it on Interim Study in the Judiciary I Committee. That's the Motion that carried. Representative Matijevich."

Matijevich: "Yes, Mr. Speaker, I would ask leave of the House and use of the Attendance Roll Call to waive the posting notice and the rule whereby a committee cannot meet while the House is in Session, for the purpose of the following Bills to be heard in the Rules Committee immediately in the Speaker's Conference Room: House Bill 1359, House Bill 713, House Bill 1072, House Bill 2733 and House Bill 2045. Thank you, Mr. Speaker."

Speaker McPike: "Any discussion on that? Representative McCracken."

McCracken: "2035? Or 45?"

Speaker McPike: "Representative Matijevich."

Matijevich: "2045. It's 2733, Tom."

McCracken: "Okay, thank you."

Matijevich: "Thank you."

Speaker McPike: "Alright, hearing no objections, the Attendance Roll Call will be used and the Motion carries. Representative Matijevich, are you meeting immediately? Alright, the Rules Committee will meet immediately in the room behind the podium. Mr. Clerk."

Clerk O'Brien: "Supplemental Calendar #3 is being distributed."

Speaker McPike: "Committee Report."

Clerk O'Brien: "Rules Committee has met pursuant to Rule...29(c),

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the following Bills have been ruled exempt: House Bill 1359, 713, 1072, 2733 and 2045. Signed John Matijevich, Chairman."

Speaker McPike: "Representative Farley. Representative Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to reconsider the vote by which we refused to accept Conference Committee #1 for Senate Bill 85. I want to reconsider the Motion to appoint a Second Conference Committee."

Speaker McPike: "Yea, on the Gentleman's Motion, Representative McCracken."

McCracken: "Thank you. We were told there were some typos or something in the First Report. Do you still want to go ahead with that Report?"

Farley: "I'm told, Representative McCracken, that'll be called a Corrected First Report."

McCracken: "Okay. That's fine."

Speaker McPike: "The Gentleman moves to reconsider the vote by which the First Conference Committee Report was rejected. The question is, 'Shall the House reconsider the vote on Senate Bill 85 on the First Conference Committee?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the Motion...the record. On this Motion there are 110 'ayes', and 1 'no', and the House does reconsider the vote on the First Conference Committee Report on Senate Bill 85. Alright, Supplemental #3 - Conference Committee Reports appears House Bill 313, Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 313 was brought out of the Interim Study Calendar to address two requests made by the administration. The first one is addressing the University of Illinois that purchased a golf course, which had a

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restaurant allowance and it had a liquor license. The second provision is the State of Illinois obtained the property, I believe, it's 222 Church, which is...College, I'm sorry, 222 College, which is the facility that houses Play It Again Sam's. By virtue of those two facilities being obtained by governmental agencies that already had liquor licenses on those establishments, the legislation here proposes that the exception be made in those two cases where the golf course and that facility at 222 College be exempted from the provision that did not allow previously those licenses to be held by the state. So what this does is correct those two situations, and I move for the adoption of the First Conference Committee Report to House Bill 313."

Speaker McPike: "Is there any discussion? Being none, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 313?' This is final action. Voting is now open. Have all voted? Have all voted who wish? The Clerk will take the record. Representative Morrow, I'm sorry. I didn't see your light."

Morrow: "Thank you, Mr. Speaker. I'm having a problem with my 'green' button. So I'd like to be recorded as voting 'aye'."

Speaker McPike: "Thank you. And wonder if the electrician would check his button, please. On this Motion there are 109 'ayes', 3 'nos', 2 voting 'present', and the House does adopt the First Conference Committee Report to House Bill 313 and the Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 1621, Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a Conference Committee Report, deals with the district office allotment. We had passed a Bill

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that allowed for the district office allotment to be used for travel outside our district, and for congratulatory mailings, and unfortunately, the effective date of that would be next fiscal year. What this Conference Committee does is to make the effective date for this fiscal year July 1st, 1989. Move for its adoption."

Speaker McPike: "And on that, Representative Johnson."

Johnson: "I understand that this just pertains to the effective date. Can you explain to me, because I didn't...wasn't aware we made that change, that the district office allowance can be used for..."

Cullerton: "Yea. Well, last year we...actually this year in June, we passed a Bill that increased the district office allotment and allowed us to use that for congratulatory mailings and for travel outside our district. I believe inadvertently the effective date of that law was July 1st, 1990, cause it didn't pass until after July 1st. Now the money...So the purpose of this would be to make it effective for this fiscal year and..."

Johnson: "My...really...my only question, John, is what...How do you...How does one use the...This is not an adversarial question. I just don't understand."

Cullerton: "Right."

Johnson: "The district office allowance for out of district travel, does it reimburse the Legislator or how does that operate?"

Cullerton: "Well, yes, what happens now if you go to a conference outside your...outside the state, I presume that you ask your Leader if you can get some type of reimbursement from their budget to...for reimbursement for travel. And what this would do would be to authorize you to take it out of your own account."

Johnson: "Okay. Okay, I just didn't understand..."

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Cullerton: "We've already passed that."

Johnson: "Yea."

Cullerton: "The only effect is to change the effective date.

Check with Jane Barnes on that..."

Speaker McPike: "There being no further discussion, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 1621?' This is final action. The voting's now open. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 79...78 'ayes', 35 'nos', 2 voting 'present', and the House does adopt the First Conference Committee Report to House Bill 1621. The Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 125, Representative Black."

Black: "Thank you very much, Mr. Speaker. If I can...Senate Bill 125 does not, let me make very sure we understand it, this had some language on juvenile jail detention delay. That language is now out of this Conference Committee Report. It amends the Public Aid Code Section concerning public assistance fraud. There are some minor changes in the juvenile jail, or excuse me, the Juvenile Court Act. It adds residential burglary to a list of felonies that can be used as an aggravating factor for imposition of the death penalty. And it has some Amendments to the Criminal Code on seeing to it that court supervision is not going to be used for people charged with retail theft over and over and over again. With that explanation, I'd be glad to answer any specific questions you have, and I would urge that the Body concur in Conference Committee Report to Senate Bill 125."

Speaker McPike: "On the Motion, Representative Anthony Young."

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

Speaker McPike: "Yes."

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Young: "I'm sorry, over the noise, I'm not quite sure I heard everything you said. Did this...This Bill is changing some of the factors to be considered when you're considering the death penalty. Is that correct?"

Black: "Yes. Yes, it does, Representative."

Young: "And what new factors are we going to consider when we're considering the death penalty?"

Black: "This adds residential burglary to the list of felonies that could be used as an aggravating factor for the imposition of the death penalty."

Young: "To the Bill, Mr. Speaker. Wait a minute. One more question. Is burglary already there?"

Black: "Pardon?"

Young: "Is burglary already one of the factors we can consider?"

Black: "I'll have to defer to your legal expertise on that, Representative. I really can't answer the question. I don't know. I've been told by legal beagles over here that the answer is yes."

Young: "So burglary is already a factor we can consider for the death penalty, and we're saying that there's some people out here that are such terrible criminals they ought to die, but their record isn't sufficient enough to warrant the death penalty, so we have to include residential burglary. Well, I think that's ridiculous."

Black: "Well, obviously you haven't been burglarized."

Speaker McPike: "Representative Curran."

Curran: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, to the point that has just been discussed. I'd like for you to understand that in my district there was a woman about 80 years old who was viciously murdered in this community, and she...it was done during a residential burglary where somebody senselessly stabbed her to death. It was a very cruel, very senseless murder, but the law had

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a problem in it and the Supreme Court, I believe, overturned the death penalty that, in my opinion, had been rightfully given to that criminal. What this particular legislation would do is correct that problem. And it was a flaw in the law. This does not add tremendously to the number of people who would receive the death penalty. What this does is clarifies a flaw in the law that none of us ever intended and allows the death penalty to be applied in those situations such as occurred in my district where an old woman was stabbed viciously and senselessly to death."

Speaker McPike: "Representative Cullerton."

Cullerton: "Yes, question for Representative Black.  
Representative Black."

Black: "Yes, Sir."

Cullerton: "I'm reading the current law with regard to the issue of the death penalty. Right now, the law has certain felonies which can be considered as one of the elements in giving the death penalty. And included in that list is home invasion. Do you see that?"

Black: "Yes."

Cullerton: "It's on page 5 of the Bill. Isn't every residential burglary that results in a murder a home invasion?"

Black: "Well, I would think so. Not being a member of the bar, I don't know. That would be my interpretation."

Cullerton: "If there's nobody home, it's a residential burglary. If there's someone home, it's a home invasion. Can...You can't murder somebody if there's nobody home presumedly."

Black: "Well, certainly it seems logical to me."

Cullerton: "Okay, so I guess it makes sense logically to include residential burglary along with burglary. If you're going to have burglary in there, you my as well have residential burglary too. But I don't understand why either one of them are in there if home invasion is in there already. I



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can't...In the case of Representative Curran's situation, that woman who was murdered by someone who broke into her home, they were guilty of home invasion. That's already a factor in determining the...aggravating factor in giving the death penalty, so I guess what I'm saying is it's...perhaps it isn't that big a deal, but it seems like it's unnecessary."

Black: "Well, you know, you raise an interesting point, Representative. And it may, indeed, be redundant, but I think Representative Curran spoke most eloquently to what a recent court decision rendered, and I think that perhaps this is an attempt to correct that."

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker. I...and Ladies and Gentlemen, I don't really care whether the Bill passes or not, but I think in fairness to the Sponsor and the position represented by Representative Curran, it ought to be pointed out that one of the underlying felonies that qualifies for the death penalty, if it's performed in the commission of a murder is a burglary. For...When that's, for whatever reason, inadvertence or whatever else, the offense of residential burglary, which is a more serious offense, was not included. So, under current law without this Bill, if someone broke into a commercial establishment and committed a murder, they would be eligible for the death penalty, but if they broke into someone's home and committed a murder, they would not. Now for the sake of consistency, if we're going to leave burglary in this statute, which is in the current law, then we sure ought to add the more serious offense of residential burglary. So I don't think the Gentleman's Bill is very radical. It simply puts consistency into what already is the law, and I would support him on it."

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Speaker McPike: "Mr. Black to close."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I think the questions have been answered. The debate has been what you could here. I'm very pleased that I'm joined in the sponsorship of this measure by Representative Curran, Representative Shaw, Representative Flowers, and I would simply ask an affirmative vote."

Speaker McPike: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 125?' This is final action. All 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 90 'ayes', 13 'nos', 11 voting 'present'. The House does adopt the First Conference Committee Report to Senate Bill 125 and the Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1072, Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would rise to ask the House to adopt the First Conference Committee Report on Senate Bill 1072, which contains a restatement of the Registration and Licensure Act for land sales. There was a problem in the Bill that was sent to the Governor, and this corrects that by changing the effective date. In addition, Mr. Speaker, it deals with the Section of the law passed with regard to social workers and their registration. There was a situation where social workers who were attempting to qualify for the exams and make application for exams in 1988 were not given applications because there was no applications to give. The department ran out. So we're providing them an opportunity if they can show that if they've qualified at that point to be able to sit for the February, 1990, License Social Worker Examination. In addition to that,

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the Bill makes changes in the provisions dealing with raffles by political candidates. Most of the language was recommended by the State Board of Elections. There is one Section that deals with licenses being given to candidates whose amount of contributions exceed \$1,000 or more. If there's any questions, Mr. Speaker, on behalf of the Bill, I'll answer those. If not, I would ask for the adoption of the Report."

Speaker McPike: "Any discussion? The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1072?' This is final action. All 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...On this Motion there are 111 'ayes', no 'nays' and 3 voting 'present'. The House does adopt the First Conference Committee Report to Senate Bill 1072 and the Bill, having received the required Constitutional Majority, is hereby declared passed. Total Veto Motions - Senate Bill 13, Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Not to prolong things, we had a Member missing when this Bill was called earlier. We'd like another Roll Call. This is a Bill which is a good law and order Bill to enable those who are wronged that when they stand up for what is right and proper, as full-time employees of a corporation to file for a retaliatory discharge on the same basis as other people. The distinction being that today lawyers cannot file, non-lawyers can. This puts lawyers on the same footing as other employees. And I ask for an 'aye' vote."

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

Parcels: "Thank you, Mr. Speaker. Ladies and Gentlemen, we

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killed this once before today. I think we ought to kill it again. The Retail Merchants are still against it. It's just for one sort of attorney. Let's defeat it as we defeated it earlier today and be done with it."

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

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Once again, this is a Bill to put full-time employees of a corporation who happen to be lawyers on the same footing as those who are not lawyers. I would ask for an 'aye' vote."

Speaker McPike: "The question is, 'Shall Senate...Mr. Black, you're going to have to explain your vote. The question is, 'Shall Senate Bill 13 pass the Veto of the Governor notwithstanding?' All in favor vote 'aye', opposed vote 'no'. Representative Black to explain his vote."

Black: "Thank you very much, Mr. Speaker. Just if it gets the requisite number of votes, I'll seek a verification."

Speaker McPike: "Alright. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 66 'ayes'...Representative Dunn."

Dunn: "Let's poll the Absentees."

Speaker McPike: "Krska, 'aye'. Representative Krska, 'aye'. Representative Shirley Jones, 'aye'. Representative Dunn has asked for a Poll of the Absentees. Poll of those not voting, Mr. Clerk."

Clerk O'Brien: "Poll of those not voting. Didrickson. Giglio and Santiago."

Speaker McPike: "Representative Santiago votes 'aye'. On this Motion there are 69 'ayes' and 44 'nos', none voting 'present'. The Motion fails. Representative Breslin in the Chair."

Speaker Breslin: "Supplemental Calendar #3 under the Order of Total Veto Motions appears Senate Bill 286, Representative

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Lou Jones."

Jones, L.: "Thank you, Madam Speaker, Members of the House. I move to override the Governor's Veto of 250,000 for the city colleges of Chicago for the Probational Challenge Program. Yes."

Speaker Breslin: "Are you finished, Representative Jones?"

Jones, L.: "Yes, we..."

Speaker Breslin: "Okay. The Lady has moved to pass this Item, the Veto of the Governor notwithstanding. On the question, the Gentleman from Morgan, Representative Ryder."

Ryder: "Madam Speaker, inquiry of the Chair."

Speaker Breslin: "State your inquiry."

Ryder: "Are we on the Order of second chance?"

Speaker Breslin: "We're on the Order of Item Veto Motions on Supplemental #3."

Ryder: "Yea, which is to say second chance. We defeated the last Motion that had been tried earlier. This one has been tried before and defeated. I would suggest we treat it with the same result this time. I would ask you to join me in defeating this Motion to override."

Speaker Breslin: "The question is, 'Shall this Item pass the Veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Seventy-one votes are required to override. Have all voted who wish? Seventy-one votes are required. Only vote your own switches. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Representative Jones asks for a Poll of the Absentees."

Clerk O'Brien: "Poll of those not voting. Capparelli. No further."

Speaker Breslin: "On this question there are 68 voting 'aye', 45 voting 'no', 1...Repre...Representative Capparelli votes

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'aye'. There are 69 voting 'aye', 45 voting 'no', and 1 voting 'present'. Representative Young, for what reason do you seek recognition?"

Young: "To explain my vote, Madam Speaker. And I voted for this issue because it is very important and we're so close with 69, I'd like to stand here long enough for Representative Jones to find two more."

Speaker Breslin: "Representative Ryder, you spoke in debate. For what reason do you seek recognition?"

Ryder: "Thank you, Madam Speaker. Just to let you know that in the event that she's successful in finding those two, that I would ask for a verification to find a few that aren't there."

Speaker Breslin: "Certainly. Only vote your own switches. Representative Williams, one minute to explain your vote."

Williams: "Yes, I think that we're looking at this the wrong way. This actually saves money. Think about it. If in fact the person that we're talking about put into a Probation Challenge Program successfully completes the program, you don't spend the money on his prison sentence that you're going to spend if you allow him to go through the program. This is a program to prevent the excess overcrowding of our prisons by allowing a person an opportunity to work his thing out. Give us these other two votes very much. We need them very badly. I think this is a worthwhile program. It's one in good spirit. It's meant well. It's worked well. It's proven. This is an proven program. So please think very, very carefully and deep in your heart and find those other two votes."

Speaker Breslin: "Representative Novak changes his vote from 'no' to 'aye'. Representative Bowman, one minute to explain your vote."

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

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House. This really is a matter of whether it will be the Legislature who will establish budget priorities or the Executive Branch. Believe me, Ladies and Gentlemen, the budget is fundamentally a legislative Act. We established the priorities in the spring. In the spring we determine this to be a good and worthy program. Nothing has changed since then. It is still a good and worth program as you've heard from the other speakers. We...this is not a financial matter either. The amount of money involved in this particular appropriation is modest. It will not by any means break the bank. I urge another vote on the board so that we can get on with the business of the House."

Speaker Breslin: "Representative Matijevich, one minute to explain your vote."

Matijevich: "Ms. Speaker, some years...Madam Speaker, some years ago, I helped initiate the deliberations with the Governor's Office to improve and upgrade the funding of the statewide probation system. I was at first leery about the Probation Challenge Program at that time however, after looking into it, I was convinced that it like the statewide system was cost-effective. So, I think that you ought to think twice in...probation is cost-effective. This program too is cost-effective, and we ought to give those extra votes for this program."

Speaker Breslin: "Representative McGann, one minute to explain your vote."

McGann: "Thank you, Madam Speaker and Members of the Assembly. I too, rise and to attest to the remarks of the other speakers. I spoke earlier today on this subject matter. I would ask that a couple of Republicans, three or four, whatever could possibly add their 'green' light on this because this is a proven program as I stated earlier today. I'm very familiar with the program back since 1979. It's a

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good program. I only wish we had the same kind of a program throughout the whole state. I'd ask you to please relinquish and come about and come aboard for two votes which will mean \$250,000 to help a program that is successful."

Speaker Breslin: "Excuse me, Representative McGann."

McGann: "...Please help us out."

Speaker Breslin: "Representative Krska votes 'aye'. Representative Piel votes 'aye'. On this question there are 72 voting 'aye', 43 voting 'no', none voting 'present'. There's been a request for a verification. Poll the Affirmative, Mr. Clerk."

Clerk O'Brien: "Balanoff. Barnes. Bowman. Breslin. Brunsvold. Bugielski. Capparelli. Cullerton. Curran. Currie. Davis. DeJaegher. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Hicks. Homer. Lou Jones. Shirley Jones. Keane. Kirkland. Krska. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McGann. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Parcells. Phelps. Piel. Preston. Pullen. Rice. Richmond. Ronan. Saltsman. Santiago. Satterthwaite. Shaw. Steczo. Stern. Sutker. Terzich. Trotter. Turner. Van Duyne. White. Williams. Wojcik. Wolf. Woolard. Anthony Young. Wyvetter Younge. And Mr. Speaker."

Speaker Breslin: "Representative Ryder, do you have any questions of the Affirmative Roll?"

Ryder: "Yes, Madam Speaker. Representative Brunsvold?"

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

Ryder: "Representative Bugielski?"

Speaker Breslin: "He's in the chamber. Oh, excuse me. Representative Bugielski. Representative Bob Bugielski."



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The Gentleman is in the chamber."

Ryder: "I'm sorry, did you identify who and where at that point?"

Speaker Breslin: "Representative Bugielski is in the chamber, right now."

Ryder: "Oh, I see. Thank you. Representative Preston?"

Speaker Breslin: "Mr. Preston is in the chamber."

Ryder: "I see him, thank you. Representative Capparelli?"

Speaker Breslin: "Representative Capparelli. Ralph Capparelli. Is the Gentleman in the chamber? He is in the chamber."

Ryder: "I'm sorry."

Speaker Breslin: "He is in the chamber."

Ryder: "I didn't see him."

Speaker Breslin: "I did."

Ryder: "I'm certainly going to take your word for it. Representative Ronan?"

Speaker Breslin: "Representative Ronan. Al Ronan. Is the Gentleman in the chamber? How is he recorded?"

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

Speaker Breslin: "Remove him."

Ryder: "Representative Leverenz?"

Speaker Breslin: "Representative Leverenz. Ted Leverenz. Is the Gentleman in the chamber. How is he recorded?"

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

Speaker Breslin: "Remove him."

Ryder: "Representative Hannig?"

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

Ryder: "Representative Wojcik?"

Speaker Breslin: "Representative Wojcik. Kay Wojcik. How is the Lady recorded?"

Clerk O'Brien: "The Lady's recorded as voting 'aye'."

Speaker Breslin: "Remove her."

Ryder: "Representative Parcels?"

Speaker Breslin: "Representative Parcels. Is the Lady in the

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chamber? How is she recorded?"

Clerk O'Brien: "The Lady's recorded as voting 'aye'."

Speaker Breslin: "Remove her."

Ryder: "Representative Pullen?"

Speaker Breslin: "Representative Pullen. Representative Pullen.  
How is the Lady recorded?"

Clerk O'Brien: "The Lady's recorded as voting 'aye'."

Speaker Breslin: "Remove her."

Ryder: "Representative Van Duyne?"

Speaker Breslin: "Representative Van Duyne is in the chamber."

Ryder: "Thank you, Leroy. None other."

Speaker Breslin: "Mr. Leverenz has returned to the chamber. Add  
him to the Roll Call voting 'aye'."

Ryder: "No others."

Speaker Breslin: "Seventy-one votes are required. On this  
question...on this question there are 68 voting 'aye', 43  
voting 'no', none voting 'present'. And the Motion fails."

Ryder: "Thank you."

Speaker Breslin: "On the Order of Supplemental #3 under  
Nonconcurrency appears Senate Bill 1136, Representative  
Giorgi."

Giorgi: "Madam Speaker, I move that the House not recede from  
House Amendments to Senate Bill 1136 and a Conference  
Committee be..."

Speaker Breslin: "The Gentleman moves that the House refuse to  
recede from the House Amendments to Senate Bill 1136. And  
on that question, is there any discussion? There being  
none...oh, excuse me. The Gentleman from DuPage,  
Representative McCracken."

McCracken: "Yes, I...I'm sure this is on the program. I'm just  
curious. What are we doing with this?"

Giorgi: "This is the condominium Bill we passed earlier today  
and..."

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McCracken: "...Okay..."

Giorgi: "...Senate doesn't like it."

McCracken: "Okay."

Giorgi: "Okay. Everybody's in agreement."

Speaker Breslin: "The question is, 'Shall the House refuse to recede from the House Amendments to Senate Bill 1136?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The House refuses to recede from the House Amendments on this Bill, and a Conference Committee will be appointed. Ladies and Gentlemen, we are now on Supplemental #3. We are going to go to the Order of Concurrences. Motions are filed on all of these Bills on the back of Supplemental House Calendar #3. The Sponsors are Steczo, Currie, Parcels and Shaw. The first Bill is House Bill 713. Representative Steczo, you're recognized to make the Motion and then you... proceed to concurrence."

Steczko: "Thank you, Madam Speaker. I move to take from the table and suspend Rule 79(e), and return to the Calendar on the Order of Concurrences, House Bill 713."

Speaker Breslin: "You have heard the Gentleman's Motion. Is there any objection? Hearing no objection, all those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. By use of the Attendance Roll Call, the Motion carries. Proceed, Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. Senate Amendment #1 to House Bill 713 deletes everything after the enacting clause and tries to correct a problem which resulted from the passage of Senate Bill 104. Senate Bill 104 dealt with the expenditure of funds that are derived from the sale of school buildings and structures or donations and gifts received by school districts. It was determined by the attorneys that reviewed the legislation

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after it was signed by the Governor, that there could have been some negative impact on some school districts. They gave...provided us with some language to correct that to minimize any negative impact or to negate any negative impact. That's contained in this Amendment. Everybody has agreed to this Amendment including the State Board of Education, and I would move for concurrence."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 713. And on that question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 713?' Excuse me. The Gentleman from Warren, Representative Hultgren. I did not see your light flashing."

Hultgren: "Do we have the Amendment?"

Speaker Breslin: "Well...it's...you should have the concurrence Motion. That should be on your desks. The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 713?' We're checking, Representative Hultgren. Here's the Amendment, Representative Hultgren. Take a look at it. Representative Hultgren, do you have any comment?"

Hultgren: "Thank...thank you, for the courtesy."

Speaker Breslin: "Okay. The question before you, Ladies and Gentlemen, is, 'Whether or not the House should concur in the Senate Amendment to House Bill 713?' All those in favor vote 'aye', all those opposed vote 'no'. 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 there are 111 voting 'aye', none voting 'no', and none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 1072, Representative Currie. Make your Motion first before you move to concur. Mo...Motion to

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suspend the rule."

Currie: "Thank you, Madam Speaker, Members of the House. I move to take House Bill 1072 from the table and suspend Rule 79(e), and return the Bill to the Calendar on the Order of Concurrences."

Speaker Breslin: "The Lady moves to take this Bill from the table and suspend the appropriate rules, and put this Bill on the Order of Concurrences. Is there any objection? Hearing none, the use...by use of the Attendance Roll Call, the Motion carries. Proceed with your...your Motion for concurrence."

Currie: "Is this..."

Speaker Breslin: "Proceed...you can go directly...Mr. Clerk, we're on House Bill 1072. We've already taken the Bill from the table. We are ready for a Motion to concur. Representative..."

Currie: "...Thank you, Madam Speaker, Members of the House. I move the House do concur on Amendment #3, Senate Amendment 3 to House Bill 1072. The provision is identical to an earlier Amendment offered by Representative Giorgi to another Bill this afternoon. This is the provision that would require prizes in the state lottery to go to people who actually hold a real physical object, the lottery ticket. I would be happy to answer your questions and appreciate your support."

Speaker Breslin: "The Lady has moved to concur in Senate Amendments 2 and 3 to House Bill 1072. On the question, the Gentleman from Cook, Representative Cullerton. He indicates he does not wish to speak. Is there any other discussion? Oh, he does. Representative Cullerton."

Cullerton: "Yes, I understand on Senate Amendment #3, I wondered if this Lady wished to concur in Senate Amendment #2 as well?"

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Currie: "I believe the only Amendment adopted in the Senate was Amendment 3, or the only Amendment on the Bill as it came back to us is Amendment 3."

Cullerton: "No, I think they adopted #2, and I don't think you want to concur with that."

Speaker Breslin: "Okay, the...the Calendar shows 2 and 3. Mr. Clerk, can you clarify which Amendments were adopted?"

Currie: "I think the Calendar's wrong. I don't believe the Senate... adopted Amendment 2. In any case, I only want to concur in #3."

Speaker Breslin: "Representative Currie, 2 and 3 is what the Senate adopted. The Clerk's Office is right again. What is your pleasure?"

Currie: "The Senate however in Amendment 3 deleted everything that was in 2..."

Speaker Breslin: "...Okay..."

Currie: "...So, my preference is to concur in Senate Amendment 3, and I would have thought we didn't need to deal with 2, but if we do then I would then move to not concur. But, do we want to start with a Motion on Amendment 3?"

Speaker Breslin: "Well, if Senate Amendment 3 deleted everything from 2, what is the problem with concurring in both and then the process is over?"

Currie: "It's a political problem, Madam Speaker. It's a political problem..."

Speaker Breslin: "So, what is your Motion?"

Currie: "My Motion is to concur in Senate Amendment 3..."

Speaker Breslin: "...I see..."

Currie: "And if that succeeds, then I would move not to concur with Senate Amendment 2, if any Motion on that Amendment is essential."

Speaker Breslin: "Okay. The Lady moves to concur in Senate Amendment 3 to House Bill 1072. There being no discussion,

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the question is, 'Shall the House concur in Senate Amendment #3?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Black, what...for what reason do you rise?"

Black: "Inquiry of the Chair."

Speaker Breslin: "State your inquiry."

Black: "Madam Speaker, what...she said they had a political problem and we're moving on 3, what is she going to do with 2?"

Speaker Breslin: "She said then she would move to nonconcur. That's what she said."

Black: "Well, thank you."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 113...114 voting 'aye', none voting 'no', and none voting 'present'. The House does concur in Senate Amendment #3 to House Bill 1072. Representative Currie is recognized."

Currie: "I move not to concur in Senate Amendment 2 to House Bill 1072."

Speaker Breslin: "The Lady moves to nonconcur in Senate Amendment 2 to House Bill 1072. All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does nonconcur in Senate Amendment 2 to House Bill 1072. The next Bill is Representative Parcells' Bill, House Bill 2045. The Lady moves to take the Bill from the table and proceed to the Order of Concurrences. Is there any objection? Hearing none, by use of the Attendance Roll Call, the Motion carries. Proceed on Concurrence, Representative Parcells."

Parcells: "Thank you, Madam Speaker. I move to concur in Senate Amendments 1, 2, 3 and 4. Senate Amendment 4 becomes the Bill. And if you have any questions, I will try to answer them."

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Speaker Breslin: "The Lady has moved to concur in Senate Amendments 1, 2, 3 and 4 to House Bill 2045. On that question, the Gentleman from Cook, Representative Leverenz."

Leverenz: "The Sponsor yield?"

Speaker Breslin: "She will."

Leverenz: "I'm a little frustrated. Haven't been doing much today. You explained how it all fit together, but at no time did you ever say what it did."

Parcells: "That was deliberate because Senate Amendment #4 will be better explained by Representative Countryman and I'll have him answer your questions."

Speaker Breslin: "Representative Countryman."

Leverenz: "Thank you, for your candor."

Countryman: "Thank you...thank you, Madam Speaker. What this Bill does is...or Senate Amendment #4 deletes everything after the enacting clause. It makes it a violation of a Motor Vehicle Franchise Act for a manufacturer to enter into an agreement with a service center operator in an irrelevant market area of an existing motor vehicle dealer, who holds a franchise to sell or service motor vehicles marketed by the franchise or..."

Leverenz: "Who does it help and who gets hurt?"

Countryman: "It helps the dealers and, you know, they have to buy hundreds..."

Leverenz: "...Is this the new car and truck..."

Countryman: "Right. Right."

Leverenz: "Now I'm understanding and voting 'green'."

Countryman: "Good."

Speaker Breslin: "Is there any further discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments 1, 2, 3 and 4 to House Bill 2045?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is



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open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record.

On this question there are 112 voting 'aye', none voting 'no', and 2 voting 'present'. The House does concur in Senate Amendments 1, 2, 3 and...Representative Parke votes 'aye'. Representative Ropp votes 'aye'. So there are 114 voting 'aye', none voting 'no', and 1 voting 'present'. The House does concur in Senate Amendments 1, 2, 3 and 4 to House Bill 2045. House Bill 2079, Representative Shaw. Representative Shaw moves to take this Bill from the table, suspend the appropriate rules and move this Bill to the Order of Concurrence. Is there any objection? Hearing none, by use of the Attendance Roll Call, the Motion carries. Representative Shaw."

Shaw: "Yeah, thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1. And what Senate Amendment #1 does, is direct the Department of Corrections to develop a loan...long-range planning document and file with the Illinois General Assembly by January 1, 1990. And this is dealing with the...with the Dwight Correctional Center in terms of its overcrowdingness."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment 1 to House Bill 2079. And on that question, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2079?' 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 115 voting 'aye'. This Bill having received the...the...the House does concur in Senate Amendments 1 to House Bill 2079, and this Bill having received the Constitutional Majority is hereby declared passed. On

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Supplemental #2 under the Order of Conference Committee Reports appears Senate Bill 85, Representative Farley."

Farley: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We have before us a corrected Conference Committee Report #1 for Senate Bill 85. What this does is take two Bills and another proposal and put them into Senate Bill 85, Conference Committee Report. The first part of this Conference Committee Report states that Illinois will use Illinois employees for hazardous waste and cleanup projects. It does state in that portion of the Report that there can be six nonresident executive or technical advisors...advisors that could be employed. The second part of the Report creates an Illinois Manufacturing Technology Alliance Act. This is a very elaborate Act that was Senate Bill 937, and I would ask that if any questions be asked on that portion of the Bill to refer them to Representative Mautino. The third part of the Conference Committee Report exempts individuals under the age of twenty-two who are full-time students acting as caddies, from addition...from the definition of employee under this Act. I would move, Madam Speaker, for the adoption of the corrected Conference Committee Report #1 of Senate Bill 85."

Speaker Breslin: "The Gentleman has moved to adopted the First corrected Conference Committee Report on Senate Bill 85. Is there any discussion? There being none, the question is, 'Shall the House adopt the First corrected Conference Committee Report on Senate Bill 85?' All those in favor vote 'aye', all those opposed vote 'no'. 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 there are 114 'aye', none voting 'no', and none voting 'present'. The House does adopt the First

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Conference Committee Report on Senate Bill 85, and this Bill having received the Constitutional Majority is hereby declared passed. Representative Woolard. Would you tell Representative Woolard that his Bill is up next. On Supplemental #3 under Conference Committee Reports appears House Bill 1359. Representative Woolard is recognized."

Woolard: "Yes, Madam Speaker, I'd like to move to accept the First Conference Report. This is a Bill dealing with the correction of an ATV Bill that went out of here with a very significant vote some time ago, and this corrects some language to exempt landowners in the use of equipment...ATV equipment on their property. I would move that we accept this Conference Report."

Speaker Breslin: "Representative Woolard, the Conference Committee Report is being distributed right now. Let's wait a moment, so that people can get it. Does the Republican side of the aisle have...have them to be distributed? Representative Phelps, for what reason do you seek recognition?"

Phelps: "I want to speak on the Bill..."

Speaker Breslin: "...Later...fine. Everybody have their Conference Committee Report now? Okay, has everybody had a chance to read it now? Ready? Representative Woolard has moved that the House adopt the First Conference Committee Report on House Bill 1359. And on that question, the Gentleman from Saline, Representative Phelps. Representative Phelps is recognized."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of this First Conference Committee Report. This clarifies what we intended, in the Bill that we passed out of here last spring that became law in August. And most of you were getting calls from...in your district office, from constituents who are concerned

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about getting the mail out from Conservation Department, getting stuck with forty-five dollars, when we intended for them if they were riding those vehicles on their own land or on land at least for agricultural purposes, they were exempt. So what this does now, and I commend Representative Woolard for catching this problem and bringing it to our attention to try and clarify it, so we go back this fall and live comfortably. So we appreciate your support."

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

Ropp: "Madam Speaker, would the Sponsor yield please?"

Speaker Breslin: "He will."

Ropp: "Representative, can you tell me how many vehicles this will...this will affect by having this Bill becoming law?"

Woolard: "More than one and less than a million, I don't know, Gordy."

Ropp: "Well, I think you've got a good point here, but I did want to...to at least mention why everyone was to receive or asked to buy a license. For many, many years there has never been a spot in Illinois in which to drive all-terrain vehicles that...where it was legal. Most of the people go out to Missouri or some other state in which to do this. What we were attempting to do by allowing everyone or encouraging everyone to buy a registration fee, was to provide enough money in which we could here in Illinois, build tracks for all the people in the State of Illinois. I hope...and I think you've got some merit in this Bill, but I hope that what we were planning to have facilities all over the state, at least two or three, in which we could drive all-terrain vehicles will be severely hampered, because we won't have a very many dollars in this fund that's used for the construction of off-tracks. So, I...it

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almost looks to me like what we're going to ultimately do, will be to defer those sites for several years and that was not the intent when we passed the all-terrain vehicle legislation initially. Was to provide for training for young people or their safety and also to allow money to be used for damages. But also equally important, was to have money in order to build or buy land or developing of off-track trails and so forth. So, it's...it's a point where we're really going to lose money for that particular purpose, and I just want everyone to be aware of that."

Woolard: "In a...a concern that you have, Gordy, I do believe that's important that we remember that we're not authorizing anyone who owns property and also owns an ATV, to utilize this in any way other than on their own property. And if they..."

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

Woolard: "...Believe their property for whatever reason, they're subject to a fine and they will have to have authorization with a sticker or permit."

Speaker Breslin: "Okay. Rep...the Gentleman from Champaign, Representative Johnson."

Johnson: "I really...I don't know whether these comments are going to be applicable to this Bill or not. ATVs are about the unsafest thing that American industries ever manufactured. Two years ago, I bought two ATVs for my sons for Christmas. And being an unwary consumer, I didn't realize the ongoing government investigation and problems. And about two weeks later, the federal report came out, and I subsequently made myself familiar with the...with the incredible threat to the safety of Illinois and American citizens that these things have represented. They maim people. They paralyze people. They kill people. They are absolutely, totally unsafe, and I'm not sure but what we

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ought to have a federal law prohibiting their manufacture altogether. The devastation of kid's lives, whose parents and themselves who buy these things, and then spend the rest of their life paralyzed and lying on their back, is unbelievable. As a matter of fact, we wound up because of finding out what they're really all about of giving the two of them away. After I had spent two or three thousand dollars or whatever I spent buying them. They're horrible, destructive machines. I don't know whether your Bill makes it easier or harder. I guess I'll look at it a little closer in making my vote, but they are bad business for kids and they're bad business for Illinois citizens. And I...and I really think that we ought to look carefully at what we're doing in this whole area, because they have the potential to...to...as they are increasingly, wipe out segments of our society, because they're...the odds of getting hurt on them are so much, much, much, much greater than even motorcycles, which I consider unsafe or small cars, which...which have a high rate of injury and devastation and death to people. So, I don't know. I'll look at the Bill. And I represent an agricultural area too, and I realize these things are being used. I don't want to unduly limit people's right to use their land. And the various arguments that we made before with respect to seat belts and motorcycle helmets and everything else, but they're really dangerous and we really ought to watch what we're doing."

Speaker Breslin: "The Gentleman from Jefferson, Representative Hicks."

Hicks: "Yes, will the Gentleman yield for a question please?"

Speaker Breslin: "He will."

Hicks: "Representative Woolard, currently whenever...if I were to go out and buy a brand new ATV today, I would have an

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immediate registration on that vehicle. Is that not correct?"

Woolard: "Today, you would. After this legislation is passed, then you would have the opportunity to get an exempt status if you stated by affidavit that it would be used on your property."

Hicks: "So, I won't have to pay the fee and have it refunded back or anything like that? I'll simply be able to have an affidavit right then that says it's going to be used for my property and I won't have to pay a fee, correct?"

Woolard: "...Right...that is our intent, yes."

Hicks: "That's the intent of the legislation?"

Woolard: "Yes."

Hicks: "Thank you."

Speaker Breslin: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Madam Speaker. I simply rise in support of the Gentleman's efforts today. I'd like to thank the staff on both sides of the aisle for putting this together. Those of us who represent rural constituencies have heard a great deal about this Bill, since it went into effect October 1, 1989. I think it's a good positive step in the right direction. Just like to correct something I heard earlier. There are ATV and off road vehicle tracks of land available. I have one in the state park in my district, but it can't be used because of liability problems. So, I think the Gentleman has done a good job here. He's clarified an existing law and he's taken farmers out of it, who were never intended to be in it in the first place. I commend him. I rise in support of the Bill."

Speaker Breslin: "The Gentleman from Coles, Representative Weaver."

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Weaver: "Thank you very much, Madam Speaker. Just to reiterate that originally the ATV Bill was designed to prevent damage to farmland and help farmers out, and as the Bill became modified down the road, we discovered that it ended up hurting the farm...the very farmers that it was intended to help. And this is a cleanup measure and I'd like to congratulate the Sponsor and all the folks that really worked on this very hard, just today, to get this modification made. So, we can keep some people out of trouble. I...I sincerely endorse this Bill and hope we can pass it out of here."

Speaker Breslin: "The Gentleman from Boone, Representative Wait."

Wait: "Would the Representative yield?"

Speaker Breslin: "He will."

Wait: "Representative, since this law went into effect October 1st, is it in your intent by this Bill for those who have already paid and would qualify for the exemption, would they have the right to get a refund?"

Woolard: "We don't have the authority to direct Conservation, I'm sure, to do this, but they have indicated that they will work with us and that they do intend to refund these monies."

Wait: "Thank you."

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

Hartke: "Representative Wait raised a good question. The effective day was March 1st not October 1st, correct?"

Woolard: "Of the previous Bill. It was...I think you had to apply for the license by...nope. It is in effect now so..."

Hartke: "...It is in effect now..."

Woolard: "...So, I'm sure that it was some time ago..."

Hartke: "...Right, but the deadline for application was by March



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1st, correct?"

Woolard: "The Department of Conservation has indicated to us that they are going to work with us in taking care of those people who have sent in their fees already."

Hartke: "Okay. If some farmers have already applied then they could through Conservation, say fill out the application or the affidavit and get reimbursed."

Woolard: "Our intent is for that to happen."

Hartke: "Okay, thank you."

Speaker Breslin: "Representative Woolard, you're recognized to close."

Woolard: "I really don't think that we've got very much left to say. I believe that most of the items have been covered. But there was a couple of questions asked that I think we probably need to try and clarify. We positively do not intend to deter from the original intent of the original Bill. We still intend to collect fees on those who are using these vehicles in situations other than on their own land. They will still pay their fees and have their license. And these funds will be utilized for first, safety training and secondly, for the utilization of implementing some facilities that they can use for off-track use. Thank you."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 1359?' All those in favor vote 'aye', all those opposed vote 'no'. 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 there are 110 voting 'aye', none voting 'no', and none voting 'present'. The House does adopt the First Conference Committee Report on House Bill 1359, and this Bill having received the Constitutional Majority is hereby declared passed. On Supplemental #1

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appears Senate Bill 853, Representative McGann. Is Mr. McGann in the chamber? Out of the record. On the Order of Supplemental #1 appears Senate Bill 853. The Chair recognizes Speaker Madigan."

Madigan: "Madam Speaker, Ladies and Gentlemen, I rise to present this Report and to urge its adoption. The Report as currently constituted, would provide three items. Number one, there would be an increase in the general homestead exemption of one thousand dollars. Number two, there would be an expansion of the State Circuit Breaker Program, which would cost the State Treasury approximately thirty-four million dollars. And number three, there is authority given to counties by vote of the county board to collect real estate taxes over four installments, rather than the current system of two installments. This Report is the product of much discussion which has occurred over several days during the last two weeks of this Veto Session. It is a result of rising real estate taxes in certain areas of the state, in particular the northeastern part of the state. I think this is a good, sound approach to providing some relief to home owners from the rising real estate taxes which have occurred in these areas of the state. There are other proposals, which were advanced to the working group called by Senator Rock and Representative Daniels. I'm not commenting either way on the merits of those proposals. I think this is a good sound plan that ought to be adopted now, because if it's adopted now it can provide relief from real estate taxes that are due...due in bills next year. I would recommend an 'aye' vote."

Speaker Breslin: "The Gentleman has moved for the adoption of the First Conference Committee Report on Senate Bill 853. And on that question, is there any discussion? The Gentleman from McLean, Representative Ropp."

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Ropp: "Thank you, Madam Speaker. And the real, Mr. Speaker. We...I was very much in support of providing additional revenue as you propose for income tax increase that would go for education in the State of Illinois, as well as to municipalities, and I think that was a good move. And some of us supported it on this side. To at that time not consider any kind of property tax relief, did not seem to be a part of your program. It seems now that what we are doing, and this is certainly in...the true in my district, and I might say that I supported this kind of proposal a couple of weeks ago just to get it on the table, but what we are in the process now, of pretty much taking back a good bit of the money that was given by the income tax increase in my particular district. It's certainly now is not a very good proposal, because we're getting rid of those very dollars that we just gave them. I mean, it's...it's pure nonsense, unless we sit down and further develop the school aid formula that is in a position to be a better balanced proposal. And I just am a bit concerned as to why we're attempting to react, kind of like a knee-jerk situation when it comes to property tax, rather than to encourage those communities who may be spending more money than they can afford, to force this Body to aggress needs that they can handle within themselves. If we have considered education to be the number one priority, we have now put it in a second class situation. And I think that's bad. I think the school kids of the State of Illinois deserve more than what we will be able to address by passing this Conference Committee Report. And I would hope that we would not pass this and address it in a more rational proposal next Session. Thank you."

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

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Ewing: "Madam Speaker, Ladies and Gentlemen of the House, to the real Speaker of the House, who has made this proposal to us tonight. I would like to point out that those of us downstate do realize that there is a problem in the metropolitan area, the suburban counties with property tax. We realize that there is need for assistance there. I'm not sure that this Bill goes far enough for those areas that are so hard hit. And very possibly we should have looked closer at limiting the spending power of the taxing units, as well as trying to shift the taxing burden. But, Mr. Speaker, the real Mr. Speaker, for those of us who have downstate schools and for those of us who support that education, we find this a very bitter pill to swallow. And I would suggest to you, Mr. Speaker, as you did when you learned about the need for the tax increase for schools, that you take another trip to Effingham or another trip to Mount Vernon, and you will find out that this Bill will be very damaging to those schools and the conversion that you experienced when you went there the last time, I'm sure will reappear and you will come back and you will develop a new program, and one that won't damage downstate schools. Vote 'no' on this Bill."

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

Hartke: "Thank you very much, Madam Speaker, Members of the House. As the previous speaker indicated, Mr. Speaker, come to Effingham and let me show you what this piece of legislation will do to my local governments, county governments, township government, local taxing districts, school districts and junior college districts. It'll will be devastating to us. I sympathize with the taxing districts in the northern part of the state, DuPage and Cook County. I know they have a tremendous raise in

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assessed valuations and their tax rates applied to that assessed valuation will mean a tremendous tax burden for them. But you know, we're trying to fix this problem with a permanent tax exemption for certain individuals that'll be picked up by others. Last year, we passed a temporary surtax and we're passing...or trying to pass today, permanent tax relief and only put in temporary money last year. So, I...I think it's a wrong move, too quick, too fast, too big, although, I don't...I don't want to hurt my senior citizens any. I just don't think that we can afford it in the state. I don't think that local taxing bodies can afford this at all. I urge your opposition to Senate Bill 853 on the First Conference Committee Report."

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

Daniels: "Madam Speaker, Ladies and Gentlemen of the House, I rise in reluctant support of Senate Bill 853, Conference Committee Report #1. And I do so with the recognition that the homestead exemption is not intended to provide permanent tax relief, instead it provides a form of assessment exemption which is described by groups such as the Illinois Taxpayers Federation, as a band-aid approach. If the homestead exemption provided permanent relief, the General Assembly would not be continually forced to raise the exemption amount year after year. The homestead exemption also doesn't control spending by local governments. And it's interesting to remember that when Representative Capparelli presented his Bill just two weeks ago, 84 of us or seventy percent of this Body voted in favor of truth in taxation, an income tax credit, stated on the floor that we would favor an earned income tax credit and a freeze in the equalized assessed valuation. It's little wonder that the homestead exemption is favored more

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highly in Cook County than downstate, as you hear in some of the debate. Since residential property is assessed at sixteen percent of fair bare...fair market value in Cook County and thirty-three and a third percent in the rest of the state, that means that Cook County taxpayers receive almost twice the exemption that downstate taxpayers will receive under this Bill. And therein lies much of the problem as we approach the subject of property tax relief. We had some great meetings of the negotiators on both sides of the aisle and both chambers, unfortunately yesterday, these meetings were brought to a halt. And when we talked about truth in taxation, or how to control spending and the cycle of spending, unfortunately, some Members withdrew from that discussion and said, 'We can no longer talk about property tax reform because we don't want to control certain spending of local governmental units, unless it's agreed that the home rule authorities would be removed from this Bill'. Now it's obvious that what we have is a very simple band-aid approach. Some of us in the state will benefit from an increased homestead exemption because we will increase the amount of deduction that we can take or the amount of exemption that exists on our real estate taxes, as we move up in the assessed valuation route. But some of you in the state don't have the benefit of increased assessed valuation, and that's why it was attractive to freeze the equalized assessed valuation in some cases, so you didn't experience a continued drop. Or as some people examined, and they favored the freeze in the equalized assessed valuation, because they just didn't believe that schools should take an additional two hundred and seventy-five million dollars out of taxpayer's pockets next year than they did this year in their real estate tax bills. And that's why it was so important when we looked

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at the income tax credit as a balance in the whole property tax program. Senator Rock understood this and he argued very vociferously for a freeze of the equalized assessed valuation and argued strongly that we should have truth in taxation. Senator Rock came a long ways in proposing true and meaningful tax reform and I commend him for his efforts, and certain Members of the negotiating teams understood that. Well, 84 of us supported a much stronger form of tax reform and relief than what we see here. And I suspect that many of us, including myself, will vote for this. But I think we should understand that once again the General Assembly has taken a band-aid approach to the subject of property tax reform. And once again, we've missed an opportunity, which so rarely presents itself to an organization such as this, an opportunity to accomplish a true result in tax reform. So, Madam Speaker, I will join with those calling for passage of this Bill. I do caution some of our colleagues to be careful when they analyze this Bill because it is not good for all parts of the state, and I do suggest that my colleagues from Cook, who will receive twice the benefit out of this than the rest of the state will, maybe in turn can join with us in bringing forth some true tax reform, limitation of spending, truth in taxation, an income tax credit and to tend to the poverty for children principle through the earned income tax credit, which was so essential as a part of our program that we tried to get across. Madam Speaker, I will cast an 'aye' vote for this Bill."

Speaker Breslin: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House, as we approached the issue a few months ago about the needs for funding for education, we came to a conclusion to give some

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stopgap funding to those education programs in hopes that we would have time to assess what was happening in those schools and to be able to make some more permanent adjustments later. At the time we make any permanent adjustments, it may then be time to talk about tax relief. But I believe that it is an error for us to talk about tax relief in this short of a time frame, with so little time to really consider the impact of what those changes will be and how it will shift the funds for the future. There are parts of this Bill that are very good. If we were to have the senior citizen's circuit breaker revisions as a separate Bill, I believe they would fly out of this House overwhelmingly; and probably also those that make the adjustments in when we make our payments, et cetera. However, when we look at the homestead exemption, I think that it is a...a shell game that we are foisting on the taxpayers of the State of Illinois if we call this program tax relief. We are told that over some period of years this will mean a two hundred million dollar loss to local governments. Now some of those local governments will not be able to recoup that loss. However, those local governments that are home rule municipalities and even some small amounts to our school districts and others, can be recaptured through a...an increase in the tax rate on those issues that do not require a referendum. And so by the analysis given to us by the Economic and Fiscal Commission, there will be forty-four percent of that two hundred million dollars regained through that mechanism of increasing the tax rate. When we take that from the two hundred million dollars, we have maybe a hundred and twenty million dollars that would be actual tax relief. Ninety million dollars of that will be an impact on our local school districts. We have just given them money with one



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hand and we will be taking it away with the other. Of that ninety million affecting our schools, some small portion will be recaptured by those school districts by increasing their tax rate, but only a small portion. Another factor that we have not really had the time or information to assess is how all of this will affect the distribution of the state aid to our schools, when those new assessed valuations are plugged into the school formula. As one of our former speakers has said, this does not have equal impact across the state. There are many...many counties where we are not having increased assessed valuations. There are many counties where we have not yet used the thirty-five hundred dollars of homestead exemption that already exist. And it is my prediction that when this Bill is in affect, we will see that the ultimate effect through the school aid formula is to move money from the poor parts of the state into the wealthier parts of the state. I don't believe that that makes sense when we have recognized so recently the need for additional funds for our schools. And how about those park districts and other small districts that are neither home rule nor school districts, and have no way of recapturing this money. Do we really think that when they have more people to serve, that they can do it on a limited budget? If we do, we should be meeting with those park boards and the other districts and going over their budgets and making sure that their budgets are in line with their needs. But to do it with this approach, is not appropriate. It is a shell game, both on the part of those who are misled into thinking that they will have property tax relief and to our schools for taking away with one hand what we have just given them with the other. I urge the Members to vote against this proposition, in the hopes that we can then study the full

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situation about the inner relationship between school funding and property tax. We will have to face that issue very soon, because we know that our current distribution to schools is inequitable and we will be faced with a tax suit that will require an...that we address that issue. But until that time, this is a step in the wrong direction and I urge a 'no' vote."

Speaker Breslin: "The Gentleman from DuPage, Representative Hoffman. You're recognized, Representative Hoffman."

Hoffman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. As it's been pointed out by previous speakers, the impact of this legislation, particularly the homestead exemption, is going to cut different ways. My area where sixty-two percent of the property tax goes for schools, the schools are going to see on this hand a reduction in their assessed valuation because of the rapid...rapid growth of property values. Some growth deserved, some not necessarily so. On the other hand, in the spring of the year we passed an income tax, which to my communities amounted to not a great deal. Some of the schools which actually receive less state aid, would have received much less had we not passed the tax. But the fact of the matter is that as the previous speaker pointed out, this is going to have a dramatic impact...I shouldn't...not necessarily dramatic. This is going to have an impact on the distribution of the general distributive fund. The number that I have is a shift of sixty-one million dollars to those districts who are losing significant assessed...significant assessed valuation due to this additional thousand dollarexemption. Those districts who have that loss in assessed valuation, it is probably can be argued because of the increase in their property tax, they have a right, they have a right to greater access to the

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general distributive fund. And that it in fact will be drawing away of...from the other schools in the state into their coffers, because they have been paying such high local property tax to support their schools. I will tell you this, that this is moving in the right direction. In the spring of the year, we increased the state income tax for the schools; that's state support for schools. We are now in the process of taking away local resources from schools, and that's one of the ways that you're going to bring this state in a position where there can be true school finance and the kind of support that we should have for schools in Illinois. This is a...this...two pronged approach that we've used in the spring and now in the fall, is a precursor...precursor of what we're going to see in this state. And a lot of us are going to be involved in this as we move forward in the next three or four years, because there is absolutely no question as far as I'm concerned, but we are in violation of our state constitution in the way that we fund schools. And a lawsuit will be brought and we're going to be forced to do what's right. And that is going to fall come... on us. It's going to come right back to this General Assembly and we're going to have some very difficult decisions to make. I'm very hopeful that this process that we're going through now, as well as the one we went through this spring, will take us in the right direction so that we can finally come to terms with the support that the schools and the school children of this state deserve. I stand here in support of this legislation because I believe it's the right way to go."

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

Keane: "Thank you, Madam Speaker. I rise in support of this legislation. Contrary to some of the previous speakers, in

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a...to clarify some of the items, especially regarding the homestead exemption. Everyone must realize that what is reduced is the growth. The homestead exemption does not take away any existing funding of schools. The rate...if the Bill passes, there will be a forty-five hundred dollar homestead exemption, which will be based on the 1977 value of that home. If you are in an area where there's been no growth for...there has not been an increase in your assessed valuation of piece of property since 1977, in excess of thirty-five hundred dollars, this will not have any impact on local government in that district. Approx...over sixty percent of the counties in the state have not reached on an average, on an average, thirty-five hundred dollars or anywhere near it. We have counties that have experienced only nineteen hundred dollars, seventeen hundred dollars of an average. It's a very, very complicated formula and it's hard to understand, if you haven't been dealing with it. But basically, if you look at your own home and in 1977 it was...it had an equalized assessed valuation of ten thousand dollars, if it hasn't gone up to thirteen thousand five hundred, you have not used up your present homestead exemption. Adding this next thousand dollars does not make any difference. It will not reduce your taxes. So for the downstate people or those people who are living in areas where the property values have remained level, or in some cases have even gone down, this Bill will not have any impact on the taxing districts in that local...in the local governments in that area. In Cook County and in DuPage County, Lake and a couple of others, where the growth has been out of sight, it is. It's a major help for the home owners, but it is not going to mean all that much. In the event...take Chicago, if Chicago...Chicago's normal growth each year,

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Chicago public schools is roughly a hundred million dollars a year, is what comes out in normal growth. What this will do will take...again, these are rough figures, but approximately next year...the year after this Bill is implemented, instead of getting a hundred million dollars in new growth, they'll get seventy-five million dollars in new growth. This will reduce them twenty-five million. The growth is so fast in some of these suburban areas that we need help for the home owner. Many of you downstaters represent large farm districts. In 1977, the same thing was happening to you that is now happening in certain parts of Chicago, metropolitan Chicago. The taxpayers in our districts are getting murdered by taxes. We have people who levy those taxes who are not elected officials, so who takes the heat for the increase in taxes? You do, I do, the local mayors, anyone who is elected. The people who levy the taxes that have units of government that don't have an elected official at their head, are taking a walk. They're getting a free ride. This happened to John McNamara and I last time it hit in Oak Lawn. The school districts were the ones that were balloon levying. Who got hit? The mayors. Everyone screamed at the mayor...actually the Village of Oak Lawn had reduced their tax levy, but they got clobbered because they come after the elected official. We need some kind of tax relief in that...in that metropolitan area, and I would hope that you would, just as the metropolitan area voted for farmland assessment relief, I hope that the farmers will now support us in our time of need. Thank you."

Speaker Breslin: "The Gentleman from Champaign, Rep...Representative Johnson. But before... before you begin, Representative Johnson, Ladies and Gentlemen...many people have asked how long they expect to be...be here this

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evening and whether or not they should order out for...for food. Be advised that we are ordering out chicken. It will take a couple of hours for it to get here. It won't be here 'til about nine. We expect to work quite late. So, there will be chicken at nine. Be prepared to work late. If you need to make hotel reservations, please do that now. Representative Johnson, proceed with debate. Representative Johnson."

Johnson: "I...yeah, I...I can cut a little bit of that back, I move the previous question."

Speaker Breslin: "I see. Representative Johnson has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The main question is put. Representative Madigan, you are recognized to close. Representative McGann will close."

McGann: "Thank you, Madam Speaker, Members of the Assembly. As House Sponsor of Senate Bill 853 and the First Conference Committee Report, I would like to share with you some facts rather than myths. The intent of this legislation is to reduce the growth in inflation. It does four things. It increases the circuit breaker from fourteen thousand to eighteen thousand, which all peoples in the State of Illinois will share. It increases the income qualification for the Senior Citizens Property Tax Deferral Act, which many citizens take part in. Not as many as we had thought when we passed that legislation a few years ago. The bone of contention here seems to be, in increasing the homestead exemption from thirty-five hundred to forty-five hundred. If most of you recall the reason for the home owner's exemption...exemption, was enacted by the General Assembly in 1978, in response to soaring property taxes. That is what's happening in 1989 also. So this the relief

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band-aid, is what you may call it and properly right, but it is a relief to some of the home owners in a certain counties that will affect. The...we have got to cut down in the large spending increasents...increases that have taken place. We might note that downstate where growth will not occur and where values are stagnant or declining, the exemption will have no impact. Local governments and school districts will not lose any revenue as been state...as has been stated by previous speakers. Further, downstate, an increase in the authorized maximum amount will have little...no impact...for example, according to the Fiscal Commission, Fulton County home owners are using less than one thousand dollars on the average. Increasing the maximum allowed from thirty-five hundred to forty-five hundred will have no affect. Taxing districts will not lose any revenue in the sixty counties like Fulton. Sixty counties other than Fulton, which are on average well below the present maximum amount. In Chicago, between 1986 and 1989, the Board of Education increased the property taxes by five hundred million dollars, one half a billion dollars. Even with this modest increase in the exemption, the board will be able to increase the property taxes by twenty-nine million. On top of that, the board will receive seventy-one million from the state income tax increase, and on top of that, the board will receive twenty-one million in state aide. In suburban Cook County, elementary school districts increase property taxes by a 182.6 dollars...million dollars from 1986-1988. That's a thirty-five percent increase. At the same time, the consumer price index for the same area rose about eleven percent. Large tax increases are likely again. The exemption increase will help slow this speeding frenzy that some of our school districts and some of our local

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governments have. We ask you to consider as the previous speaker stated, I send this message to all our downstate people. When you needed help from the Chicago people in regards to the farmland reassessment, we were there. We helped you. Now, the Chicago and Cook County need your help in passage of this First Conference Committee Report. We need your help to help the people, before we have something drastic taking place from our taxpayers. I ask you and I thank, Representative Daniels for his fine remarks in supporting this piece of legislation, because it's the only thing we can do right now. Hopefully, in the long range, down the road we'll come with some permanent solution. Please help us this evening and vote for this First Conference Committee Report on Senate Bill 853. Thank you."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 853?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Edley is recognized for one minute to explain his vote."

Edley: "Thank you, Madam Speaker, Ladies and Gentlemen of the General Assembly. I'm voting against this legislation, not because the intent is bad or mist...misplaced, the intent is good. I'm voting...I'm voting against it because the execution is disjointed. We promised the local governments and school systems of this state in June to provide them with a substantial...a substantial influx of funds into their...their operations. They've already...and I...I have to admit, I voted against that tax increase. But once we made that promise to them, they went out and...and budgeted in...in...have spent that money. To come back in November and take this away from them, I think is...is not proper. It's not good lawmaking. I would urge that we...we vote



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'no' and consider it this spring. Thank you."

Speaker Breslin: "The Gentleman from Fulton, Representative Homer. One minute to explain your vote. Mr. Homer is recognized. Mr. Electrician, Mr. Homer."

Homer: "Thank you, Madam Speaker. I would like to briefly explain my vote. When I came down here last spring, I had two goals in mind and introduce legislation to affect a policy in this regard that would shift that would provide for a shifting of the burden, funding of education from the property tax increasingly to the income tax. The second goal in addition to shifting, was to enhance funding for education. The measure we passed last spring went part of the way. We enhanced the funding for education and local government, however, we did nothing or little to shift the burden for the property tax to the income tax. This measure I think, takes the second step. And had those two been linked this spring... probably would have passed out with 118 votes. I see this as the second step in the process that we began last spring by increasing the income..."

Speaker Breslin: "Bring your remarks to a close. Representative Mautino, one minute to explain your vote."

Mautino: "Thank you very much, Madam Speaker. The debate this evening tells me one thing, the State of Illinois should not be involved in local property tax provisions. That's what it tells me. It also tells me that the only reason we're in it, is the resource equalizer formula, which I think is unfair in its totality anyway. I happen to come from a county that the county board provided for a hundred and seventy-two thousand dollars to the schools because of declining assessed valuations and loss of funds to those schools. For me to support this legislation, would certainly be a scam, I think, to the people that I

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represent in my area, but most importantly, there's one...one good portion of it. And that good portion happens to be the circuit breaker provision. And that circuit breaker provision would provide assistance and the state would...would then be doing something from the state coffers. But to take it from the local entities, specifically the schools, is totally unfair. And I...I..."

Speaker Breslin: "Bring your remarks to a close, Sir. Okay. Have all voted who wish? Seventy-one votes are required for the adoption of this Conference Committee Report. The Gentleman from Cook, Representative Turner. One minute to explain your vote."

Turner: "Thank you, Madam Speaker and Ladies and Gentlemen of the Assembly. I rise too, with a question mark in my mind. Earlier this year, we sent money to the school systems in this state and said, 'Hey, this is dollars that will help make education better'. We did it on a temporary basis and now we're about to give a permanent tax break. And I think that that is very confusing to the people of this state. It's an issue that should be thought over a little more carefully and that we should debate this issue this spring, and I'm voting 'present'."

Speaker Breslin: "Representative Shaw, one minute to explain your vote. He indicates he does not wish to speak. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 55 voting 'aye', 38 voting 'no', and 19 voting 'present'. Poll the Absentees, Mr. Clerk."

Clerk O'Brien: "A Poll of those not voting. Klemm. Martinez. And Richmond. No further."

Speaker Breslin: "Representative Richmond."

Richmond: "Vote me 'present' please."

Speaker Breslin: "Representative Richmond votes 'present'. There

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are 55 voting 'aye', 38 voting 'no', 20...Representative Giorgi."

Giorgi: "Vote me 'green'...'aye'..."

Speaker Breslin: "...Votes 'aye'. Representative Giorgi votes 'aye'. Representative McGann. Repre...Speaker Madigan."

Madigan: "Madam Speaker, I move that we reject the First Conference Report and ask for a Second Conference."

Speaker Breslin: "Okay. Let's declare that this Motion fails. The Gentleman now moves to nonconcur...or rather do not adopt the...okay. The Gentleman just request a Second Conference Committee Report, and that will be appointed. Rather a Second Conference Committee, and that will be appointed. Representative Steczo, for what reason do you seek recognition?"

Steczko: "Madam Speaker, it's come to my attention that the Senate has just defeated the First Conference Committee Report on Senate Bill 1072, so I would request the appointment of a Second Conference."

Speaker Breslin: "The Gentleman requests a Second Conference Committee on 107...Senate Bill..."

Steczko: "...1072..."

Speaker Breslin: "Senate Bill 1072. That will be appointed, Sir. That will be appointed. Representative Capparelli, we're prepared to go to your Bill on Supplemental #2. Ladies and Gentlemen, on the Order of Motions, on Supplemental #2 appears Senate Bill 1402. Representative Capparelli moves to suspend Rule 79(e) and place this Bill on the Order of Nonconcurrency. Is there any objection? Hearing no objection by use of the Roll...of the Attendance Roll Call, that Motion is adopted. Now on the Order of Nonconcurrency, Representative Capparelli on Senate Bill 1402."

Capparelli: "Thank you, Madam Speaker. I refuse to recede from

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House Amendments and I ask for a Second...First Conference Committee Report."

Speaker Breslin: "The Gentleman has moved to refuse to recede from the House Amendments to Senate Bill 1402. On that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede on our Amendments to this Bill?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from the House Amendments on Senate Bill 1402, and a Second Conference Committee will be appointed. Or rather a Conference Committee will be appointed. Representative Mautino. Representative Mautino. Representative Mautino, on Supplemental #2 appears a Bill you are sponsoring under the Order of Motions, Senate Bill 97. A Second Conference has not been requested. You are recognized to make that Motion."

Mautino: "Thank you, Madam Speaker. I request that a Second Conference Committee be designated for Senate Bill 97."

Speaker Breslin: "The Gentleman has requested a Second Conference on Senate Bill 97, and that will be appointed, Sir. On the Order of Supplemental #3...on Calendar Supplemental #3, under the Order of Conference Committee Reports appears Senate Bill 487. Is Mr. Kirkland in the chamber? Okay. Senate Bill 487."

Kirkland: "Thank you, Madam Speaker. I move that we approve Conference Committee Report #...the First Conference Committee Report for on Senate Bill 487. First of all, everything's deleted that was in the Bill prior...in Conference Committee Report #1 amends the Local Solid Waste Disposal Act and the Public Utilities Act to make tire burning waste to energy facilities eligible for the higher energy purchase rate currently accorded solid waste

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incinerators under the 1987 cogeneration law. That law requires public utilities to purchase the energy generated by solid waste incinerators and now...and now it would include the tire burning facilities at the retail rate, which is higher than the normal rate. That higher rate...then the utility is reimbursed for it through an extra outlay by a...I'm sorry, reimbursed for that extra outlay by a tax credit on their public utility taxes. I might note that in the legislation, there are protections as to making sure that the tire burning facility operates in the way it's represented to. They have to...such a facility would have to annually certify to the Illinois Commerce Commission that tires are the facilities' primary fuel source and comprise at least ninety percent of its annual fuel loading. The operator has to guarantee that the annual...that the annual tire throughput volume will be at least sixty...six percent of the design capacity the facility. And the facility is a regional pollution control facility that has to receive local siting approval under Senate Bill 172, former Senate Bill 172, which was a 1981 Landfill Incinerator Siting Law. I might add that this Conference Committee Report passed the Senate earlier in the day by a vote of 52 to nothing. I move for approval of the Conference Committee Report."

Speaker Breslin: "The Gentleman has moved to adopt the First Conference Committee Report on Senate Bill 487. And on the question, the Gentleman from Cook, Representative Kulas."

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

Speaker Breslin: "He will."

Kulas: "Representative Kirkland, do we have an incinerator presently in the state which is capable of burning tires?"

Kirkland: "No, we do not."

Kulas: "We don't? Under...under your...under this legislation

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now, we will be getting a tax break for something that doesn't exist, is that correct?"

Kirkland: "No, but I guess...that's correct, but it would also be something that I think we want to encourage."

Kulas: "Alright. For the...for the purposes of legislative intent, if someone were to file for a permit for an incinerator that would burn strictly tires, presently, would they have to go through the local siting laws under Senate Bill 172?"

Kirkland: "Yes."

Kulas: "How does your Bill change this?"

Kirkland: "It doesn't change that...that requirement."

Kulas: "It doesn't change that requirement?"

Kirkland: "It does not. It...it puts language in the...it adds language to the statute, specifically stating that as to the tire burning facility, but the fact of the matter is if one applied for it now without the opportunity for the...to use the higher energy purchase rate, it would still have to be cited under that 172, Senate Bill 172."

Kulas: "Alright, thank you."

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

Balanoff: "Madam Speaker, I rise in opposition to Conference Committee Report...the Conference Committee Report #1 on Senate Bill 487. Incineration as a technology for waste disposal is not safe. No matter how good the scrubbers, dioxins and furons, still escape from the stack. Dioxins are so dangerous that no level is safe. And there are no scrubbers that are capable of capturing dangerous mercury vapor. The ash that comes out of the bottom of the incinerator is often toxic and must be disposed of in a hazardous waste landfill, which all experts agree will eventually leak. I could go on and on about the hazards of

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incineration, which are little more than landfills in the sky, but because the hour is late, in closing I want to say it's ludicrous to give tax breaks to incinerators that according to officials of the U.S. Environmental Protection Agency, and I quote, 'May reasonably be anticipated to contribute to the endangerment of public health and welfare'. This will only encourage this unsafe technology. For those of us who care enough about the health of our families and our neighbors, to come out publicly against the siting of incinerators in our districts, as many people have over the summer and the last few months, I'd hope we stand together tonight in voting against this bad Bill."

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

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

Speaker Breslin: "He will."

Peterson: "Representative, what is the location or possible proposed location of this incinerator?"

Kirkland: "Peoria."

Peterson: "Well, I was too...I thought it might be by that bale flume next to Elgin and Bartlet. Is it proposed for your district where you've been fighting a landfill?"

Kirkland: "We're in the process of proving that unsafety..."

Peterson: "...Now why would a Representative who is fighting some of the problems up in his area, want to pass legislation for an incinerator that burns tires?"

Kirkland: "Well, there's still the local siting process. That process is occurring up in our area too and..."

Peterson: "And it's been very, very hard and emotional on those people, hasn't it?"

Kirkland: "Certainly."

Peterson: "Well, to the...to the Bill, Madam Speaker. I think this Bill needs a lot more study. It's time has not come

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and I urge a 'no' vote."

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

Steczko: "Thank you, Madam Speaker, Members of the House. I rise in support of the First Conference Committee Report on Senate Bill 487. We've all heard for a number of years about the problem with...with...with used tires and getting rid of used tires. And the kind of health and safety and the environmental problems those used tires cause. We in fact in the Legislature last year, I believe, approved the passage of House Bill 1085, which gave the Department of Na...Energy and Natural Resources the authority to try to provide assistance to eliminate part of the problem. When we talk about the problem of eliminating tires, we have a...only a few options available to us, and that is the problem of recycling, or we can shred them and put them in a landfill, or we can incinerate them, or we can just leave them there to cause more environmental and health concerns. Incineration probably is the third step on the ladder, but it's something that really needs to be considered. We can recycle them perhaps, but there may be problems with the steel belts on the main part of the tire. We can try to shred them, but there...there are problems with those and of course when you shred them, you take up valuable land spill...landfill space that is... that is quickly evaporating here in the State of Illinois. So an option would be to use incinerator facilities, which in fact have proven to be safe and must meet environmental standards to try to take care of the problem. It is something that we need to try to look at, something we need to try to do, but without the incentives provided in the...what we call House Bill 942 that provides for a larger buy back rate, you will never get the incentives to be able to provide the



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technology here in the State of Illinois to help dispose of the problem. So, Senate Bill 487 is important for us. It's important for us to try to take care of the millions and millions and millions of used tires that are laying out there and unable to be disposed of. This provides the incentive and the technology to be able to do that and I would urge the adoption of the First Conference Committee Report."

Speaker Breslin: "Representative Kirkland to close."

Kirkland: "Thank you, Madam Speaker. Obviously we face a dilemma in how to get rid of these scrap tires. In Illinois there's currently in excess of eight million such tires stockpiled. In general there are three...three ways to try to get rid of these. One would be landfilling or stockpiling, a second, recycling and reusing, and a third would be incineration. This Bill obviously focuses on disposal through incineration and also as I said before, it requires the local siting under 172, so that strict air emission standards are met. The Bill has been reviewed by the Department of Energy and Natural Resources, by the Illinois Commerce Commission, the Department of Streets and Sanitations of the City of Chicago, Commonwealth Edison Company and the Illinois Solid Waste Association. There is no opposition from those groups. We think this is a good Bill and moving in the right direction. I remind you again the Senate voted 52 to 0, and I move for acceptance of the...passage of the Conference Committee Report."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 487?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Seventy-one votes are required for the adoption of this Conference Committee Report. Have all voted who wish? Have all voted who wish? The Clerk will

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take the record. On this question there are 54 voting 'aye', 39 voting 'no', and 13 voting 'present', and the Motion fails. 19 voting 'present'. Representative Kirkland, the Motion fails. Do you wish a Second Conference Committee be appointed? Yes. The Gentleman requests...Representative Kirkland requests a Second Conference Committee. Representative Lang, for what reason do you seek recognition?"

Kirkland: "Madam Speaker, before you dump that Roll Call would you change my vote to 'no' please?"

Speaker Breslin: "I'm sorry, it's too late."

Kirkland: "Would you have the record reflect that then, please?"

Speaker Breslin: "Very good. The record will so reflect that.

On Supplemental #2 under the Order of Conference Committee Reports appears Senate Bill 856, Representative Leitch. While he is coming to his seat, Mr. Clerk, can you tell us whether or not this corrected Conference Committee Report has been distributed? Sorry, Representative Leitch, the Chair indicates that the Report is not printed and distributed yet. We'll get back to you as soon as it is. Representative Giglio in the Chair."

Speaker Giglio: "...Martinez on a Motion. House Resolution 1013 on page 7 of the Calendar."

Martinez: "Thank you, Mr. Speaker, Members of the House. Pursuant to Rule 77(a), I move to discharge the Committee on Assignment from further consideration of House Resolution 1013 and advance to the Order of Second Reading, Speaker's Table."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the Motion is adopted. On the Resolution, Representative Martinez."

Martinez: "Yes, Mr. Speaker."

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Speaker Giglio: "House Resolution 1013."

Martinez: "House Resolution 1013 simply asks the Illinois delegation in Washington to lobby the Members of Congress to support the complete funding of SLIAG. SLIAG stands for the State Legalization Impact Assistance Grant. This is a fund that provides one billion dollars to states in order to help offset the states financial burden for providing services to newly legalized aliens. This money in turn is used for services in the areas of education, general assistance and public health. In 1985, the Immigration Reform Act granted naturalized citizenship status to undocumented aliens who resided in the U.S. prior to 1982. These people are then denied all other federal benefits for five years. We cannot turn our backs on these people and..."

Speaker Giglio: "Representative Martinez, could you talk a little louder?"

Martinez: "Thank you. I ask the Members of this House not to turn their backs on these people. House Resolution 1013, I'm assured has the support of Governor Thompson. And all it provides is that we ask Congress not to cut the funds that have been appropriated to implement this very important program."

Speaker Giglio: "On the Gentleman's Motion all those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it. The Resolution is adopted. On the Order of Speaker's Table, page 6 of the Calendar, appears House Resolution 35, Representative Curran. Representative Curran in the chamber? The Gentleman from Sangamon, Representative Curran."

Curran: "Mr. Speaker, I..."

Speaker Giglio: "I believe there's an Amendment filed?"

Curran: "Yeah, there's...there are two Amendments filed. I want

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to...the Amendment that staff tells me we need is Amendment #2. So..."

Clerk O'Brien: "Floor Amendment #1, is being offered by Representative Curran."

Curran: "I don't want Amendment #1. I want Amendment #2."

Speaker Giglio: "Withdraw Amendment #1, Mr. Clerk. Are there further Amendments?"

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

Speaker Giglio: "Representative Curran on Amendment #2."

Curran: "Yeah. What this would...Amendment #2 does is makes a determination that...that this would be an Advisory Committee that would report to the Department of Public Health on the subject of mobile homes...mobile home ownership. And this is...both Representative Piel and I are Sponsors of this. Would set up an Advisory Committee...Also McNamara? ...Set up an Advisory Committee on mobile home ownership. So, I move for the..."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I think the Gentleman probably has a good idea here on a problem that's been vexing this chamber for some time, but I don't believe Amendment #2 has been printed and distributed. If I'm wrong, please correct me."

Curran: "Mr. Speaker, would you take this out of the record temporarily?"

Speaker Giglio: "Take it out of the record, Mr. Clerk. On page 3 of the Calendar under Concurrence appears House Joint Resolution 55, Representative Kulas."

Kulas: "Thank you Mr. Speaker. I would move that the House concur with Senate Amendment #1 to House Joint Resolution 55. All it does is change the reporting date from June...from June 30th to October 1st. And I would move for

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a concurrence."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the House does concur with Senate Amendment #1 to House Joint Resolution 55. Representative Hensel, for what purpose do you rise, Sir?"

Hensel: "I have an inquiry of the Chair. Are we still in a Veto Session or are we working on the Bills that...from the June 30th legislation?"

Speaker Giglio: "Well, the Parliamentarian informs the Chair that we're doing a little bit of everything and it ought..."

Hensel: "A little bit of everything?"

Speaker Giglio: "Yes."

Hensel: "Oh."

Speaker Giglio: "Since we are a..."

Hensel: "Do we have any more Bills that are on the Veto Session that we can work on?"

Speaker Giglio: "Yes. I believe you're staff is working on those with your Leadership at the present time. We'll get to those."

Hensel: "Okay, thank you."

Speaker Giglio: "Supplemental 2, Senate Bill 856, Representative Leitch. The corrected Conference Committee Report is out."

Leitch: "I don't think it's ready yet."

Speaker Giglio: "The Page indicates that the corrected Conference Committee has been distributed, Representative Leitch."

Leitch: "I'd like it out of the record, please."

Speaker Giglio: "Take it out of the record, Mr. Clerk. On page...Supplemental Calendar #4, Senate Bills, Second Reading, appears Senate Bill 1096. The Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. Senate

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Bill 1096 includes a variety of provisions. First of all, it includes the Governor's Amendatory Vetoed Bill that deals with spending accountability. Secondly, it requires the Governor to submit Appropriation Bills no later than the day of the Budget Address. It also requires that the Bills...to include his recommendation for elementary and secondary education and higher education. This was House Bill 17 which was..."

Speaker Giglio: "Representative Breslin, the Bill's on Second Reading. There are a few Amendments that have to be adopted. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1096, a Bill for an Act to amend the Civil Administrative Code of Illinois. This Bill has been read a second time previously and we were on Floor Amendment #16, offered by Representative Ewing."

Speaker Giglio: "Representative Ewing."

Clerk O'Brien: "Ewing, Homer, Cullerton and Giorgi."

Speaker Giglio: "Representative...Representative Breslin."

Breslin: "...Speaker, I move to table Amendment #16."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I don't think we're going to have any problem with that, but could we give the...Mr. Ewing the courtesy of about thirty seconds to get out here? I believe we're going to do what you suggested anyway, but I would like to give him thirty seconds to get out here."

Speaker Giglio: "Representative Ewing on Amendment #16 to Senate Bill 1096."

Ewing: "Mr. Speaker, Amendment 16 is the Amendment that this Bill was originally intended to carry and puts the language in the Bill as I think agreed to between the parties. It restates the accountability language that we intended to put in incorporating the changes the Governor had made in

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his Amendatory Veto."

Speaker Giglio: "Representative Ewing. Mike."

Ewing: "We'll withdraw Amendment #16."

Speaker Giglio: "Withdraw Amendment #16, Mr. Clerk. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #17, offered by Representative Homer."

Speaker Giglio: "Representative Homer on Amendment #17 to Senate Bill 1096."

Homer: "Thank you, Mr. Speaker, Ladies and Gentlemen. Senate Amendment #17 does a couple of things. I want to run through them briefly. The Amendment permits DCCA to disperse grant money to the City of Pekin and Greenville for facilitating the location of federal prisons to these two communities. As Members may know, those two communities currently are under consideration by the federal government for the installation of federal prisons which will bring a number of new jobs to the area. This would specifically provide that DCCA could disperse grant money to those two cities to facilitate the acquisition of the land for the construction of those facilities. The Amendment also provides that in those...for those civic centers that have currently reached the twenty million dollar maximum authorization which includes Peoria and Rockford, for dispersements that in fact the limits will be...will be raised, if in fact the General Assembly should appropriate additional funds for those civic centers. The other provision provides that the Rosemont Civic Center already has language included in the current law that states that notwithstanding the foregoing, beginning July 1, '91, an applicant with a facility of four hundred thousand square feet of exhibition space shall have a sum of twenty million dollars in any event. So, that is

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nothing new. Finally, the final provision is that the General Assembly appropriated one hundred million dollars in FY '90 for civic center construction. Under the current law the bureau will be able to sell bonds in FY '90 and FY '92. The first issuance will fund only two of the higher priced projects. The remaining civic centers under current law would have to wait until FY '92 to receive their funds. This Amendment allows all the bonds to be sold in the first two years. I would move the adoption of Amendment #17."

Speaker Giglio: "Further discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Black: "Thank you. Representative, I have a sense of deja vu here. This sounds very familiar to me. Have we seen this Amendment before?"

Homer: "In a related form. I think you're clairvoyant. I think it is deja vu."

Black: "I...Let me see. Let me...Well, is this not very similar to Amendment 15 that was, as I recall, just barely defeated. Just barely."

Homer: "I think what you're talking about, there was an earlier Amendment, I don't know which one, that had to do with raising the cap on civic center funding? And I think that particular Amendment was...I don't know what happened to it, but there was some previous Amendment that had that same provision in it. This Amendment does that and a couple of other things. So, there is some similarity in that regard."

Black: "As I recall some of the discussion, that nobody had checked with Peoria, so forth and so on. And here we come back with seventeen that does really the same thing that



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Amendment 15 does, with some additional language as I understand it. It would appear that the Peoria language and the Rockford language has stayed intact and a small community...What is this? It's hard for me...Rosemont, I believe. Looks like Rosemont is perhaps been removed. Was that just inadvertent...Perhaps that was inadvertently removed from this Amendment."

Homer: "Well, it's my understanding, Representative Black, that the Rosemont Civic Center already has the language included in the current law. So, it wasn't necessary to adopt the Amendment with respect to Rosemont."

Black: "So...Okay, so...Excellent. For purposes of legislative intent then, your Amendment shouldn't be construed as trying to harm Rosemont or their civic center in any way. Correct?"

Homer: "No. They already have that included."

Black: "Excellent. Outstanding. Let me just ask you one other question about the language here on the State of Illinois providing grants to local governments for a federal prison. Is that language necessary to give the authority to do this, or do they already have this authority and we're just kind of localizing where that grant might go?"

Homer: "It's my understanding that there's some uncertainty...disagreement about whether current law would allow such grants. The..."

Black: "I'm sorry. Staff just told me that they do need the language."

Homer: "Right."

Black: "I'm sorry. Thank you very much, for your patience, Representative."

Speaker Giglio: "The Gentleman from Rock Island, Representative Brunsvold."

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

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Speaker Giglio: "He indicates he will."

Brunsvold: "Representative Homer, would you run through the mechanism with the present civic centers and how they're going to relate to increased funding, and does that have anything to do with the new money we appropriated and the Bill we passed in the spring dealing with the quad cities and Schaumburg and those civic centers?"

Homer: "No, it does not in any way impact on the money we appropriated this spring. One of the limitations in the civic center language in the statutes is that once a civic center has reached a twenty million dollar maxi...distribution from the state, they are no longer eligible from any further distribution of state funds. This provision would say that if in fact the General Assembly shall appropriate sums that take that civic center above twenty million dollars, that those would be authorized. But this does not in any way impact the Rock Island Civic Center or the monies that were appropriated last spring."

Brunsvold: "Are you aware of a situation with Rosemont that they want to go above that limit? So, then if we pass legislation for Rosemont, would that plug in Peoria and Rockford and..."

Homer: "Well, we already did pass language for Rosemont. They had already hit their twenty million before and we passed language previously to lift the limit for Rosemont. Now, what we have is Peoria, Rockford...Peoria and Rockford now are also at that twenty million limit."

Brunsvold: "So, in other words, Rosemont has reached twenty million dollars?"

Homer: "Yeah. This...No. This...this has..."

Brunsvold: "Has Rosemont..."

Homer: "We have in the Approp. Bill for Rosemont 1.3 mil., and

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this Bill does not authorize any additional appropriation for Rosemont. No. None at all."

Brunsvold: "Okay. Thank you, Representative."

Speaker Giglio: "Further discussion? The Gentleman from Peoria, Representative Leitch."

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

Speaker Giglio: "Indicates he will."

Leitch: "Thank you. Just to clarify, cause I know this is confusing. In working with Representative Giorgi on this, who I know is very concerned about the impact of this language and what we believe it does, is it not the legislative intent that this language do three things? That it raise the cap. That it in effect override existing requirements in the statutes which would otherwise prevent us from applying for these funds in Fiscal '90? It will enable us to apply for the funds in Fiscal 1990, and it will permit an unrestricted grant to Rockford and to Peoria. In talking with Senator Luft and I think with you and your staff, is that not the legislative intent of this Amendment?"

Homer: "Yes, it is."

Leitch: "Okay. Thank you, very much. Thank you, Mr. Speaker."

Speaker Giglio: "Further discussion? Representative Homer to close."

Homer: "I think we've handled the discussion through the questions and answers. I would simply ask for the adoption of the Amendment."

Speaker Giglio: "All those in favor of the adoption signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it. Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #18, offered by Representative

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Cullerton."

Speaker Giglio: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Last year we passed a Pension Bill, Senate Bill 95. It contained an error as related to the Chicago Firefighter's System. We increased the minimum annuity for all persons receiving a retirement annuity, from four hundred dollars to four hundred and seventy-five dollars. The problem is that we did not limit this increase to those persons who were at least fifty years old and had at least twenty years of service. So, by not correcting this provision, the system will have to pay annuitants who maybe are only entitled to an annuity of a monthly amount as low as twenty-five dollars, to be able to receive a four hundred and seventy-five dollar minimum annuity. So, this is a benefit which has not yet gone into effect. It doesn't take effect until January 1st, 1990. We wish to correct this problem before that takes place. Be happy to answer any questions and move for the adoption of the Amendment."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. The opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #19, offered by Representative Giorgi."

Speaker Giglio: "Representative Giorgi on Amendment #19 to Senate Bill 1096. The Gentleman from Winnebago, the Dean of the House, Representative Zeke Giorgi."

Giorgi: "This is language that DCCA feels we should have in the Act to get the money that was appropriated the last Session of the General Assembly. That's all."

Speaker Giglio: "Any discussion? The Gentleman from Vermilion,

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Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Black: "Thank you. Representative, I just have one question about this and let's make this very clear, because we just last spring created some new civic centers. And now, are you saying that that money will be funneled only for repair and renovation, or (comme si, comme sa)? You turn in an application and if an existing civic center gets it you can use it for renovation, or if one we created last spring wants it, you can build one."

Giorgi: "Only those that were completed by July 1st of 1989."

Black: "Alright. Now what does this do with what we did last spring in creating some new civic center authorities?"

Giorgi: "It doesn't do anything...it does nothing to them. Nothing."

Black: "But, what happens to the money then? I mean, could the existing ones siphon off the money?"

Giorgi: "The money's in a bond trust fund. Bond trust fund. We get none of that money."

Black: "Alright. Okay. Thank you."

Speaker Giglio: "Further discussion? The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you, Mr. Speaker. I too, would like to add my word in favor of this Amendment. It more specifically clarifies what we did last June. The situation with some of us, especially Peoria and Rockford, is that we have an appropriation, but we were lacking in some substantive detail and legislation in order to use that appropriation. And Representative Giorgi has done a superior job of putting together substantive language that would cure those problems, and I would urge a favorable vote on our side."

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Speaker Giglio: "You heard the Gentleman's Motion. All those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #20, offered by Representative Cullerton."

Speaker Giglio: "Representative Cullerton on Amendment #20. Has the Amendment been distributed, Mr. Clerk? Mr. Clerk, we'll hold this Bill on Second Reading until the Amendment's been distributed. Representative Black, do you have a copy of Amendment #20? Senate Bill 1096. Amendment #20, Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #20 contains everything that was contained in Amendment #18 which we just passed, as well as another correction to the Pension Bill that we had passed earlier this year. That Omnibus Bill included a provision that allowed a civilian...for the...on the police department...employee of the police department to pay into the Chicago Police Department Fund. And it's our intention and the intention of the system to have that rescinded. So, that's what this Amendment does in addition to the provisions that we had already adopted in Amendment #18. So, I move for it's adoption and be happy to answer any questions."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? Representative Hultgren."

Hultgren: "Can you give us just a minute?"

Speaker Giglio: "All those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Giglio: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1096, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of the Bill."

Speaker Giglio: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill contains a variety of provisions. You have just heard four recently adopted, so I won't go back to those, but I will refresh your memory on the ones previously adopted today. They were all adopted today. The first one provides for spending accountability on the part of the Executive of the State of Illinois, a Bill previously passed this Assembly, amended by the Governor, and currently in the form that the Governor approves of. The other thing it does is that it requires the Governor to submit Appropriation Bills no later than the day of the Budget Address and also requires those Bills to include his recommendations for elementary and secondary education and higher education. It allows McCormick Place to receive Build Illinois Funds directly for Pier Project as opposed to going through the Department of Conservation. This Bill also includes House Bill 2369 as amended by the Governor. It amends the State Employees' Group Insurance Act by requiring retired employees of community colleges to be covered under the State Group Health Insurance Plan. It also amends the State Salary and Annuity Withholding Act to include state contracted employees to have payroll deductions to purchase U.S. Savings Bonds. This is an important Bill, I know, to the community colleges. It allows the Housing Trust Fund to be used to assist an organization in developing the capacity to develop affordable housing..."

Speaker Giglio: "Representative Breslin. Excuse me a minute."

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Representative Black, for what purpose are you seeking recognition?"

Black: "Well, just a point to the Chair, Mr. Speaker. The underlying Bill, I think, was rather straightforward and probably would have flown out of here. And I appreciate what the Sponsor is doing, but I just wish she would make reference to the Amendments. This thing started out simple and hell, it looks like a road map of the New Madrid Fault. Now, if she'd just make a reference point to what Amendment she's referring to, and I think she's doing an excellent job, but some people are having a very difficult time trying to focus on what Amendments have been added to this Bill and what those Amendments do. I think she was running down the list, but if she could just simply say I'm summarizing Amendment 5, I think which she was just on and 6 and so forth and so on. If you would, please."

Speaker Giglio: "I think that was the intent of the Lady."

Breslin: "Be happy to, Representative Black. I'm up to Amendment #7, that was Representative Turner's Amendment to allow the Housing Trust Fund to be used to assist an organization in developing the capacity to develop affordable housing projects. I'm sure that you remember that one. The next one was Representative Dunn's, that created the retaliatory discharge for In-house Attorneys Act. Amendment #9 was adopted, which allows the State University Retirement System to contract...to construct a new facility. Remember the new facility? That was Representative Wolf's Amendment. Amendment #10 was Representative Parke's Amendment. It amends the Open Meetings Act to allow the Employees' Suggestion Board to hold closed meetings only to consider confidential suggestions. Amendment #11 was adopted. It was suggested by Representative Giorgi. It amended the Lottery Law. It says that you must have a



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ticket to win. You remember that proposal? Then the next one that was adopted was an Amendment...an Amendment by...offered by Representative Cullerton, Amendment #13 that requires Cook County to pay fifty percent of annuitant's health benefits. Number 14 by Representative Cullerton, extends the repeal date for optional plan of group insurance for additional benefits and contributions from July 1, '90 to July 1 of '92. The next one that was adopted was Amendment #17, 18, 19 and 20, that were just previously discussed by this House. That's what this Bill does. I realize that it is difficult to follow all of these things. I've tried to summarize what the Bills (sic - Amendments) do. I think that all of the Amendments passed with fairly substantial majorities here, and I recommend that we pass Senate Bill 1096."

Speaker Giglio: "You heard the Lady's Motion. All those in favor...and on that question, Representative McCracken."

McCracken: "No way. Enough is enough. We've had twenty times of these provisions before this. This is the twenty-first time. There are eighteen Amendments on it. They're all Democrats. And those few that are from Republicans are a cheap buy off. Vote 'no'. It takes 71 votes. Enough is enough."

Speaker Giglio: "The Gentleman from Jefferson, Representative Hicks."

Hicks: "Thank you, Mr. Speaker. I just had a couple of questions of the Sponsor, but maybe I don't need to ask them now. So, I'll withdraw and wait and maybe explain my vote."

Speaker Giglio: "The Gentleman from Effingham, Representative...Livingston, Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, some of you might think that I'm a sore loser. And I've been in this House now for fifteen plus years and it's the first

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time that I ever had myself removed as a Sponsor of a Bill, and probably with a bogus written consent at least to begin with. This Bill is certainly a Democratic christmas tree. Everything on this Bill is something that should have been decided alone and on it's own merits, and yet tonight you just gobble it up thinking that you can shove..."

Speaker Giglio: "Excuse me, Representative. Representative Ewing..."

Ewing: "No! Mr. Speaker."

Speaker Giglio: "Represen...Proceed."

Ewing: "Yes. Thank you. Another insult I suppose. You want to interrupt me. Mr. Speaker, what I have to say on this Bill is that everyone of these Amendments should have been decided on their own. Many of them would not have been acceptable to this House. And then let's think about the rulings that the Chair made. Another show of arrogance. Yes, you, Mr. Speaker, arrogantly called on your very dutiful Parliamentarian and you said, 'It's germane. No, it isn't germane.' Whatever you said, he did. And Mr. Speaker, the people on this side of the aisle don't have to take it. You need 71 votes. I don't think you have 71 votes, and this Bill ought to die."

Speaker Giglio: "Well, Representative Ewing, I'm disappointed you have that attitude toward the present Speaker in the Chair. I thought this layman was always fair, especially to the attorneys in the House and to people like you who've been in this Assembly for fifteen years. I'm appalled that you would pick on a plumber. The Gentleman from Cook, Representative Piel."

Piel: "Thank you, Mr. Speaker. Will the Lady yield for a question?"

Speaker Giglio: "Representative Breslin."

Breslin: "I'm sorry, Representative Piel, I'll walk over and

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answer your questions. At the moment I'd like to take the Bill out of the record."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Supplemental Calendar #5. House Bill 1487, First Conference Committee Report, Representative Homer. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1487, a Bill for an Act to create an Act to provide for the creation of statewide grand juries by the Chief Justice, together with First Conference Committee Report."

Speaker Giglio: "The Gentleman from Fulton, Representative Homer."

Homer: "Mr. Speaker and Ladies and Gentlemen, the..."

Speaker Giglio: "Representative Piel. Excuse me, Representative Homer. Representative Piel, for what purpose do you rise?"

Piel: "According to the House Rules, Mr. Speaker, this Bill is out of order and I would ask the Chair to rule such in reference to the House Rules."

Homer: "Chairman (sic - Speaker)..."

Piel: "Yeah, Rule 79(a). It's in direct violation of Rule 79(a), Mr. Speaker."

Speaker Giglio: "There are copies with the names, Representative Piel. Whoever has a copy of the Conference Committee Report with the names on it, with the typed names on it, would you kindly hold it up. Representative McCracken, you have one. Representative Piel, Representative Hoffman has one. Representative Wojcik has one. Representative Piel."

Piel: "I won't mention where, Mr. Speaker, but I recognize this typewriter typing here. I won't mention publicly exactly where I've seen this, because I don't want to hurt anybody's feelings on the podium at all. But, it's obvious there's a fraud being pulled on this General Assembly by what's going on here. Because if you will look these are

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not different copies, these are exactly, exactly the same. Which means that after it was done somebody realized it and then they had the gall to insult...Listen to this. Senator William Marovitz, Senator Penny Severns, Senator Collins. Doesn't she have a first name? Senator Barkhausen. And then they get over here...You know, the first two people are allowed to be called by their first name, but nobody else is. They're all Senator or Representative so and so. And obviously it is a sham and it's really bad that this would be pulled. And so before we enter any further embarrassment of the Chair and the Speaker's Office, I would suggest taking this out of the record, get it reprinted and have it done legally, Mr. Speaker."

Speaker Giglio: "Representative Piel, your point's..."

Piel: "Legally and correctly."

Speaker Giglio: "Your point's well taken. Representative, not well taken."

Piel: "I beg your...I beg your pardon, Mr. Speaker. Are you saying that my point is not well taken? I've got two copies. The signatures are identical, identical. Everything on the two copies are different, except somebody just happened after the thing was finished, to type over. And that is not correct. They're not suppose to type over the copy. So, all he needs to do is take the Bill out of the record, get it re...get it corrected and come back once it has been corrected. But right now it's in violation, direct violation of Rule 79(a) of our rules. Now are you going to...are you going to, you know, sit here and go along with the rules or not?"

Speaker Giglio: "Representative Piel, the rules..."

Piel: "I mean the real Speaker's right behind you. Maybe he'd like to pick up the microphone and tell us what he wants to do."

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Speaker Giglio: "The rules state that...the rules state that...it doesn't stipulate whether the names are printed. First..."

Piel: "I beg your pardon, Mr. Speaker."

Speaker Giglio: "...or second, there's no...nothing in the rules... As long as they're typed below."

Piel: "No, look at it. Look at it. It's obvious at what they have done. What they have done..."

Speaker Giglio: "Of the signatures."

Piel: "All I say is to do it correctly. Do it correctly, Mr. Speaker. Just take it out of the record, retype it...retype it and have the Conferees sign it. But, do it correctly and do it legally. He's in direct violation of the House Rules right now."

Speaker Giglio: "Representative Piel, it has been done..."

Piel: "Now if he wants to he can try to waive those rules, Mr. Speaker."

Speaker Giglio: "...correctly. You have a copy...you have a copy of the rules."

Piel: "If he wants to he can waive those rules by 71 votes. He knows he can."

Speaker Giglio: "There's nothing...there's nothing to waive, Representative Piel. It's been printed, it's been typed, the names are on there."

Piel: "What do you mean it's been printed and typed, Mr. Speaker. You've got two identical things, but the problem is, you know, that one is legal and the other one is not legal. How are you going to explain it?"

Speaker Giglio: "We'll let Representative Homer explain it. Proceed, Representative Homer."

Homer: "Thank you, Mr. Speaker. Let me explain what happened after the Bill passed over to the Senate. You recall that we nonconcurrented with respect to two of the Senate Amendments. The Senate refused to recede and the Bill was

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put into a Conference Report. I'd like to briefly explain the Bill. I don't think there's any need to go into great depth about it since we've debated the Bill previously and thoroughly before. The Bill creates a statewide grand jury. It's limited to drug offenses only. The Conference Committee before you takes out Senate Amendment 3, the Barkhausen Amendment that would have expanded the authority of the grand jury to investigate and indict derivative offenses. That is not in this Conference Report. The Report is back to the form it was when it left the House the first time, as limited to drug offenses only. The Conference Report also revises the formula for the Narcotics Forfeiture Act to provide that one half of the local government's share...that local government's share is currently received, under this report would go for community based DASA approved programs for education, treatment and prevention. The Bill requires the acquiescence of local state's attorneys to use his or her county as the site of the statewide grand jury. It requires the Attorney General to notify state's attorneys in whose county the grand jury is investigating narcotic activities, and also allows those state's attorneys to participate in the grand jury investigation and prosecution. The Bill also provides that before a grand jury may grant immunity...or seek a grant of immunity for any witness, that those state's attorneys entitled to notice will first have to acquiesce in the conferring of immunity to witnesses regarding offenses that may have occurred in the county where the grand jury...where the state's attorney resides. The Bill has a...this portion of the Bill has a sunset date of January 1, 1993, so that the grand jury will sunset on that date. Finally, the Bill provides a provision for enhancement of the Drug

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Paraphernalia Law that was the recommendation of Father Clements who appeared before the committees to testify to provide that it will be felonious conduct to provide drug paraphernalia...or sell drug paraphernalia to adults or juveniles. I would answer questions. I don't think there's any need to give further rhetoric to the Bill, we've heard a lot of that in the past. I would simply suggest to you that this Bill...this Conference Committee Report puts the Bill in the form that we sent it over exactly in the way that we sent it out of here earlier today, sent it over to the Senate. It's the Bill without the Senate Amendment #3 and Senate Amendment #8, which was a contradictory sunset provision. So, I would urge a strong bipartisan support for House Bill 1487."

Speaker Giglio: "The Gentleman from Rock Island, Representative Brunsvold."

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

Speaker Giglio: "He indicates he will."

Brunsvold: "Tom, the local share of the money to DASA Programs. Half of the local share goes to DASA Programs. What if they don't have one? Does it stay with the state or..."

Homer: "Well, it's not...it wouldn't be a DASA Program. It would be a program certified by DASA for education or treatment."

Brunsvold: "So, the money...the share that the locals are going to get, they're going to get the same amount, but it might...it's going to go to other programs...drug programs."

Homer: "Currently, under the Narcotic Forfeiture Statute, fifty percent of the forfeited assets go to the local government where the arrest occurred or where the investigation originated. Fifty percent will still go into the local government, the difference being that half of that fifty

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percent will go specifically for these drug treatment programs to local based community agencies that have been certified to provide this service by DASA."

Brunsvold: "So, they're not going to lose that fifty percent..."

Homer: "No. The fifty percent stays right in the local community. This just specifies that half of it goes for treatment and half of it goes for interdiction and prosecution."

Brunsvold: "Sounds like a good Bill. Thank you, Representative."

Speaker Giglio: "Further discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "This is just one more incident in a series of incidents which reflects the desperation by which the Democratic candidate for Governor seeks to create an image as a crimefighter. I suggest that people on this side of the aisle, if they don't like the Bill on the merits, vote 'no', if they are indifferent to the Bill on the merits or even if they approve of the Bill on the merits, vote 'present'. This has been done with obscene haste. It is obviously for political purposes only. This last incident about these signatures, about...about amending these Conference Committee Reports after they're signed and printed, even if it's only a name, what does it mean? Next time will a line be inserted? I mean, you know, where does it all stop. Doesn't process mean anything to you? Isn't it important that we do things the right way? That's what this whole system is about. And this Bill has not been done the right way. This Bill has not been done the right way and this is the latest incident in it. I say we vote 'present' on this Bill. I don't even know if the Senate's going to get to this Conference Committee. You know, they have a one day Conference Committee Rule. If they can stop that rule from being suspended, that will not be acted upon



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in the Senate chamber tonight. So, let's vote 'present' on this and protest the way in which it has gone ahead."

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

Countryman: "Mr. Speaker, a parliamentary inquiry. How long does a Conference Committee Report have to be on our desks? It's a day, isn't it? Rule 79(d), I think, provides for it."

Speaker Giglio: "Your point's well taken, Representative Countryman."

Countryman: "Well, that just goes to show how fair you really are, Mr. Speaker. Thank you."

Speaker Giglio: "Take the Bill out of the record and Representative Homer moves to suspend Rule 79(d). On that question, all those in favor... Representative McCracken."

McCracken: "This is just one more hurdle that apparently no rules apply to this Bill. Now, nobody on this side of the aisle, I pray, has any qualms about voting 'no' on this Motion. And I predict that you do not have 60 votes over there. And I don't think you can find 60 votes in any place in town. They are gone to the four winds. We don't know where the rest of them are. Vote against this Motion to suspend. I ask for a verification if it appears to get it."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor of suspending the appropriate rule, vote 'aye', those opposed vote 'no'. The voting is open. Representative Matijevich to explain his vote."

Matijevich: "Well, I heard a lot of rhetoric over there about the Attorney General. Methinks that there's some fear on that side from the way Representative McCracken...He's using every, every tactic he can to try to defeat this Bill. What is he worried about? Are you worried about the

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Governor's race? Is that why you're trying to defeat this Bill even on procedural grounds when you know that we may have the votes here? What are you afraid of?"

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Tate, for what purpose do you rise, Sir?"

Tate: "Thank you, Mr. Speaker. Just to remind you again, in the event that you can jet up 62 votes over there, we have a verification requested."

Speaker Giglio: "Representative McCracken. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there's 63 voting 'yes', 46 voting 'no', and 6 voting 'present'. And the Gentleman asks for a verification. Representative Homer requests..."

Homer: "Absentees, Mr. Speaker."

Speaker Giglio: "Those not voting. Poll those not voting, Mr. Clerk. Well, vote Representative Dunn, 'aye'."

Clerk O'Brien: "There is no one not...recorded as not voting."

Speaker Giglio: "Questions of the affirmative, Representative McCracken? Representative...Mr. Clerk, proceed with the verification."

Clerk O'Brien: "Balanoff. Bowman. Breslin. Brunsvold. Bugielski. Capparelli. Cullerton. Curran. Currie. Davis. DeJaegher. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Hicks. Homer. Lou Jones. Shirley Jones. Keane. Krska. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McGann. McNamara. McPike. Mulcahey. Munizzi. Novak. Phelps. Preston. Rice. Richmond. Ronan. Saltsman. Santiago. Satterthwaite. Steczo. Stern. Sutker. Terzich. Trotter. Turner. Van Duyne. White. Williams. Wolf."

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Woolard. Anthony Young. Wyvetter Younge. Mr. Speaker."

Speaker Giglio: "Representative McCracken."

McCracken: "Thank you. Representative Bugielski?"

Speaker Giglio: "Representative Bugielski? He's in the back of the chamber, Representative McCracken."

McCracken: "Okay. Representative Richmond?"

Speaker Giglio: "Representative Richmond? Representative Richmond in the chamber? How's the Gentleman recorded?"

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

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

McCracken: "Representative Van Duyne?"

Speaker Giglio: "Representative Van Duyne? Representative Van Duyne in the chamber? How's the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove Representative Van Duyne from the Roll Call. Representative McCracken, does Representative Keane at the well here have leave to be verified?"

McCracken: "Yes. Yes. Representative Ronan?"

Speaker Giglio: "Representative Ronan? Representative Ronan in the chamber? How's the Gentleman recorded?"

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

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

McCracken: "Representative Mulcahey?"

Speaker Giglio: "Representative Mulcahey? Representative Mulcahey's in front."

McCracken: "Okay. Representative Woolard?"

Speaker Giglio: "Representative Woolard? Representative Woolard in the chamber? How's the...The Gentleman's in the back."

McCracken: "Representative McNamara?"

Speaker Giglio: "Representative McNamara's in the back of the chamber."

McCracken: "Representative Laurino?"

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Speaker Giglio: "Representative Laurino's in front, in the well here."

McCracken: "Representative Steczo?"

Speaker Giglio: "Representative Steczo's in his chair."

McCracken: "Representative Satterthwaite?"

Speaker Giglio: "Representative Satterthwaite's in her chair.

Does Representative Leverenz have leave, Representative McCracken? He's in the front."

McCracken: "Yes. Yes."

Speaker Giglio: "Leave is granted."

McCracken: "Representative Levin?"

Speaker Giglio: "Levin? Representative Levin? In the aisle."

McCracken: "Representative Morrow?"

Speaker Giglio: "Representative Morrow? How's the Gentleman recorded, Mr. Clerk? Morrow. Representative Morrow? How's the Gentleman recorded?"

McCracken: "He's voting. He's voting. He's here. He's here."

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

McCracken: "I'm with you, Chuck. Representative Kulas?"

Speaker Giglio: "Representative Kulas is in his chair."

McCracken: "Nothing further."

Speaker Giglio: "On this question there's 61 voting 'yes' and 45 voting 'no', and 6 voting 'present', and the Motion carries. House Bill 1487, Representative Homer. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion there's 63 voting 'yes', 36 voting 'no', 14 voting 'present', and this Bill having received the Constitutional Majority, is hereby declared passed. Supplemental #4, appears Senate Bill 1096. The Lady from LaSalle, Representative Breslin. Representative Breslin, Senate Bill 1096."

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Breslin: "Well, thank you, Mr. Speaker, Ladies and Gentlemen. I move for passage of Senate Bill 1096. This is the Bill that has been discussed on three previous occasions tonight. It has several items, some of concern to the State Chamber of Commerce, one dealing with spending accountability. That is the original Bill and the one I am interested in. There are other items dealing with civic centers, with 'McPier', with health insurance, with..."

Speaker Giglio: "Speaker Madigan in the Chair. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1096, a Bill for an Act to amend Sections of the Civil Administrative Code. Third Reading of the Bill."

Breslin: "At any rate, you recognize what the Bill is. We have been discussing it all day. I move for passage of Senate Bill 1096."

Speaker Madigan: "The Lady moves for the adoption of...the Lady moves for the passage of Senate Bill 1096. The Chair recognizes Mr. McCracken."

McCracken: "You saw exactly what happened. You are the only ones who will report the truth. There's no question they denied us a verification. There's no question that we were told to sit down and don't get in the way of Democratic politics. That is precisely what happened. That is precisely what happened. And we don't forget. You need us now for this Bill even though only 2 out of 20 Amendments are Republican. You still want this thing passed don't you? Well, forget it. Nothing passes. Riverboat gambling doesn't pass. Nothing. Nothing. Your precious little projects don't pass, the Supplemental doesn't pass, nothing passes."

Speaker Madigan: "The Lady takes this Bill out of the record. If I can have your attention, Ladies and Gentlemen. If we

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could have your attention. There are approximately five or six Bills left to be called. Of the... That's correct. Of the five or six, as I count about five are requested by the administration. The Chair is prepared to adjourn at 9:00 o'clock. We shall stand in recess until that time. If there's any change of heart, any change of direction, we'll be happy to accommodate those who are requesting these Bills, but for now we stand in recess until 9:00 o'clock."

Speaker Madigan: "The House shall come to order. Senate Bill 1096, Representative Breslin."

Breslin: "Thank you, Mr. Speaker. I move for passage of Senate Bill 1096."

Speaker Madigan: "Mr. McCracken."

McCracken: "Thank you. I rise in opposition to Senate Bill 1096 and I ask my Republican colleagues to vote with me. Vote 'no'."

Speaker Madigan: "Take the Bill out of the record. The Chair is prepared to adjourn. Is there anything to come before the Body? Mr. Clerk, read the Adjournment Resolution."

Clerk O'Brien: "Resolved, by the House of Representatives of the 86th General Assembly of the State of Illinois, the Senate concurring herein, that when both Houses adjourn on Thursday, November 2, 1989, they stand adjourned until Wednesday, January 10, 1990 at 11:30 o'clock a.m."

Speaker Madigan: "Mr. McPike. Mr. McPike. The Chair recognizes Mr. McPike. The Members should be in their chairs. Mr. McPike."

McPike: "Thank you, Mr. Speaker. Having voted on the prevailing side on House Bill 1487, I move to reconsider the vote by which that Bill passed."

Speaker Madigan: "You've all heard the Motion. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it."

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The Motion is adopted using the Attendance Roll Call. We are now on the Order of House Bill 1497...1487...1487. This is the Grand Jury Bill. This will be a Third Reading Roll Call. Those in favor will signify by voting 'aye', those opposed by voting 'no'. The question is, 'Shall the Conference Committee Report on House Bill 1487 be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Mr. Homer."

Homer: "Thank you, Mr. Speaker. I think I would like to advise the Body that this Conference Committee Report came before the Senate a short time ago and passed by a vote of 55 to 1. I think it's a sad day when we find that the Senate is able to put aside partisan bickering in order to pass legislation that's very important to the children and the people of the State of Illinois. As important as this Bill is, I would hope that we in the House would now rise above partisan politics. And I would call upon the people on the other side of the aisle to think about what you're doing. Everyone of your Senators has voted for this Bill. You're sitting there voting 'no', because you're Leadership is trying to tell you that this is something that will advance somebody's candidacy. I'm here to tell you that people are sick and tired of this political bickering when it comes to issues like drugs and drug enforcement and drug dealers and drug kingpins. They want to take the profits out of drug transactions, they want drugs out of their schools, they want it out of their neighborhoods and they don't want us down here bickering over partisan politics and candidates for public office. I implore you to change your vote and do what your Senators have done, a bipartisan approach on behalf of the children of Illinois. The vote should be 'yes'."

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Speaker Madigan: "Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, Representative Homer wouldn't know this because he hasn't been around here long enough, but for five years I sponsored the Grand Jury Bill, only to have opposition from your side of the aisle, Sir. And I know some of the negatives and the positives to this Bill. Yes, we are concerned as to the political use of this Bill, and I think that that record is loud and clear. And our concern has been loudly registered, but only time will tell how this is handled and the responsibility, if handled properly, will be of course for the betterment of the people of Illinois. But, we know there is a tremendous amount of political jockeying on this Bill on both sides of the aisle, and you, Sir, are not free from that yourself. But having said that, I agree with you that something needs to be done in this area, responsibly, by responsible people. Now there are many Members in this chamber that have very strong feelings that we don't need to take away from state's attorneys the authority they have or to say that an Attorney General needs to have authority...additional authority that the state's attorneys have already, because we think many of them are doing their job and they have legitimate concerns about it. But in line with what you have said so there's no misunderstanding, I am suggesting to Republican Members of the House that they may want to join in passing this Bill, because our colleagues in the Senate have decided to do so. I have talked to the Governor, he has tremendous concerns of this Bill, as do the state's attorneys of Illinois have concerns over this legislation. So, let it be known that because some Members may vote 'aye', doesn't mean that they feel comfortable with the political aspects of this Bill and are not



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unafraid of the usage it might be put to, but they are too joining in an effort to make sure that this dangerous, scurrilous problem of drugs in this country moves forward to being stamped out. So, I will switch my vote to 'aye' with the concerns that I have stated."

Speaker Madigan: "Have all voted who wish? Please record yourselves so that we can take the record. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 90 'ayes', 24 'nos'. This Conference Committee Report having received a Constitutional Majority, is hereby declared passed. Senate Bill 1096, Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. Senate Bill 1096 has been described to you previously on several occasions. I move for adoption of the First Conference Committee Report on Senate Bill 1096."

Speaker Madigan: "The Lady moves for the passage of Senate Bill 1096. There being no discussion, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk shall take the record. This Bill requires 71 votes. Well, don't stop there. Have all voted who wish? Have all voted who wish? This Bill shall require 71 votes. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 72 'ayes', 39 'nos'. This Bill having received an extraordinary Constitutional Majority, is hereby declared passed. House Bill 2733, Mr. Hoffman. Mr. Hoffman, do you have a Motion?"

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2733 is a cleanup Bill for the IRAP Program. House Bill 2733 moves all the GRF Funds and all

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the title of 5a Public Assistance Funds into the AFDC Energy Assistance Fund and uses the existing appropriation for benefits in administrative costs of the AFDC component of the program. I move for the concurrence in Senate Amendment #1 to House Bill 2733."

Speaker Madigan: "The Clerk shall read that Motion. Mr. Clerk."

Clerk O'Brien: "Motion...I move to take from the table, suspend Rule 79(e) and place on the Order of Conference Committee Reports."

Speaker Madigan: "This Motion requires 71 votes. Those in favor of the Motion signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? This is a vote on a Motion. Have all voted who wish? Have all voted who wish? The Chair recognizes Mr. Morrow on a the Motion. This is a Parliamentary Motion."

Morrow: "Oh, okay."

Speaker Madigan: "Have all voted who wish? Clerk shall take the record. On this question there are 115 'aye', no one voting 'no'. The Motion is adopted. Mr. Hoffman has explained the Motion for concurrence in the Senate Amendment #1. Is there any discussion on Senate Amendment #1 on the Motion for concurrence? Mr. Morrow, are you seeking recognition? Mr. Morrow. This is a Motion to concur with the Senate Amendment."

Morrow: "Yes, I am glad that we are going to concur on this, but I just wanted to rise to announce that I might have a possible conflict of interest. But, this is a House Bill that is needed at this time. Winter is about to set down upon us and we have many people who are without heat and we need to pass this Bill. And so I'm going to be voting 'green'. Thank you."

Speaker Madigan: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2733?' Those in favor

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signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question there are 113 people voting 'aye', no one voting 'no'. This Motion having received an extraordinary Constitutional Majority, the Bill is hereby declared passed with an extraordinary Constitutional Majority. On the Order of Conference Committee Reports there appears Senate Bill 1322, Mr. Kubik. Mr. Kubik. Representative Frederick. Virginia Frederick."

Frederick: "Yes. Thank you, Mr. Speaker. In Mr. Kubik's absence I've been asked to handle this Bill. Is that alright?"

Speaker Madigan: "Proceed. Proceed."

Frederick: "Yes. I move adoption of the Conference Committee Report on Senate Bill 1322. I'd say the Report is best described as the Department of Revenue's Revisory Bill. The Report contains cleanup language and technical changes on legislation passed by this Body earlier this spring. All the changes have been agreed upon by the interested parties, and so, I move adoption of the Conference Committee Report on Senate Bill 1322."

Speaker Madigan: "The Lady moves for the adoption of the Conference Report. Is there any discussion? There being no discussion, those in favor of the adoption of the Report signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? This is a final passage Roll Call. This is a final passage Roll Call. Have all voted? Have all voted who wish? The Clerk shall take the record. On this question there are 115 people voting 'aye', no one voting 'no'. This Report having received an extraordinary Constitutional Majority, is hereby declared passed. On the Order of Conference Committee Reports there appears Senate Bill 97, Mr. Mautino."

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Mautino: "Thank you, Mr. Speaker, Members of the House. Senate Bill 97 contains three provisions. Number 1, it provides for the contents of Senate Bill 791 as amendatorily vetoed, and it pertains to the information available to insurance companies after suspicious fires. It provides that within that thirty day period the disclosures and the information be permitted to the companies under the Illinois Freedom of Information Act. It also restores a Section of the Insurance Code authorizing the legal expense insurance. It was inadvertently deleted when we passed legislation during the previous completed Session and it was requested by the Department of Insurance as cleanup language. The third provision within the Bill provides for the authorization of a producer who inadvertently didn't renew his insurance producer's license, to have the opportunity to do so without once again going through the prelicensing and examination. There's no opposition to the Conference Committee Report and I move for it's adoption."

Speaker Madigan: "The question is, 'Shall this Conference Report be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 112 people voting 'aye', 1 person voting 'no'. This Report having received an extraordinary Constitutional Majority, is hereby declared passed. On Supplemental Calendar #2 on the Order of Conference Committee Reports, there appears Senate Bill 136. Mr. Terzich. Mr. Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I move that we adopt the Second Conference Committee Report on Senate Bill 136. It covers a number of areas at...with some legislation that was previously passed. One, it

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amends the Library Systems Act, which was wanted by the Library Association and also the Secretary of State. It also amends...and exempt from property taxation all property belonging to downstate forest preserve districts with an immediate effective date. This Bill previously passed the House at 113 to 2. It also amends the Revenue Act. It requires additional items of information utilizing electronic data processing equipment. And also, originally in House Bill 1926, which also passed the House 106 to 6 and the Senate 50 to 5, which tightens up the Truth in Taxation Act, and also amends the Coin Operated Amusement Device Tax. Previously the tax was increased from ten dollars to twenty-five dollars. This revises it back down to fifteen dollars per annum, and I would move for it's adoption."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Black: "Very briefly, Representative, can you tell us how the Second Conference Committee Report differs, specifically differs, from the first?"

Terzich: "Yes. There was a slight change in the grant formula on page 2 which was changed from 15.5313 to 1.4535 and from 54.03 to 51.33. That was the only change."

Black: "Well, that certainly puts the hay down where the goats can eat it. Let me follow up on a question or two if you would...if you don't mind. Does this still have the provision in it that many of the county treasurers were opposed to?"

Terzich: "Yes."

Black: "Alright. It's my understanding that the Senate Sponsor of this Bill read into the record a little while ago in the

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Senate as legislative intent, that if the county treasurers incur expense in administering this, that it is his intent that the state will reimburse the county treasurers for any expense that the county, i.e., the elected county treasurer, might incur. Would you agree with the Senate Sponsor that that would be legislative intent?"

Terzich: "Yes, I would."

Black: "Well, I can't ask for any more than that. Thank you very much, Representative."

Terzich: "Thank you."

Speaker Madigan: "The question is, 'Shall this Report be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. Have all voted who wish? The Clerk shall take the record. On this question there are 95 'ayes', 11 'nos'. This Report having received an extraordinary Constitutional Majority, is hereby declared passed. Senate Bill 856, Mr. Leitch. 856."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 856 is a cleanup Bill, an agreed Bill that's been worked out by the four legislative staffs, the Governor's Office, Secretary of State's Office, IDOT, ICC, our side and the other side. I know of no opponents. What it does is pick up a number of different items related to transportation, and among them one of them was a Bill that was sponsored by Representative Phelps and Edley, concerning increases in the Downstate Mass Transportation Act. And those have been worked out in an acceptable way. It increases the Cycle Rider Safety Fund, which was...also been approved. There's some state police things and ICC things in here, and I would move for it's favorable

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approval."

Speaker Madigan: "The Gentleman moves for the adoption of the Report. The Chair recognizes Mr. Levin."

Levin: "Would the Gentleman yield for a question?"

Speaker Madigan: "The Gentleman yields."

Levin: "Okay. There is nothing in this Bill is there that deals with the Executive Director of the Illinois Commerce Commission?"

Leitch: "All of the objectionable parts of 530 have been removed."

Levin: "Thank you."

Speaker Madigan: "Question is, 'Shall the Report be adopted?' Those in favor signify by voting 'aye', all those opposed by voting 'no'. Let the record show that this is a First Corrected Report. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 114 people voting 'aye', no one voting 'no'. This Bill having received a Constitutional Majority...an extraordinary Constitutional Majority, is hereby declared passed. On the Order of Conference Reports there's House Bill 2756, Representative Davis."

Davis: "Mr. Speaker, Ladies and Gentlemen of the House, this Conference Committee Report merely requires that school districts provide a unit of instructions in providing career education, preparing high school students for the world of work, and it also provides for articulation between two year colleges and four year colleges with some efforts toward retention."

Speaker Madigan: "The Lady moves for the adoption of the Report. Mr. Black. Mr. Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. The board says Conference Committee Report. We

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don't have a Conference Committee Report, we have a concurrence. What's correct here?"

Speaker Madigan: "The Lady yields. Representative Davis."

Black: "Representative, we don't have a Conference Committee Report on this Bill."

Davis: "You have a Report in which both sides of the aisle concur. Is that correct?"

Black: "Well, it's on...I think we've got a little problem with the board here maybe. I don't know. Mr. Clerk, doesn't the Calendar say concurrence?"

Speaker Madigan: "It appears on this Calendar...it's Supplemental #4 on the Order of Conference Committee Reports, House Bill 2756. Supplemental #4 at the bottom of the page."

Black: "Alright, we transposed some numbers. You're right. Yeah. Excuse my dyslexia, I transposed some numbers."

Speaker Madigan: "Okay."

Davis: "It's perfectly understandable..."

Speaker Madigan: "Very well."

Black: "...What can I tell you..."

Speaker Madigan: "Mr. Hallock. Mr. Hallock."

Hallock: "Thank you. Will the Sponsor yield?"

Speaker Madigan: "The Lady yields. Representative Davis, question."

Davis: "Yes, Sir."

Hallock: "Is...what would this amount to in terms of hours per day in the class? Is it like one class a day or one a week or..."

Davis: "That's to be determined by each school district."

Hallock: "How's the school district work this into the classroom now, when the class periods are pretty short?"

Davis: "Well, it's determined by the school district. In some schools they already have for example, courses in which this could be considered as meeting this particular mandate



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or requirement."

Hallock: "Is this to be mandated or is this permissive, saying they can in fact do that."

Davis: "It's a requirement."

Hallock: "So, would this mean that they may have to drop English or Science and teach this instead?"

Davis: "No, certainly not. Certainly not. Certainly not."

Hallock: "Well, then how do they work it into the day? I mean how...what do they drop to put this in?"

Davis: "It's...well...A unit of instruction to be determined by any school district, it may be for one hour in a whole semester, it may be for a three hour course, it may be for six weeks, and it may be for just one session. It's up to the school district to determine what their students need, and certainly...certainly not dropping any of the current requirements. We just passed legislation that said they had to have four hours or so many courses in English and Math, and certainly we're not negating that, Sir."

Hallock: "So, if the school district were to decide to teach one hour, first semester, that would satisfy this mandate for example."

Davis: "Yes, it would."

Hallock: "Thank you very much."

Davis: "You're welcome."

Speaker Madigan: "The question is, 'Shall this Report be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the... Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 74 'ayes', 39 'nos'. This Report, having received an extraordinary Constitutional Majority, is hereby declared passed. On the Order of Concurrence - Supplemental #4, there appears House

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Bill 2576, Mr. Myron Olson. Mr. Olson."

Olson, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2576 originally was the emissions testing Bill, failed in the Senate. It has come back to us because a number of things have to be done to put it in good order. And so I have a number of Amendments to speak with you about. One has to do with the Tiger Mosquito Bill. That has to do with the fee amount of which 50¢ was to go to the fund to deal with those tires. The original description of the original Bill didn't include that property, so this is now in. The second Amendment has a technical correction, a legal description expanding the boundaries of the Metropolitan Water Reclamation District relative to the Sears Project... at Hoffman Estates. In addition to that, the same unit of government will be requested to service a residential development unit in the Village of Palatine. Senate Amendment #7, that has to do with the Amendment of the Civil Administration Code, provides that an employee may make suggestions to the State Employees Suggestion Award Board on matters that a department or agency considers confidential. That's a Senator Davis initiative. It does not contain the former controversial provision...provisions vetoed by the Governor. Senate Amendment #8 is a Barkhausen Motion. It amends the Illinois Vehicle Code, authorizes the Secretary of State to suspend a person's privilege to operate a motor vehicle upon conviction of certain sex offenses, if such a person was operating or in actual physical control of a motor vehicle at the time such offenses were committed. It also provides that a person shall not drive or be in actual physical control of any vehicle if there is any amount of cannabis or other controlled substance in his blood/urine. This portion of the Bill takes effect on January 1st, 1990.

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These are the measures that are encompassed in this catch-all Bill, and we would urge your support to concur in House Bill 2576."

Speaker Madigan: "The question is, 'Shall the Report be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 96 'ayes', 9 people voting 'no'. This Motion, having received an extraordinary Constitutional Majority, the Bill is hereby declared passed. On Supplemental Calendar #6 there appears House Bill 1548, Mr. Levin. Mr. Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1548 is an Amendment to the Chicago School Reform Legislation we initially passed last year. During the course of the summer, the Interim Board reduced the number of subdistricts. And one of the inadvertent results was to reduce the number of parents and community members of the nominating committee that will be formed on December 1st to pick a permanent Board of Education in Chicago. The formula in the Bill as we passed it was that each subdistrict would have one parent or community person that they would select, who would serve on the nominating committee. What House Bill 1548 does is to change that formula so that we restore the parent and community representation as we initially intended it. It would provide that each district instead of having one person that they would select, would each elementary district would have two people that they would select, and the one high school district would have three people that they would select. So that there would be a total of 23 parents and community members on the nominating committee for the permanent Board of Education and five mayoral nominees.

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This being the same ratio as when we initially passed the legislation a year and a half ago when there were 23 districts. This is a compromise. It is a response to concerns that were raised by several of the Members of this Body a couple of weeks ago. And I would simply encourage the adoption of this Conference Committee Report."

Speaker Madigan: "The question is...Mr. Hultgren."

Hultgren: "Have we got a copy of that distributed around? I don't have one on my desk."

Speaker Madigan: "Mr. McCracken, do you have a copy of this matter for Mr. Hultgren? House Bill 1548 is the Conference Committee Report. I believe he has one. You have one, Mr. Hultgren?"

Hultgren: "I just got one. Thank you."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Yes. Mr. Speaker, does this require 71 votes?"

Speaker Madigan: "This will require 71 votes, Mr. Hoffman. Those in favor of the adoption of the Report signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 85 'ayes', 23 'nos'. This Report, having received an extraordinary Constitutional Majority, is hereby declared passed. Mr. Matijevich."

Matijevich: "Yes, Mr. Speaker, I would ask leave of the House for use of the Attendance Roll Call to suspend the rule of the posting notice and the rule by which committee cannot meet while we're in Session, so that House Bill 158 and Senate Bill 1007 can be heard immediately in the Speaker's Conference Room."

Speaker Madigan: "Is there leave? Leave is granted. Would all Members of the Rules Committee immediately retire to the

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Speaker's Conference Room. Would all Members of the Rules Committee please assemble in the Speaker's Conference Room. Committee Report."

Clerk O'Brien: "Committee on Rules has met and pursuant to Rule 29(c)3, the following Bills have been ruled exempt on November 2, 1989: House Bill 158 and Senate Bill 1007. Signed, John Matijevich, Chairman."

Speaker Madigan: "On Supplemental Calendar #5 on the Order of Concurrence, there appears House Bill 158, Mr. DeJaegher. Mr. DeJaegher...158. First, the Gentleman moves..."

DeJaegher: "To take from the table..."}

Speaker Madigan: "...to take this matter from the table. Is there leave? Leave is granted. The Motion is adopted using the Attendance Roll Call. Now on the Motion for Concurrence, the Chair recognizes Mr. Giorgi on the Motion for Concurrence."

Giorgi: "Mr. Speaker, this is the...this is again the language we've been debating all evening about the Metropolitan...the...Metropolitan Civic Center Support Act. With the language it clears up what we passed in June so that the people can apply for their money from DCCA. This is for all of the civic centers in the future. Amendment #4."

Speaker Madigan: "The Gentleman moves for the...moves that the House concur in the Senate Amendments. Representative Wojcik."

Wojcik: "Yes, Mr. Speaker, thank you. I would just like to ask more clarification from Representative Giorgi regarding this Bill."

Speaker Madigan: "You may be more confused at the end of that."

Wojcik: "Well, he said that there's certain civic centers. I'd like to know what civic centers or what it entails? A little bit of..."

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Speaker Madigan: "Mr. Giorgi."

Giorgi: "Amendment #1 creates the Salem Civic Center Authority, and then Amendment #2 allows Peoria and Rockford Civic Centers to their amount appropriated last spring when we passed the Civic Center Bill. Amendment...Fawell's Amendment provides that filing fees...No, that's not it."

Speaker Madigan: "Representative Wojcik."

Wojcik: "Actually, Mr. Speaker, I'd just like to know would this be detrimental to any of the existing civic centers that have been suggested in late June?"

Giorgi: "I'll put in the record that this does not jeopardize any of the civic centers that were passed June 30th."

Wojcik: "Thank you, Representative."

Speaker Madigan: "Mr. Hultgren."

Hultgren: "I'm sorry. What Amendments are we concurring in? The Sponsor..."

Speaker Madigan: "The Gentleman's Motion would be to concur in Senate Amendments 1, 2, 3, 4, 6 and 7."

Hultgren: "And has Amendment #2 been distributed on both sides?"

Speaker Madigan: "Mr. Page, Amendment #2, has that been distributed? Head Page indicates that it's been distributed. Mr. Piel indicates that he has a copy. Mr. Giorgi."

Giorgi: "Mr. Speaker, to allay some of the fears of the House, point of clarification, the Riverboat Gambling Amendment is off of this and Arlington Park is off of this. The rest are viable. That's Amendment #1, 2, 3, 4, 5, 6 and 7. Five was tabled."

Speaker Madigan: "The Gentleman has moved that the House concur in the Senate Amendments. Those in favor signify by voting 'aye', those opposed by voting 'no'. Mr. McCracken. Mr. McCracken. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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The Clerk shall take the record. On this question there are 77 'ayes', 36 'nos'. The House does concur in Senate Amendments #1, 2, 3, 4, 6 and 7 by an extraordinary Constitutional Majority, and the Bill is hereby declared passed."

Clerk O'Brien: "Supplemental Calendar #7 is being distributed."

Speaker Giglio: "The House will come to order. Supplemental Calendar #7. There's a Motion by Representative Peterson, Senate Bill 1007. Representative Peterson moves to table...take from the table and suspend Rule 37(g) and place on the Calendar on the Order of Third Reading. Gentleman have leave? All in favor signify by saying 'aye', 'nay'. In the opinion of the Chair, the 'ayes' have it. The Motion prevails. Representative Peterson on Senate Bill 1007."

Peterson: "Thank you, Mr. Speaker. Senate Bill 1007 provides that if only a portion of a state's response action contract is for cleanup of a pollutant then only that portion of the contract is subject to the requirement that five percent of the contract amount be paid into the Response Contractors Indemnification Fund. I move for passage of Senate Bill 1007."

Speaker Giglio: "Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1037 (sic - 1007), a Bill for an Act to amend the Response Action Contractor Indemnification Act. Third Reading of the Bill."

Speaker Giglio: "Any discussion? You heard the Gentleman's Motion. All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk...Mr. Clerk, take the record. On this question there are 106 voting 'yes', 2 voting 'no', and 2 voting 'present', and Senate Bill 1007,

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having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1072, Representative Steczo. Mr. Clerk, read the Bill."

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

Clerk O'Brien: "Senate Bill 1072, a Bill for an Act concerning regulation of practice of professional engineering. Second Conference Committee Report."

Speaker Giglio: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I move for the adoption of the Second Corrected Conference Committee Report on Senate Bill 1072. This House earlier today adopted the First Conference Committee Report which contained information relating to raffles for political candidates and for political events. That language ran into some problem in the Senate, so it has been deleted from the Second Corrected Conference Report, so now it just deals with Land Sales Registration Acts and with social workers' registration. There are no opponents, and I would move for the adoption."

Speaker Giglio: "You heard the Gentleman's Motion. On that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Yes, just to make certain. Is this a rewrite of a sunsetted Act?"

Steczko: "Representative McCracken, this is a rewrite of the Land Sales Registration Act. That was a Bill that ran into some trouble because there was a problem with the effective date, and...so we're dealing with that."

McCracken: "Oh yea, okay. ...Krska's Bill?"

Steczko: "That's in this Bill."

McCracken: "Alright, thank you."

Speaker Giglio: "Further quest...Further discussion? Hearing none, the question is, 'Shall the House adopt the Second



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Conference Committee Report to Senate Bill 1072?' And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The 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 111 voting 'yes', none voting 'no', and 1 voting 'present'. The House does adopt the Second Conference Committee Report...Second Corrected Conference Committee Report to Senate Bill 1072 and this Bill, having received the required Constitutional Majority, is hereby declared passed. On page 2 of the Regular Calendar appears Senate Bills. Second Reading. Senate Bill 801, Representative...It's been read a second time. Representative Steczo."

Steczko: "Speaker, I think there's an Amendment."

Speaker Giglio: "Any Amendments, Mr. Clerk?"

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

Speaker Giglio: "The Gentleman from Cook."

Steczko: "Thank you, Mr. Speaker. Amendment #1 adds to the Bill a new property tax exemption regarding schools. It relates to a property that was owned by a governmental unit and used for public school purposes prior to 1984 and then acquired in 1989 by a not-for-profit federally exempt organization which uses the property exclusively to provide vocational and technical education. This is a school for photography that's located in the northwest suburbs. They came and moved into Illinois from Minnesota under the presumption that the property tax exemption given of this school would stay. Unfortunately, it hasn't. But they do teach classes in photography. They have people from all over the country that come and attend classes there. And people, including some of our state departments like DCCA, for economic impact, et cetera, asked that this property

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tax exemption be maintained, or be granted to this school so they can maintain their operations in the northwest suburbs. I would answer any questions of the Amendment, but would appreciate the support of the House in its adoption."

Speaker Giglio: "Any discussion on the Amendment? The Lady from Cook, Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I know it's late and none of us have a great deal of patience, but I rise in reluctant opposition to the Amendment proposed to Senate Bill 801. This is a property tax exemption. We in the House Revenue Committee dealt with issues of property tax exemption all during the regular spring Session. We were pretty tough. Most of the exemptions that were requested did not make good constitutional or public policy sense. This particular proposal arrives very late in the day, arrives without appropriate committee hearings, and as I read the decisions of first of all, the Cook County Board of Tax Appeals and then the Department of Revenue on appeal from that denial of the exemption, the Cook County Circuit Court again denied an exemption to this organization. It strikes me that those decisions were right. The school in question is not accredited, organizes two day, three day, occasional one week programs. It does not provide tuition exemptions for needy people. It does not, in fact, meet our constitutional requirements for educational and charitable purposes that are at the heart of the property tax exemption system. So both for the reason that I think that the appearance of this Amendment this late in the day without committee hearings, and for the fact that I think there is a clear constitutional question about the legitimacy of this exemption, I would ask my colleagues to reject this Amendment."

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Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Keane."

Keane: "Thank you, Mr. Speaker. I join with the Chairman of the Depart...of the House Revenue Committee. We have been very, very strict on any kind of tax exemptions. I don't think that we should do this in the waning moments of the Override Session. We've held the line on the revenue...in the Revenue Committee, and I would ask colleagues on both sides of the aisle to force this back into the full revenue structure where we can look at it like we looked at every other well-meaning exemption, most of which, I think all of which, we turned down. And I would ask for you to vote against it."

Speaker Giglio: "The Lady from Lake, Representative Frederick."

Frederick: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I also rise in opposition to this Bill. This Bill never came through committee. It's an exemption from a...for a school that's not even accredited. It's a bad idea and if it had merit, it would have come through our committee. I'm urging everyone on our side of the aisle to vote 'no' on this bad Bill."

Speaker Giglio: "Representative Steczo to close."

Steczko: "Thank you, Mr. Speaker. I would just, you know, like to mention the facts of this matter to the Members of the House. Granted, granted that the Members of the House Revenue Committee suggest that there may be not only a constitutional question on this issue, but nevertheless that this somehow violates the unwritten rule that the House Revenue Committee uses. However, this school has, in fact, followed most of the procedures that are required by the House Revenue Committee in terms of appeals, et cetera, et cetera. And then have come to the Legislature like others do, looking for relief. The fact is, is that this

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school relocated from Winona, Minnesota to Mt. Prospect, Illinois, because it was presumed that the property tax exemption on the piece of property would be maintained. Unfortunately, the Boards of Tax Appeals have ruled otherwise. So the school, in order to stay in Illinois, it's a nationally recognized school of photography with people coming from all over the country to utilize its facilities and its services in which, who wishes to say simply will not be able to stay if, in fact, this exemption is not granted. It's also recognized, too, that the Department of Commerce and Community Affairs and others realize the kind of economic impact in use...in terms of the usage of motels and restaurants and others that this school does bring to its area and to the State of Illinois. For those reasons, the provisions contained in this property tax exemption do make sense. And I would ask for the adoption of this Amendment."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who 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 27 voting 'yes', 80 voting 'no', and 4 voting 'present', and the Amendment fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. The Gentleman asks leave by the Attendance Roll Call to have Senate Bill 801 heard for immediate consideration. Does the Gentleman have leave? Hearing none, leave is granted. The Bill is on Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 801, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

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Speaker Giglio: "The Gentleman from Cook, Representative Steczo."

Steczko: "Thank you, Mr. Speaker. The Bill now is in the form that it was in when it passed the Senate by a vote of 55 to 2 last spring. And it provides that taxing districts in the State of Illinois would be able to abate real property taxes on single family owner occupied residences. This is a provision that was asked for, I believe, by the City of Joliet. Insofar as I know, there is very little, if any, opposition to it. It just permits local taxing authorities, if they so choose, to debate real property taxes on single family owned or occupied residences. I would ask for passage of the Bill."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of Senate Bill 801 vote 'aye', those opposed 'nay'. The voting is open. The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I wanted to ask a question and I apologize for not getting my light on earlier. I just wonder what kind of precedent we're setting here on abating property taxes on residential property. I guess I'm having problems understanding the underlying Bill, but I apologize for getting the light on late."

Speaker Giglio: "Representative Steczo."

Steczko: "The way I understand it, Representative Black, it would permit local units of government if they so chose to spur...to spur residential development to be able to use this kind of a tool. That's all that it's intended to do and it's strictly permissive."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 98 voting 'yes', 8 voting 'no', and 8 voting 'present'. Senate Bill 801, having received the required

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Constitutional Majority, is hereby declared passed. We have two important Resolutions to be read off. Representative...or the Clerk, Mr. O'Brien, will read those Resolutions. We're waiting for the remainder of the Bills to be printed and hopefully those will be down in a few minutes and we'll be able to finish the business of the House. Mr. O'Brien."

Clerk O'Brien: "House Resolution 1149.

WHEREAS, Patrick M. Theisen was born November 2, 1961, and attended Willowbrook High School, from which he graduated in 1979; and

WHEREAS, He earned a bachelor's degree from Illinois State University in 1983, and he joined Speaker Madigan's Issues Development Staff as an intern in July, 1984, becoming a resident of Spring Patch where he hung out for 3 1/2 years and ate bellies; and

WHEREAS, In August, 1985, Patrick became a full-time member of the Issues Development Staff and learned the legislative process, the issues, how to organize campaigns and how to lobby lobbyists for free dinners; and

WHEREAS, Pat's favorite hobbies include reading, running, eating and watching his weight go up and down and up; and

WHEREAS, Patrick Theisen has been nominated for the ROCK PILE OF THE YEAR AWARD many times but has never been a recipient; and

WHEREAS, The year of 1989 has been memorable for Pat, when he became engaged to Colleen Mullarkey, became interim Director of the Issues Development Staff in Chicago and accepted a new job with the Water Quality Association as Director of Governmental Affairs; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SIXTH

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GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the many friends Pat Theisen has made will miss him, that the Speaker's staff thanks him for his friendship, the sharing of his talents and his role as a team player, and that we wish our buddy much happiness; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Patrick Theisen."

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

Hartke: "Thank you very much, Mr. Speaker, Members of the House. When I first came here, one of the first Gentlemen I met on staff was Pat Theisen. Pat's been invaluable to me. He's given me lots of good advice. Not understanding, I don't think, downstate, but after several visits we got along real well. Pat being from Chicago had some great experiences with me in Effingham and the area. And I'm going to miss him very much. Pat, we want to wish you well."

Speaker Giglio: "The Gentleman from Cook, Representative Sutker."

Sutker: "Mr. Speaker and Ladies and Gentlemen of the House, Pat Theisen has more tenure in this House than I do. He was my first staff person to work with...with me. He's an unusual young man. I thought we could keep him on staff because we always provided a well-stocked refrigerator for him and he has a legendary appetite. But apparently either our salaries are too low or the private industry provides more funding for these young men, and so they leave us. But I wish Pat Theisen the best for the career yet ahead. He's going in a new direction. He's a man with a high sense of duty, a great sense of humor, a sense of commitment. He has been involved with us in legislative work through the last five years that I know and always has done his work

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with distinction, with commitment and with dedication. I'm going to miss Pat Theisen, and I would like to use him as an example for all the young people everywhere who work on staff to recognize that this is a springboard to other and better careers. And I'm convinced that Pat Theisen will attain great success in the new direction he's chosen. But more importantly, I think that after he goes in this new direction, he may yet come back to government because government can use that kind of human being, that kind of personality. He's a quintessential young man, a decent, dedicated, fine person, and I only say this about him now because I know he's leaving and he'll never have to hear from me again. Good luck, Pat."

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

McCracken: "Thank you. I'm glad Pat's leaving. And the reason I'm glad is because ever since we started playing basketball together, he's been so overpowering I can't play my usual game. So, Pat, I love you, but I'm glad you're going. I want to play some more basketball. We have enjoyed you very much. We don't see much of the Democratic Staffers, but Pat always had a smile and a kind word for us, too. So best of luck, Pat."

Speaker Giglio: "The Gentleman from Cook, Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker. Just to add to the congratulations and good luck to Pat. Pat was one of...is my staff person. I will miss him greatly. He was a great help to me, helped me out on a lot of things. I think one of the reasons that he's leaving is because as you heard in the Resolution, he did get engaged. He is getting married, and he just doesn't want to invite all of us to his wedding. But again, I just want to wish him the best in



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his new job. I know he will be doing an excellent job. He's still going to be doing legislative work and government work. And I wish him the best in his new job and the best when he gets married next spring. You know, good luck to you, Pat. Thanks for everything you've done."

Speaker Giglio: "The Gentleman from Kankakee, Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Pat, I, too, like to wish you the best in your new endeavor. I met Pat Theisen in Kankakee in 1984 when he was just hired on by the Democratic Staff, and he ran former Representative Chuck Pangle's campaign. He did an excellent job. And the results are resounding. Maybe that's one of the reasons why Tom McCracken and the Republicans want him to leave, because he knows how to run good campaigns. So, but we've got a lot of good staff people, but best wishes to you. But I just got one word of warning: Tom Cullen says, 'Stay out of the 19th Ward.'"

Speaker Giglio: "You heard the Resolution. All those in favor signify by saying 'aye', opposed 'nay'. The Resolution's adopted. Good luck. House Resolution 1176. Mr. Clerk, read the Resolution."

Clerk Leone: "House Resolution 1176.

WHEREAS, Richard W. Larison, Jr. has been an institution on the House Republican Staff since his arrival in 1979; and

WHEREAS, Rick soon established himself as a valuable and knowledgeable link in the House Republican organization; and

WHEREAS, his research skills served him well in his position as committee analyst for the House Revenue Committee; and

WHEREAS, Rick became an expert in state and local tax policy, tax relief, and tax reform; and

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WHEREAS, his skills and accomplishments on the House Republican Staff led to a position with the Illinois Department of Revenue where he became Director of Legislative Affairs; and

WHEREAS, under Rick's supervision, his staff engaged in research, analysis, and development of proposed legislation; and

WHEREAS, after serving 4 years with the Department of Revenue, Rick chose to return to the House Republican Staff as Director of Research and Appropriations; and

WHEREAS, in 1986 Rick became Deputy Chief of Staff and a year later became Chief of Staff; and

WHEREAS, as Chief of Staff, Rick represented the interests of the 51-member House Republican delegation and directed the activities of over 100 staff members; and

WHEREAS, Rick's hard work, patience and good humor have served the House Republican Staff well; and

WHEREAS, he will be missed by each and every one of us; and

WHEREAS, he will always remain a friend of this chamber; now therefore be it

RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we do hereby commend Rick for his many accomplishments and service to the House; and be it further

RESOLVED, that we wish him every success in his future endeavors; and be it further

RESOLVED, that a suitable copy of this resolution and preamble be presented to Richard W. Larison and his wife Gaye Harper-Larison."

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Speaker Giglio: "The Minority Leader, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. Rick Larison went to the University of Illinois and was Chief Illiniwek, used to dance at half time in the local bars and knew Webber Borchers well when he was there. He knows that this is going to be a rough weekend as Iowa beats Illinois, but has decided to cut his second movie of Harry and the Hendersons, as he moves forward in his career as a lumberjack in his future development as he cuts wood for the rest of his life. I don't smoke, Penny. But in all sincerity we know that Rick has been with the Department of Revenue for three years, served the Republican Staff for six and a half years and moved throughout our staff up into his current position, the Chief of Staff, serving in the highest position that you could serve in the Republican Sector of this Assembly. You know, I maintain that the four Chiefs of Staffs have the roughest job in state government. Putting up with all of us is though enough in itself, but also running the various staffs and making sure that everything is done on time. And Rick has done that extremely well, always keeping a great sense of humor. His wife, Gaye, is here somewhere. Is she still here? Right in back and, Gaye, can you wave at us all. She sets policy for our children today, and we look forward to continuing to work with her. But in all sincerity, we know that Rick will continue to be part of, not only the House Republican Staff but more importantly than that, I think, part of the process of government. This place means an awful lot to him. He has given a lot of his life and his energy and his career to the General Assembly. He's an expert in revenue and on many occasions we've turned to him for advice in the Revenue Code and structure. The integrity of this organization and the product that we turn out has always

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been foremost in his dedication and commitment to what's good in government. We've been blessed to have him serve us as a Chief of Staff, because I think we've been rewarded by having somebody that cares about government and cares about all of us, whether we be Republican or Democrat. You're going to hear more from Rick Larison, because he'll be doing some contractual work and serving government in those functions, as well as making sure that he continues his contacts here. So as he moves on to a new portion of his career, we send with him our best wishes and a recognition that he has served us all in the highest tradition, integrity, and esteem. For that, we're grateful and we give you our best wishes."

Speaker Giglio: "The Gentleman from Cook, Representative Williams."

Williams: "Thank you, Ladies and Gentlemen. I don't know if you know, Rick and I have a long history together. Maybe I'm letting the cat out of the bag, I knew Rick when he was a Democrat. In fact, Rick took my place on the Democratic Staff in the Senate, way back when, back in the Walker days. But...There, that scares half the Democrats, but...I just wanted to say that Rick and I have known each other probably going on 13, 14 years now. Throughout the years, Rick and I have been good friends and I...it's not partisan. It's not anything of that nature. I've known Gaye. I helped them move into his present home and going way back for a number of years, Rick has helped me here. He has helped me in a number of ways, both as a friend and as a colleague here. I would like to say that, you know, I hate to see him go. I would like to see him make a lot of money, which is probably why he's a lot smarter than me, because he's doing the right thing. He's moving on in life and after all these years, I hope you're not frustrated. I

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hope you're looking towards the future. We'll always be friends. Good luck, Rick. If I can ever help you, I will."

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

Matijevich: "Yes, Mr. Speaker. I wanted to join in these bipartisan remarks in behalf of Rick. Not only his cooperation in the staff, but I think I'm like all of you, we all have to call an agency of government on occasion. And if there's anything that gripes me, it's when somebody in government says I'll get back to you and they don't get back to you. I'd rather somebody gets back to me and says...say to me they can't solve my problem. But every time I ever called Rick when he was with Revenue, he got back to me and he got back to me quick. And 99 times out of 100, he'd also solve your problem. And we often don't thank people when they do a good job. And I guess I never thanked Rick for the good job he did, so now is my opportunity. Rick, you've always done a top notch job in whatever position you've held, and we all wish you good luck and God's Blessings, health and happiness with your family."

Speaker Giglio: "The Gentleman from Cook, Representative Keane."

Keane: "Thank you, Mr. Speaker. Rick and I both worked in the Senate at the same time. It's nice to see that one of us is a success and is leaving here and will go on to bigger and better things while the rest of us labor. Rick, you've been a good friend. You're an outstanding talent. It's been, I think, just echoing what other Speakers have said, we're going to miss you. We've all enjoyed your intelligence and your friendship and Godspeed."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the

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opinion of the Chair, the 'ayes' have it. The Resolution has been adopted. Good luck, Rick. Representative Bowman, are you seeking recognition?"

Bowman: "Well, thank you, Mr. Speaker. Ladies and Gentlemen of the House, I would just like to mention for those of you who may not know that Jack Slingerland is also leaving our staff. And had I...okay. But some of you know it already, so I'll just wait."

Speaker Giglio: "Representative Matijevich."

Matijevich: "Some of you may not know, too, there's a lot of Cub fans here, and Speaker Madigan has a Resolution congratulating Don Zimmer, the..."

Speaker Giglio: "Mr. Clerk, read the Resolution."

Clerk O'Brien: "House Resolution 1151, offered by Speaker Madigan, et al.

WHEREAS, It has come to the attention of this body that Don Zimmer, Manager of the Chicago Cubs, has been named National League Manager of the Year; and

WHEREAS, A native of Cincinnati, Ohio, Don Zimmer has been involved in professional baseball for 40 years and became the manager of the Cubs on November 20, 1987; and

WHEREAS, In 1954, Don Zimmer began his major league career with the Dodgers, and played in the 1955 and 1959 World Series with the Dodgers; and

WHEREAS, Don spent two seasons playing for the Cubs during 1960-61, and in 260 games with the Cubs he hit .254 with 19 homers and 75 RBI's; and

WHEREAS, In his first at-bat with the Cubs after being traded from the Dodgers, he homered off Los Angeles' Don Drysdale in front of the largest crowd to ever watch a Cub game; and

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WHEREAS, Don Zimmer has managed the San Diego Padres, Boston Red Sox and Texas Rangers and has coached for the Montreal Expos, the Padres, the Red Sox, the New York Yankees, the Cubs and the San Francisco Giants; and

WHEREAS, After the 1989 season, Don Zimmer had an overall record of 790-754 as a major league manager; and

WHEREAS, Although the Cubs had a pre-season record of 9 wins and 23 losses and were predicted to finish near the bottom of the National League East, Don Zimmer led the Chicago Cubs to the National League Eastern Division Championship with a record of 93 wins and 69 losses; and

WHEREAS, Don Zimmer earned 23 of the 24 first place votes from the Baseball Writers Association of America to receive the Manager of the Year award; and

WHEREAS, Don and his wife, Jean, were married at home plate in Elmira, New York, on August 16, 1951, and their union has been blessed with 2 children, Tom and Donna; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we heartily congratulate Don Zimmer on being selected as National League Manager of the Year and that we commend him for his dedication to excellence, which helped the Cubs capture the National League Eastern Division Championship; and be it further

RESOLVED, That a suitable copy of this preamble and resolution be presented to Don Zimmer with our best wishes for the coming season."

Speaker Giglio: "Representative Levin."

Levin: "John will be next. It's...I..."

Speaker Giglio: "Alright...The Chair...The Chair made an error.

It's not being fair today. Representative Cullerton. Mr.

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McGann."

Cullerton: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House..."

McGann: "The Representative Cullerton's light has been on for some time. And I think he should have recognition accordingly, especially as he is really another Speaker of this House."

Cullerton: "Thank you."

Speaker Giglio: "You're out of order, Mr. McGann. Kindly be seated. Representative Cullerton, proceed."

Cullerton: "Yes, thank you, Mr. Speaker. In reading this Resolution, of course, it praises Don Zimmer, but the fun part about this Resolution is that we're reminded that it was the Cubs and not the Cardinals who won the National League Eastern Division Championship. And so, Mr. Speaker, I...before we move to the...before we move to a vote on this Motion, I have a preliminary Motion and that would be to add the names of all of the Representatives as a Cosponsor to this Resolution. I want to see Ron Stephens' name on this Resolution. I want to see Jim McPike's name on this Resolution praising Don Zimmer and remind everybody that Whitey Herzog isn't the Manager of the Year. He's not included in this Resolution. This is a...this is a...This can be a referendum on whether you're a true Cub fan or a Cardinal fan. So my Motion is to add all the names of all the Representatives on this Resolution before we get to the merits of the Resolution."

Speaker Giglio: "You heard the Gentleman's Motion. Gentleman have leave? Representative Stephens."

Stephens: "Mr. Speaker, with all due respect to Don Zimmer, this is more like a sympathy Resolution in his relationship with a team that just seems to never be able to win. Rep...Zimmer is no doubt a good manager and probably even



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the top two or three in the league. But we just can't let this travesty go unchallenged. None of us want to be associated with the Cubs that carry the Cardinal banner here in Springfield. A great deal of fun and excitement challenging the two teams. The team and the issue have to be separated here. We don't want to be associated with the team. I demand a Roll Call and a verification should it get the requisite number of votes."

Speaker Giglio: "Representative McPike."

McPike: "Yea, I'd like to be added to the Resolution."

Speaker Giglio: "Representative Levin."

Levin: "Alright, now I actually get to speak. You know, I'm known, of course, for one of those who represented our community in opposing lights in Wrigley Field. But I have a ten year old who's very much into collecting baseball cards, knows all the statistics. And what Don Zimmer was able to do to make my son excited, I think was tremendous. And he made, I think, everybody in Chicago and nationally also feel excited. Here's this team that wasn't suppose to do very well at all. So despite the lights issue, I think we're all very proud of Don Zimmer."

Speaker Giglio: "You heard the Motion. All those in favor signify by saying 'aye', opposed 'nay'. Opinion of the Chair, the 'ayes' have it. The Resolution's been adopted. Further Resolutions, Mr. Clerk? Alright, the Chair would like to make an announcement that we're going to stand at ease for a few minutes and wait till the Conference Committee Reports are being printed. By mutual agreement of both sides of the aisle, there will be a limited number of Conference Committee Reports printed, it entails approximately 250 pages. There'll be analyses for both sides of the aisle, so with your patience, we'll be out of here within the half hour hopefully."

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Representative...We'll do the Agreed Resolutions now.  
Representative Preston, for what purpose do you rise, Sir?"

Preston: "Mr. Speaker, Ladies and Gentlemen of the House, since there is a bit of a lull here, a lot of our Members probably don't know that at the end of this week, Representative McCracken will be leaving the House of Representatives. And on behalf of myself personally, Tom, I want you to know that the merciful performance, the integrity, the decency that you have displayed as a Member of this House has been very greatly appreciated by many of us. And as you leave the General Assembly, I want to wish you Godspeed in all of your new endeavors and want to thank you for the contribution that you've made to what we do here in Illinois."

Speaker Giglio: "Representative McCracken."

McCracken: "I have accepted a position with Attorney General Hartigan's Office. I'm going on to bigger and better things. Thank you for having me."

Speaker Giglio: "Agreed Resolutions."

Clerk O'Brien: "Senate Joint Resolution 106, offered by Representative Black; House Resolution 1121, Morrow; 1122, Pullen; 1123, Pullen; 1124, Hultgren; 1125, Hultgren; 1126, Ropp; 1127, Hultgren; 1128, Hultgren; 1130, Saltsman; 1131, Saltsman; 1132, Hallock; 1133, Mautino; 1134, Mautino; 1135, Flinn; 1136, Richmond; 1137, Stern; 1138, DeJaegher; 1139, DeJaegher; 1140, DeJaegher; 1141, DeJaegher; 1142, DeJaegher; 1143, Regan; 1144, Novak; 1144 (sic - 1145), Deuchler; 1147, Ronan; 1148, Satterthwaite; 1150, DeLeo; 1152, Terzich; 1154, Farley; 1156, DeJaegher; 1157, DeJaegher; 1158, DeJaegher; 1159, DeJaegher; 1160, DeJaegher; 1161, DeJaegher; 1162, DeJaegher; 1163, DeJaegher; 1164, DeJaegher; 1165, DeJaegher; 1166, DeJaegher; 1167, DeJaegher; 1168, DeJaegher; 1169,

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DeJaegher; 1170, Shirley Jones; 1171, Levin."

Speaker Giglio: "Representative Matijevich."

Matijevich: "Mr. Speaker, I think I join everybody in the House in congratulating everybody in Bob DeJaegher's District and also move the adoption of the Agreed Resolutions."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Agreed Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 1129, offered by Representative Pullen, with respect to the memory of Alexander M. Harley. House Resolution 1155, offered by Representative Shaw, with respect to the memory of Sandria PruittBarnes. House Resolution 1172, offered by Representative Johnson, with respect to the memory of Fred Yates. House Resolution 1173, offered by Representative Johnson, with respect to the memory of Donald E. Bergeson. House Resolution 1174, offered by Representative LeFlore, with respect to the memory of Lenora Stewart. House Resolution 1175, offered by Representative LeFlore, with respect to the memory of Lizzie Hudson Syas."

Speaker Giglio: "Representative Matijevich moves the adoption of the Death Resolutions. All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Joint Resolution 78, offered by Representative Daniels. House Resolution 1146, Balanoff. House Resolution 1153, Woolard."

Speaker Giglio: "Committee on Assignments. Introduction of First Reading of Bills."

Clerk O'Brien: "House Bill 2876, offered by Representative LeFlore, a Bill for an Act concerning small business surety

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bonds. First Reading of the Bill. House Bill...Let's start over. House Bill 2874, Shaw, a Bill for an Act relating to collegiate athletics. First Reading of the Bill. House Bill 2875, Santiago, a Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 2876, LeFlore, a Bill for an Act concerning small business surety bonds. And House Bill 2877, Sieben and Hallock, a Bill for an Act to add Sections to the Regency Universities Act. First Reading of the Bill."

Speaker Giglio: "Introductions. First Reading. Constitutional Amendments."

Clerk Leone: "House Joint Resolution Constitutional Amendment #14, offered by Representatives Myron Olson and John Dunn.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least six months after the adoption of this resolution, a proposition to amend Sections 8 and 13 of Article I of the Constitution to read as follows:

ARTICLE I

SECTION 8. RIGHTS AFTER INDICTMENT

In criminal prosecutions, the accused shall have the right to appear and defend in person and by counsel; to demand the nature and cause of the accusation and have a copy thereof; to meet the witnesses face to face and to have process to compel the attendance of witnesses in his behalf; and to have a speedy public trial by an impartial jury of the county in which the offense is alleged to have been committed, except that the General Assembly by law may abolish the right of jury trial for prosecutions of offenses punishable by a fine of no more than \$500.

SECTION 13. TRIAL BY JURY

The right of trial by jury as heretofore enjoyed shall remain

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inviolable, except that the General Assembly by law may abolish the right of jury trial for prosecutions of offenses punishable by a fine of no more than \$500.

SCHEDULE

This amendment of Sections 8 and 13 of Article I of the Constitution takes effect on January 1 following its approval by the electors of this State.

First Reading of the Constitutional Amendment."

Speaker Giglio: "The House will come to order. Mr. Clerk, on a Resolution."

Clerk O'Brien: "House Resolution 1177, offered by Speaker Madigan, et al.

WHEREAS, Jack C. Slingerland has been an invaluable member of the House Democratic Staff for the past 5 years and has recently accepted an offer to join the private law firm of Gallagher, Fuenty & Klein of DeKalb; and

WHEREAS, Jack was an accountant for 5 years with DeSoto, Inc. of Des Plaines, Illinois and an Assistant State's Attorney in DeKalb County from 1977 to 1985, and then decided to relocate to Springfield with his bride and law partner Barbara in 1985; and

WHEREAS, Something about the romance of Springfield and the sultry summer days in the Capitol were especially stimulating to Jack and Barbara; and

WHEREAS, Daughter Caitlin was born in the heat of Jack's first spring session, and son Daniel was born three years later in the heat of another spring session; and

WHEREAS, Jack is one of those "diehard" Cub fans who will perpetually wait till next year to see them win the big one; and

WHEREAS, Jack Slingerland's dry wit has provided his friends and colleagues with many laughs, which have helped us keep the

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staff morale and sense of humor during sometimes tedious deliberations; and

WHEREAS, Jack as a senior staff member and experienced attorney, has provided invaluable guidance and assistance to other staff and members; and

WHEREAS, The friends, colleagues and members of the General Assembly will dearly miss Jack Slingerland, but wish him well in his new job; and

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we commend Jack C. Slingerland for his work on the House Democratic Staff and wish him and his family the best in the future; and be it further

RESOLVED, That a suitable copy of this preamble and resolution be presented to Jack C. Slingerland as a token of our esteem."

Speaker Giglio: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker. I've known Jack longer than you have. I knew Jack when he was Assistant State's Attorney in DeKalb County. I knew Jack when he was out on the campaign trail working for people who were running against me. And he still hasn't seen the error of his ways there, but when he gets back to DeKalb County and gets his feet wet in the Kishwaukee River again, starts practicing law there, he'll realize that he's in Republican country and he'll come around. And we'll be glad to help educate him, because Jack's a good lawyer. He's a good person. He's worked hard for you, but he's always been fair with me and with this side of the aisle. And when I was defending cases he was prosecuting, he was tough, he was hard, but he was always doing what he thought was the right thing. And I think he's always done that when he's been here. So I can say to those of us who are back in DeKalb County and

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those of us who are down here, we'll miss him down here, but we'll welcome him back home, and we'll take him home with pride. We'll practice law with him, and we'll treat him well, but we'll keep trying to beat him as long as they're practicing law. Thank you, Jack."

Speaker Giglio: "Representative Homer."

Homer: "Thank you, Mr. Speaker. I would like to add my congratulations to Jack and to Barbara, wish them the very best in their new endeavor. As Chairman of the House Judiciary Committee, I can tell you that whenever I've done anything right or looked good at all, it's been because of Jack Slingerland. And to tell you how versatile this guy is, he was able to meet all of the requirements and the demands and the needs that I've placed on him. I thought he was a great staff person, but he served such diverse Judiciary Chairmen as myself to Aaron Jaffe. And Aaron thought he was a great guy and carried out his agenda. And when you consider the, I guess, the contrast of the Chairmen that followed, Representative Cullerton and then Representative O'Connell, Representative Homer, Jack Slingerland is a man for all seasons. And Jack, you've done an outstanding job. You've been a credit. You served us well. You are a model for the staff, and I wish you the very best. I know you're going to be successful. And may you have all of God's Blessings and we'll all be with you."

Speaker Giglio: "Representative John Dunn."

Dunn: "Well, Jack, I'd like you to know that Representative Homer has indicated all those Chairmen you served and carried out their agenda, I'd also like the Body to know that Jack was a considerable help to the House Judiciary I Committee which I chair, which most of you know...never did have any kind of an agenda. And Jack managed to work around that situation as well. One of the little pleasures that come

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upon us serving in the General Assembly is that we meet people from different parts of this state and meet people we might not meet otherwise, and I consider it one of my pleasures to be acquainted with Jack Slingerland. Jack has been very professional. He's been very prompt. He always has a nice sense of humor and an even temperament, even when times were difficult, the pace is hurried and it's late at night. Jack is the kind of guy we wish could stay here forever, but we have to also wish you the very best in the future, because you have to advance yourself and take care of your family. And I've talked with Jack about the wonderful offer that has been made to him. And it's my understanding that he was sought out, which is a compliment to him and his professional ability. And Jack, to you, to your family and to your children, I wish you the very best in the future. We'll miss you here. I will miss you, and you've propped me up and made me look good more than once, and I'm very grateful for that. Thank you very much."

Speaker Giglio: "Representative Giorgi."

Giorgi: "Mr. Speaker, over the years it's been my duty to read all of the Resolutions that come before the House, and there's been quite a number of Resolutions that deal with both sides of the aisle. And I've been grading them over the years, and I want to create a Hall of Fame...I'm creating a Hall of Fame for past staffers and will give some Academy Awards. But at the head of the list will have to be Jack Slingerland. Jack, we'll send you your Academy Award and your Hall of Fame plaque in due time. Keep up the good work."

Speaker Giglio: "Representative McGann."

McGann: "Thank you...Thank you, Mr. Speaker and Members of the House. You've heard the accolades from many of your peers, attorneys, and for whatever reason, self-imposed or



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whatever, they gave you the proper accolades. But I'd like to give you an accolade from a lay person. When I came down here, you were always serving my constituents, any of the problems I ever had, legally wise in behalf of my constituents. You were always there to work hard and to give me an answer. You never sloughed me off because I was a layman. And for this, I will appreciate very, very much. A former speaker mentioned you as a man for all seasons. Saint Thomas Worr, who gave his life in England, a lawyer, chancellor, because he believed in his right of his God before his country. He was the man for all seasons. And I say to you this evening, Jack, I think you are truly a Saint Thomas Worr, because you serve all peoples, not just attorneys, but all peoples, and for this I'll be ever grateful. Thank you."

Speaker Giglio: "Representative McCracken."

McCracken: "I've known Jack longer than Representative Countryman. We went to law school together. Jack...Jack at that time was a Republican. He was very happy with the party of his birth. And only later in life did he find himself among you Democrats. Jack went to night school at Loyola; I went to day school. We were both pursuing the same female law student about that time. Jack won, moved to DeKalb and then Springfield, and then I find him here about six or seven years later. Jack, you've prospered nicely, and I know you're going on to bigger and better things. I've always enjoyed your work, too, and have valued your goodwill for us generally. Good luck."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just want to thank Jack, not only for the work that he did on...with the special Committee on Patient Care, which Representative Ryder and I co-chaired, but Jack

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was my lawyer when the Department of Mental Health sued me and tried to enjoin our subpoena, and so Jack has actually served as my attorney in court and did a fine job, very modest billing rates. And I just want to say, Jack, that the job of DeKalb County coordinator for my campaign is still open, and I'll be talking to you about that later, because I'd love to have...continue working with you. Thank you very much."

Speaker Giglio: "Representative Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, Jack is truly solid as a rock. There's really, I think, nobody who has worked as hard and followed up the way he has. When you call Jack and you say you've got an idea, you know, he's the one that gets back to you with that idea fully developed and ready to be introduced. You're unique and you're certainly going to be going on to bigger and better things. Congratulations."

Speaker Giglio: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Jack, while it's true that you are a very popular staff member and very popular with the Members of the House, I have...I have to confess to you that I think the reason why many of my colleagues have come up to me and asked for me to speak about you and praise you for approximately twenty-five minutes is because if we do that and go past twelve o'clock, we will get an extra per diem, an extra \$71. So, let me think of all the ways in which we can praise Jack. I was Chairman of the Judiciary II Committee when Jack was first assigned, and what Tom Homer has said is really true. Jack made everybody look good on that committee, and he came to us as a...an Assistant State's Attorney. I, myself, my background was being an assistant public defender, and Jack had to serve not only

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me, but also Representative O'Connell and Representative Homer. And we all really had different positions and different views, but Jack was very steady in serving all three of us. And Jack, I think you can be very proud when you think about the accomplishments that this General Assembly has made in the criminal field. Jack, under your tutelage, we have passed the statewide grand jury Bill, the state right to a jury trial Bill, the state right to a substitution of judge, the eavesdropping Bill, and we passed a Constitutional Amendment denying bail to anybody that looks suspicious. And I think that you should be proud of that, Jack, and I think when you look back on those days as Assistant State's Attorney, you just never knew that you could have such accomplishments. Jack, in spite of what that lady in the elevator said, you look good, and I think you've got a great future ahead of you. Now if there's anybody else that wants to go on and on about Jack, you're more than welcome to. And I hope that everybody should be... join us with this House Resolution and that it should pass overwhelmingly. Thank you, Mr. Speaker."

Speaker Giglio: "You heard the Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Resolution is adopted. Congratulations, Jack. Representative Matijevich."

Matijevich: "My seatmate, Zeke Giorgi and I were just talking here as we're commending some of our staff for leaving, and I see some of the staff up in the gallery. When we adjourned at 6:30, many of the staff from both sides of the aisle were here. I got in the Capitol Building at 6:30 this morning and I met one of the staff on the elevator, she had her jeans on and I said, 'Are you just getting in or you been here all night?' She said, 'No, we've been

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here all night. We're just taking turns taking a shower now.' They worked all night and...all night...all day yesterday, all night and all day today, haven't gotten any sleep. It's the type of staff we have here. And we all on both sides of the aisle, we all thank you very much for the hard work you do for us."

Speaker Giglio: "Introduction. First Reading."

Clerk O'Brien: "House Bill 2878, offered by Representative Lang, a Bill for an Act to amend Sections of the Illinois Income Tax Act. First Reading of the Bill."

Speaker Giglio: "We're going to...amend the Adjournment Resolution, so we can have a Perfunctory before we come back on January 10th. So don't get nervous, we still have a few Bills to go through before we adjourn. Don't leave. Mr. Clerk."

Clerk O'Brien: "Senate Joint...Senate Joint Resolution 107."

RESOLVED BY THE SENATE OF THE 86TH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, November 2, 1989, they stand adjourned until Wednesday, January 10, 1990 at 11:30 o'clock a.m. Together with House Amendment #1, amends Senate Joint Resolution 107 to read, 'When the Senate adjourns on Thursday, November 2, 1989, it stands adjourned until Wednesday, January 10, 1989 at 10:30 o'clock a.m. And when the House of Representatives adjourns on Thursday, November 2, 1989, it stands adjourned until Tuesday, January 9, 1990 at twelve o'clock noon, and when it adjourns that day, it stands adjourned until Wednesday, January 10, 1990 at 11:30 o'clock a.m.'

Speaker Giglio: "On the adoption of Amendment #1, signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment is adopted. On the adoption of the Resolution, all those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The

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Resolution is adopted. Death Resolution of a former Member. Mr. Clerk, read the Resolution."

Clerk O'Brien: "House Resolution 1117, offered by Representative Williamson and Leverenz.

WHEREAS, The House has learned with sadness of the passing of one of its former Members, the Honorable Eugene C. Doyle of Northlake, a man who exemplified the finest in civic leadership; and

WHEREAS, Mr. Doyle was born on February 6, 1925, on the Near North Side of Chicago, the son of Mr. Frank Doyle and Mrs. Elizabeth Doyle; and

WHEREAS, As a member of the United States Army, Mr. Doyle served his country honorably during World War II in both the European and Pacific theaters of war; and

WHEREAS, On September 7, 1946, Mr. Doyle and his wife, Mrs. Peggy Doyle, were married at the Immaculate Conception Church in Chicago; and their marriage has been blessed with 6 children, all of whom are college graduates; and

WHEREAS, In July, 1953, Mr. Doyle moved to Northlake and soon became involved in the St. John Vianney Parish, where he founded the St. John Vianney Basketball Intramural Program in 1955, that program leading to an intramural program that served over 400 children on Saturday mornings and lasted until 1968; and

WHEREAS, Mr. Doyle also served as the first president of his church PTA, founded the Cub Scout program in his parish, and was the principal of the C.C.D. program that was held every Sunday morning; and

WHEREAS, Mr. Doyle also started a Parochial Basketball League on Sunday afternoons that lasted for 14 years and involved teams from Hillside, Berkeley, Bellwood, River Forest, Stone Park, and

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WHEREAS, For many years Mr. Doyle was a coach and an umpire in the Northlake Boys Baseball Program; and

WHEREAS, Mr. Doyle's long and distinguished political career began in 1959 when he first ran for alderman of Northlake, and although he lost that first election, he became an alderman in 1967 and served as Mayor of Northlake from 1968 to 1989; and

WHEREAS, During his long and distinguished tenure as Mayor of Northlake, a new city hall, a police station, and a public works building were constructed, a flood control retention basin was completed, and a street, sewer, and curb program for the entire city was completed; and

WHEREAS, Mr. Doyle also served as president of the Leyden-Norwood and Proviso Township Municipal Leagues, vice-president and board member of the Illinois Municipal League, and chairman of the Water and Conservation District; and

WHEREAS, The House was fortunate to have Mr. Doyle as a Member of this Body in the 83rd General Assembly, when he served with distinction on the Committee on Appropriations I, the Cities and Villages Committee, the Registration and Regulation Committee, the Small Business Committee, the Veterans' Affairs Committee, and the Cities and Villages Municipal Problems Commission; therefore be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we express our deep sorrow at the death of our former colleague and friend, Mr. Eugene C. Doyle; that we offer our heartfelt sympathy to his family; and that we join his many friends in honoring him for his deep commitment to serving his fellow man; and be it further

RESOLVED, That a suitable copy of this resolution be presented

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to Mrs. Peggy Doyle with our sincere condolences."

Speaker Giglio: "The Lady from Cook, Representative Williamson."

Williamson: "Thank you, Mr. Speaker. Gene Doyle was a friend and many times an enemy. Gene Doyle taught me a lot about politics. I grew up with Mayor Doyle. From the time I can remember being a resident of Northlake, he was (sic - has) always been the Mayor of Northlake. He recently in April lost the election, and many people think that that's what took the life out of this man. He cared so much about his community, and he tried to do so many things for his community. A lot of times Gene Doyle would do it in very strange and awkward ways, such as deciding that water was coming into his community from Elmhurst and flooding. So he would go into the sewer and tell his employees, go build a dam. I don't want that water coming into my town. He did things in strange and unusual ways, but he did them because he cared about his community. And I'm very grateful for the fact that when Gene Doyle did pass away, we had put all of our differences and arguments aside and we became very good friends. And he was supportive of me as I was of him in his endeavors. And I would ask that this Body would all join in this Resolution."

Speaker Giglio: "You heard the Lady's Motion, all Members be Cosponsors. All those in favor signify by saying, 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Representative Williams (sic - Williamson) now moves that the House adopt the Death Resolution. All those in favor say 'aye', opposed 'no'. The Resolution is adopted. The House will come to order. On Supplemental Calendar #4, under Motions, appears House Bill 1609. Representative Mays moves to take from the table and suspend Rule 79(e) and return to the Calendar on the Order of Concurrences. Representative Mays. Gentleman have

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leave? Hearing none, leave is granted. Motion carried. On the Order of Concurrence, House Bill 1609. The Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is the...civic center bond authorization and general obligation bond authorization cleanup Bill. I move that we concur with the Senate Amendment #1 which does those two items, also to concur with Senate Amendment #3, 4, 5, 6, 7, 8 and 9. Senate Amendment #2 was not adopted. Senate Amendment #3 expands the Open Space Bond Act of township from 20 to 40 years for bond authorizations. Senate Amendment #4 is in response to the base decision in the Allendale Committee Consolidated Unit School District where we inadvertently left out Airport Authorities from the bond indentures and so on. Senate Amendments #5 and 6 deal with the Peoria and Rockford Civic Centers that we've already heard, as well as additional bonds for the Civic Center Bond Act that we passed last spring. Amendment #7 deals with Melrose Park Civic Center Authority and, Amendment #8 deals with Salem's Civic Center Authority, and Amendment #9 deals with a technical change for the incorporating of a municipality. I move the adoption of the Concurrence Motions on Senate Amendments #1, 3, 4, 5, 6, 7, 8 and 9."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? The question is, 'Shall the House concur in Senate Amendments #1, 3, 4, 5, 6, 7, 8, 9 to House Bill 1609?' All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. This is final action, requires 71 votes. 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 106 voting 'yes', 8 voting 'no', and none voting 'present', and the House does



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concur with Senate Amendments #1, 3, 4, 5, 6, 7, 8, 9 to House Bill 1609 and this Bill, having received the required Constitutional Majority, is hereby declared passed. Alright, we've got one more Bill. We're waiting till the Senate concurs, come over here and put out a Supplemental and we'll be close to leaving."

Clerk O'Brien: "Supplemental Calendar #8 is being distributed."

Speaker Madigan: "Mr. Clerk, Roll Call for Attendance. Roll Call for Attendance. Mr. Clerk, take the record. They are not on? They're not on? Is Representative Zickus in the chamber? How about Mr. Petka? Proceed to take the Roll Call, Mr. Clerk. There being 113 Members responding to the Attendance Roll Call, there is a quorum present. On Supplemental Calendar 8, there appears Senate Bill 1096. The Senate has nonconcurring in House Amendments 9, 11, 17 and 19 and if the House were to recede from those Amendments, then the remainder of the Bill would go to the Governor. Mr. McCracken. So, Mr. Matijevich moves that the House recede from House Amendments 9, 11, 17 and 19. Those in favor of that Motion signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 103 people voting 'aye', no one voting 'no'. The House recedes from the House Amendments to Senate Bill 1096 and this Bill, having received the required extraordinary Constitutional Majority, is hereby declared passed. The last Bill... Mr. McCracken."

McCracken: "Yes, may the record reflect the excused absence of Representative Zickus and Representative Kubik."

Speaker Madigan: "The record shall be so recorded. The last Bill is on Supplemental Calendar #4 on the Order of Conference Reports. There appears House Bill 1211. House Bill 1211."

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Mr. Leverenz."

Leverenz: "Thank you, Mr. Speaker. I would now move that we would accept Conference Committee Report #1 on House Bill 1211. It contains 139,856,000 in General Revenue, \$97,000,000 in federal and other funds. I would move for the adoption of the Report."

Speaker Madigan: "Mr. Dunn."

Dunn: "Thank you, Mr. Speaker. It's a little bit difficult to tell, but in the event I have a conflict of interest, I'll vote my conscience on this Bill."

Speaker Madigan: "Those in favor of the adoption of the Report signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Mr...Mr. Giglio. Have all voted who wish? The Clerk shall take the record. On this question there are 75 'ayes', 28 'nos'. This Bill, having received an extraordinary Constitutional Majority, is hereby declared passed. The Chair is prepared to adjourn. On behalf of Mr. Daniels and myself, We wish to thank you for your patience and dedication to work during the Veto Session. All of you... We wish all of you a happy holiday, and we'll see you early in January to hear from Governor Thompson. Mr. McPike moves that the House stand adjourned. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The House stands adjourned."

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