

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

119th Legislative Day

May 20, 1986

Speaker McPike: "House will come to order. The House will come to order. Members will be in their seats. The Chaplain for today will be the Reverend Craig Wagner, Pastor of the First Lutheran Church of Pontiac. Reverend Wagner is a guest of Representative Tom Ewing. Will the guests in the balcony please rise and join us for the invocation?"

Reverend Wagner: "Let us pray. Gracious and merciful God, Creator and Sustainer of all, as we begin this Session of the General Assembly of the House of Representatives, we pause for a moment to direct our thoughts to You. In so doing, we are reminded that in Your infinite wisdom, You have ordered the societies of the earth in such a way that governments are set in place to serve and protect the citizens of the land to the end that peace, justice and an orderly life will be present. With this in mind, we pray Your blessings of wisdom and understanding be upon each Member of this House, as they debate and act upon the business at hand this day. We further pray that You would guide the diversity of those present by Your one spirit, that everything thought, said and done be for the common good of all the citizens of Illinois. May each Member of this House continue to look to You for guidance, that all may be done according to Your will and for Your glory. In the Name of Christ we pray. Amen."

Speaker McPike: "Be led in the Pledge of Allegiance by Representative Ropp."

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

Speaker McPike: "Roll Call for Attendance. Representative Ewing. Representative Matijevich, do you have any excused

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absences?"

Matijevich: "Let the record show that Representative Nelson Rice is excused for the illness. Let the record also show that there's no excuse for Marco to be back here. Marco Domico is back with us, Sir."

Speaker McPike: "Representative Piel."

Piel: "All present and accounted for."

Speaker McPike: "116 Members answering the Roll Call, a quorum is present. Representative Frederick in the Chair."

Speaker Frederick: "Ladies and Gentlemen, good morning, it is my privilege to introduce to you, at this time, a group of four students, who, by their outstanding achievement, represented Illinois in the National Math Competition, which was held last week in Washington, D. C. These students were our team that represented our state and we are very proud to have them here today. I'd like to introduce each of them by name today, if they would indicate who they are, please. We have Kim 'Suey', from Libertyville High School, who is represented by Representative Peterson and myself. Actually, I'm sorry, I'm in error. He is from Libertyville, but he is from the Hawthorne School, and we also have Felix 'Chou', who is also from Libertyville and from Hawthorne School, represented by Mr. Peterson and myself. We have Jason 'Ribondo', who is from Peoria, represented by Representative Saltsman and Tuerk and Hawkinson, this morning. And Adam Schwartz, who comes from Wheaton, Illinois, and is represented by Representative Barger. I'd like to ask you all to join me in applauding these students at this time for their outstanding achievement."

Speaker McPike: "Representative Homer in the Chair."

Speaker Homer: "Thank you. Ladies and Gentlemen, it is with the very great privilege that I have today to introduce to you

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not a state championship team, but the winner of the National... Young Americans National Invitational Performance Choir Festival, held in Hollywood, California, this past spring. I present to you the Pekin Notable Swing Choir from Pekin, Illinois. We are very proud of the Pekin Notables. They were one of sixteen states to... We were one of sixteen states to be represented at the competition and the winners were chosen at the NBC studios by such judges as singer, Ray Charles, choreographer, Herb Fox and conductor, Robert... Roger Wagner. So, they were judged by very high standards and maintained very high standards for the State of Illinois and for the City of Pekin. They are going to be entertaining a little bit later down in the rotunda, during the noon hour, and all are invited to come and partake of some great music. So, Representative Saltsman and I are very pleased to present to the Pekin Notables. Thank you."

Speaker McPike: "Senate Bills First Reading."

Clerk O'Brien: "Senate Bill 1575, sponsored by Representative Dunn, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. Senate Bill 1732, White, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. Senate Bill 2017, McCracken, a Bill for an Act to amend the Cannabis Control Act. First Reading of the Bill."

Speaker McPike: "Representative Brunsvold, for what reason do you rise?"

Brunsvold: "Thank you, Mr. Speaker. Standing next to me is a foreign exchange student from Brazil, who is in my district, goes to Rockridge High School. She is going to be an Honorary Page this week. She is from Barana, a state in Brazil, and she tells me - I was talking to her on the way down - that she has a Democratic governor. I knew that

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somewhere in the world there was a Democratic governor. So, when she is paging this week, be kind to her. She speaks Portugese, if anyone speaks Portugese. Thank you, Mr. Speaker."

Speaker McPike: "Agreed Resolutions."

Clerk O'Brien: "House Resolution 1324, offered by Representative Ryder. 1325, Matijevich - McGann - et al. 1326, Matijevich - et al. 1327, Curran. 1328, Virginia Frederick. 1329, Virginia Frederick. 1330, Virginia Frederick. 1331, Virginia Frederick. 1332, Virginia Frederick. 1333, Virginia Frederick. 1334, Virginia Frederick. And 1335, offered by Representative Black."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I move the adoption of the Agreed Resolutions. They are all congratulatory. Move the adoption."

Speaker McPike: "Gentleman has moved for the adoption of the Agreed Resolutions. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Joint Resolution 198, offered by Speaker Madigan."

Speaker McPike: "Committee on Assignment. Representative Daniels."

Daniels: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I'd like to take this opportunity to introduce to you Joseph Lanniga, who is the Director of the 'Bethshen' Residential Services for the Developmentally Disabled. Joe is the Director of 'Bethshen' in Palos Heights, Illinois, and has with him today 12 residents of 'Bethshen', one of which is my daughter, Laurie, who is on the floor with me right now, on my right. So, would you please join with me in welcoming 'Bethshen' and their 12 residents who are back

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here and saying hello to them and welcoming them to the General Assembly. Thank you, Mr. Speaker."

Speaker McPike: "Special Order of Business - Environment. Those Bills on Second Reading, appears House Bill 2793. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2793, a Bill for an Act to create the pilot program for the creation of energy through disposable waste. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Fiscal note is filed. Third Reading. House Bill 3583, on page 14 of the Calendar. Representative Younge, this is your Bill also. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3583, a Bill for an Act to amend the Illinois Coal and Energy Development Bond Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Younge, Amendment #2."

Younge: "Would you take it out of the record momentarily?"

Speaker McPike: "Amendment #2, Representative Younge?"

Younge: "Yeah, would you take it out of the record momentarily? I've got to find the Amendment."

Speaker McPike: "Certainly. Out of the record. Under the same Order of Business, House Bills Third Reading. On page five of the Calendar, appears House Bill 2459. Representative Younge. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2459, a Bill for an Act to amend

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Sections of the Environmental Protection Act. Third Reading of the Bill."

Speaker McPike: "The Lady from St. Clair, Representative Younge."

Younge: "Thank you, Mr. Speaker and Members of the House. House Bill 2459 amends the Environmental Protection Act to provide that the Pollution Control Board shall give a 30 day, rather than a 20 day, notice of hearings on substantive regulation changes. Amendment #1 is an Amendment which was offered by the... or suggested by the Legislative Reference Bureau, which makes the Act conform with the statute. Amendment #2 provides that in the case of a regional pollution control facility, primarily for sewage treatment, representatives of the controlling board shall be chosen from every community that is affected by the sewage treatment plant. And I move for the passage of the Bill."

Speaker McPike: "Lady moves for the passage of House Bill 2459, and on that, the Gentleman from DuPage, Representative McCracken."

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

Speaker McPike: "She indicates she will."

McCracken: "Representative Younge, are Amendments 1 and 2 the only Amendments adopted as to this Bill?"

Younge: "Yes."

McCracken: "And Amendment #1 allows 30 days in which to respond to JCAR's suggestions, is that it, if they are substantive? Is that correct?"

Younge: "It allows 30 days rather than 20 days for notice in reference to substantive regulation changes."

McCracken: "Okay, and what is the reason for that Amendment? Did someone bring that to your attention or... what's the purpose for that?"

Younge: "The purpose of it is to make the time period for public

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notice to conform with the federal time period for public notice and also these tend to be rather complicated projects involving very large companies and a 30 day period is a much more reasonable period in order to give any entity affected a sufficient time to prepare for the hearing and to respond."

McCracken: "Amendment #2 provides for the appointment of representatives of the surrounding communities of a... affected by a pollution control facility other than MSD. How are these people to be appointed or to serve on this... this new body?"

Younge: "The people are to serve on the governing board of the sewage treatment plant. We have a situation... they are to be appointed by the municipal authority. We have a situation in the East St. Louis area where a recent sewage treatment plant has only members on the governing boards from one of five municipalities that are served. In discussing this matter with the EPA, it is apparent there... there ought to be representation by every municipality that is served by a sewer treatment system."

McCracken: "Is there other law that governs the appointment process for these regional boards or, if not, does this Bill cover that issue? Is the appointment process accounted for?"

Younge: "Yes, this Bill covers the issue of the appointment process. There is not other law in reference to it."

McCracken: "Where... Where does it state how the appointments shall be made, as a matter of procedure?"

Younge: "It merely states that it shall include representatives of the surrounding communities."

McCracken: "Okay, are these persons to serve for pay or without pay?"

Younge: "Without pay."

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McCracken: "Are their expenses reimbursable?"

Younge: "Their... No, that is not the intent."

McCracken: "Thank you. Nothing further."

Speaker McPike: "The Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Would the Sponsor please yield for a question?"

Younge: "Yes."

Koehler: "Alright. Representative Younge, if... with regard to Amendment #2, when you are talking about the governing bodies of certain regional pollution control facilities shall include representatives of communities served or affected. Well, now, generally, when the regional pollution control facility is sited and is given permission for siting, this already contains members of the county board or the governing body in which it is to be located. How does that Amendment affect the procedure that is already in place?"

Younge: "Well, it will affect it as of 1987. If there is a case where there is a community that is affected by a sewage treatment plant that doesn't have representation on the board, this would, as of 1987, that would mean that every sewage treatment plant would be in compliance and have Members on the Board. I think that there is just one case in which this has inadvertently happened."

Koehler: "Well, do you mean in addition to the regularly governing board, which might be a county board, they would also have to appoint a member of the sewage... of the sewage treatment plant district?"

Younge: "It means that on the sewage treatment board there would have to be representatives of the communities affected."

Koehler: "Okay, then one final question. With regard to the increasing the amount of days that... from 20 to 30 that is given, as far as the providing of the hearing time, provide

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notice of a hearing, how does that affect the administrative rules that are currently governing this type of hearing process?"

Younge: "It adds ten additional days to the required notice period."

Koehler: "Well, does this cause problems as far as further hearings and further notices might be concerned?"

Younge: "I don't believe so. Once the rule becomes effective, then it is just a matter of having to give 30 days notice, rather than 20 days notice."

Koehler: "Okay, thank you."

Speaker McPike: "Further discussion? Being none, Representative Younge, to close."

Younge: "I believe the 30 day notice, putting the notice period in compliance with the federal notice period would make a better situation, better for the people who are affected by substantive or important rule changes. And the Amendment having to do with... having representation from the particular communities affected, I think it's very important for sewage treatment plants. And I ask your approval of this matter."

Speaker McPike: "Lady moves for the passage of House Bill 2459. All those in favor of the legislation, signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 57 'ayes', 49 'nos'. Postponed Consideration? The Lady asks for Postponed Consideration. The Bill will be placed on the Order of Postponed Consideration. House Bill 3423, Representative Hallock. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3423, a Bill for an Act to amend an Act in relation to energy efficient storage hot water heaters. Third Reading of the Bill."

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Speaker McPike: "Gentleman from Winnebago, Representative Hallock."

Hallock: "Thank you, Mr. Speaker and Members of the House. Last Session, the General Assembly enacted legislation regarding hot water heaters. It covered all hot water heaters. What this Bill does, it deletes from that coverage of that Bill hot water heaters in 20 gallons or less. The purpose, of course, is to try to help those that make the small hot water heaters who were not intended to be covered in the first place. With regard to this Bill, specifically, my district there is a company that makes hot water heaters for recreational vehicles, and this would exempt them from coverage. I would ask for your support."

Speaker McPike: "Gentleman moves for passage of House Bill 3423. Is there any discussion? Gentleman from Macon, Representative Tate."

Tate: "Yeah, will... Will the Gentleman yield?"

Speaker McPike: "Yes, he will."

Hallock: "Sure."

Tate: "John, I understand that the Bill that we passed on hot water heaters last year, there was a great deal of concern that... that that Bill would, as it applied the national standards on the hot water heaters, that it would not be cost effective and pay for itself through the lifetime of the heater. Would this address that aspect of the problem?"

Hallock: "Well, what this Bill does primarily, is just exclude from coverage those hot water heaters of 20 gallons or less."

Tate: "It doesn't exclude private residences?"

Hallock: "No, it only excludes those 20 gallons or less."

Tate: "Okay, thank you."

Speaker McPike: "Further discussion? Being none, the question

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is, 'Shall House Bill 3423 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? Clerk will take the record. On this Bill, there are 111 'ayes', no 'nays', 1 voting 'present', and House Bill 3423, having received the Constitutional Majority, is hereby declared passed. House Bill 3473, Representative Hallock. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3473, a Bill for an Act to amend an Act concerning natural heritage endowment trust fund. Third Reading of the Bill."

Hallock: "Thank you, Mr. Speaker, Members of the House. This Bill amends the Natural Heritage Endowment Trust Fund Act by putting that fund under the control of the Department of Conservation. We do this and take it away from the State Treasurer because it was a concern of the conservationists that this fund was under the control of the Treasurer, that they may, in fact, dilute it and use it for other purposes. That's all the Bill does, and I would ask for your support."

Speaker McPike: "The Gentleman moves for the passage of House Bill 3473. Is there any discussion? Any discussion? Being none, the question is, 'Shall House Bill 3473 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 113 'ayes', no 'nays', 1 voting 'present'. House Bill 3473, having received the Constitutional Majority, is hereby declared passed. House Bill 3475, Representative Hawkinson. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3475, a Bill for an Act in relation to state parks, memorials and historic sites. Third Reading of the Bill."

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Speaker McPike: "Gentleman from Knox, Representative Hawkinson."

Hawkinson: "Thank you, Mr. Speaker. House Bill 3475 amends the Historic Preservation Act that we passed a year ago. At that time, we... the drafters of the Bill inadvertently designated Jubilee College State Park to come under the jurisdiction of the Department of Conservation. The park, itself, is over 3,500 acres and most of that acreage will be left under conservation, as was intended. However, the Jubilee State College, part of that, historic site, will be transferred to the Historic Preservation Agency. There is an agreement between the Department of Conservation and the Historic Preservation Agency that this be done and I would ask for your favorable vote."

Speaker McPike: "Gentleman moves for passage of House Bill 3475. Is there any discussion? There being none, the question is, 'Shall House Bill 3475 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Take the record. On this Bill, there are 115 'ayes', no 'nays', none voting 'present'. House Bill 3475, having received the Constitutional Majority, is hereby declared passed. Representative Younger, are you ready to return to the Bill that you took out of the record?"

Younger: "Yes."

Speaker McPike: "That's House Bill 3583. Yeah, 3583, on page 14 of the Calendar. Mr. Clerk."

Clerk O'Brien: "House Bill 3583, a Bill for an Act to amend Sections of the Illinois Coal and Energy Development Bond Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Younger, Amendment #2."

Younger: "Thank you very much, Mr. Speaker. Amendment #2 would amend the Environmental Protection Act, and declare that every regional pollution control facility, primarily engaged in the treatment of sewage, would, as of 1987, have representatives from the affected communities on their board... on their operating board. I move for the adoption of the Amendment."

Speaker McPike: "The Lady moves for the adoption of Amendment #2, and on that, the Gentleman from DuPage, Representative McCracken."

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

Speaker McPike: "She indicates she will."

McCracken: "Representative Younger, is this the... is this Amendment the same as the other EPA Bill which was recently held on Postponed Consideration?"

Younger: "Yes, it is."

McCracken: "So, if this Amendment were adopted, it would be identical to that other Bill?"

Younger: "That's correct."

McCracken: "To the Amendment, Mr. Speaker."

Speaker McPike: "Proceed."

McCracken: "I rise in opposition to it. The identical Bill, if this Amendment were adopted, has just been defeated and held on Postponed Consideration. I respectfully submit that the Lady has already had one vote on this issue and I think we should stop this one now, so that we don't have to bother with it on Third Reading."

Speaker McPike: "Further discussion? There being none, Representative Younger, to close."

Younger: "This is a very important issue to my district. The

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"members of communities that have... are tied into a sewage treatment plant that are going to be... have rates set in terms of the sewage treatment deserve to serve on the boards. And this is a very important issue and I move for the adoption of this Amendment."

Speaker McPike: "The Lady moves for the adoption of this Amendment. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 46 voting 'aye', 53 voting 'no'. The Amendment fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Representative Younge, do you want this moved to Third Reading or do you want it left on Second?"

Younge: "Third Reading."

Speaker McPike: "Third Reading. Representative Cullerton moves that the Special Order of Business - Environment be continued until tomorrow at the hour of 12:00 noon. All those in favor of the Motion signify by saying 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. Representative Breslin in the Chair."

Speaker Breslin: "Ladies and Gentlemen, I would remind you that on page 25 and page 26 on your Calendar there are Senate Bills First Reading. Please look over these Bills and pick those Bills up in which you are interested. There are several Bills that do not yet have a Sponsor. Page 25 and page 26 on your Calendar. Senate Bills First Reading."

Clerk O'Brien: "Senate Bill 1516, Keane, a Bill for an Act relating to classroom instructors at public institutions of higher education. First Reading of the Bill. Senate Bill 1711, Satterthwaite - et al, a Bill for an Act to amend the Illinois Domestic Violence Act. First Reading of the Bill."

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Speaker Breslin: "Ladies and Gentlemen, on page six on your Calendar, appears House Bills Second Reading Short Debate Calendar. Please be in your seat and indicate whether or not you want your Bills moves as they are called. This is on page 6 on your Calendar, Second Reading Short Debate. House Bill 1043, Representative Levin. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1043, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted previously."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Ryder."

Clerk O'Brien: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, this Amendment..."

Speaker Breslin: "Excuse me. Representative Levin, for what reason do you rise?"

Levin: "I was not aware of this Amendment. The Sponsor did not let me know about it. This is a JCAR Bill and I would ask, just for a short period of time, to take this Bill out of the record and so we can... with leave to come back to it."

Speaker Breslin: "Okay, we'll take the Bill out of the record and get right back to it. That's fine. House Bill 2313, Representative Homer. Representative Homer. Out of the record. House Bill 2582, Representative Preston. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2582, a Bill for an Act concerning missing children. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

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Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Preston."

Preston: "Thank you, Madam Speaker. Might I ask leave to have Representative McCracken speak to Amendment #2?"

Speaker Breslin: "Representative McCracken, on Amendment #2."

McCracken: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This amends the Bill and would become the Bill if adopted and provides for immediate notification between law enforcement agencies and I Search by means other than the use of the LEADS computer, which is already required by law, upon the proper presentation of various items of identification. It would also allow lapsed money appropriated to the law enforcement agency... or to I Search to remain in that fund rather than lapsing. There was a brief discussion of this matter when it was up last time on Second Reading and I move the adoption of Amendment #2."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 2582. Is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative McCracken."

McCracken: "Withdraw Amendment #3."

Speaker Breslin: "Withdraw Amendment #3. Are there any further Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2685.
Representative Hallock. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2685, a Bill for an Act to amend
Sections of the Historic Preservation Agency Act. Second
Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Hallock."

Hallock: "I would like to withdraw #1, please."

Speaker Breslin: "Withdraw Amendment #1. Are there any further
Amendments?"

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

Speaker Breslin: "Representative Hallock."

Hallock: "Thank you, Madam Speaker and Members of the House.
Amendment #2 precisely states exactly the roles of the
different parties involved in the historic marker program
and makes it clear that the state shall have the primary
responsibility, but in many cases they also can work with
local governments to put up these markers and also provides
as to who pays for the markers. I would ask for its
support."

Speaker Breslin: "The Gentleman moves for the adoption of
Amendment #3 to House Bill 2685, and on that question, is
there any discussion? Hearing none, the question is,
'Shall Amendment #3 be adopted?' All those in favor say
'aye'... excuse me, Amendment #2. All those in favor say
'aye', all those opposed say 'nay'. In the opinion of the
Chair, the 'ayes' have it and Amendment #2 is adopted. Are
there any further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Breslin: "Third Reading. House Bill 2969, Representative Hartke. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2969, a Bill for an Act to amend Sections of the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments? Representative Vinson, for what reason do you rise?"

Vinson: "Yes, is there an Amendment filed by Mr. Davis on this Bill?"

Speaker Breslin: "Representative Hartke... Hartke's Bill, Mr. Clerk."

Clerk O'Brien: "Amendment #1 is filed by Representative Davis."

Vinson: "Yes, Madam Speaker. The Gentleman is not on the floor, but he has asked me to withdraw that Amendment."

Speaker Breslin: "Is there any objection to the withdrawing of Amendment #1 to House Bill 2969? Hearing none, the Amendment is withdrawn. Are there any further Amendments?"

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

Speaker Breslin: "Representative Cullerton. Withdraw Amendment #2. Are there any further Amendments?"

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

Speaker Breslin: "Representative Cullerton. Withdraw Amendment #3. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3418. Out of the record. House Bill 3471, Representative Churchill. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3471, a Bill for an Act to amend Sections of an Act in relation to personal radiation monitoring. Second Reading of the Bill. No Committee Amendments."

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Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Williamson - et al."

Speaker Breslin: "Representative Williamson."

Williamson: "Amendment #1 amends the Environmental Protection Act to create a division of airport noise abatement within the Illinois Environmental Protection Agency. And this also directs the division to assume the duties of Chicago's O'Hare Airport Noise Abatement Office on January 1, of 1987, and to study airport noise problems throughout the state."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #1 to House Bill 3471. On that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'nos' have it and the Amendment fails. Are there any further Amendments? Oh, the Amendment is adopted? Representative McCracken."

McCracken: "...'ayes' have it."

Speaker Breslin: "The 'ayes' have it and the Amendment is adopted."

McCracken: "Okay."

Speaker Breslin: "Are there any further Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Floor Amendment #2 deals with the Fox Valley Airport Authority, formerly the Fox Valley Airport Authority and returns the law basically back to the way we had it last year before we passed the change for the DuPage County Airport Authority. It would have the effect of

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adopting a regional approach to the administration of the DuPage County Airport."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 3471, and on that question, the Gentleman from DuPage, Representative McCracken. Representative McCracken."

McCracken: "Thank you, Madam Speaker. Before I move to the merits, a point of order."

Speaker Breslin: "State your point."

McCracken: "I believe the Amendment is not germane. The Amendment affects the County Airport Act and both the Bill and the prior Amendment which were adopted do not affect that Act, nor is the subject matter germane. The Bill... initially amended the Personnel Radiation Monitoring Act and the second... or strike that. The Amendment amended the Environmental Protection Agency Act. I believe it's non-germane and ask for the ruling."

Speaker Breslin: "Representative McCracken, to your point. The Chair has decided that the Amendment is germane because of the prior Amendment that was adopted. The prior Amendment dealt with the subject of airports and as a consequence this... that makes this Amendment germane. Do you have any further discussion of the Amendment. Representative McCracken."

McCracken: "Will the Sponsor yield?"

Speaker Breslin: "He indicates he will."

McCracken: "Representative, does this Amendment repeal only that part of the Airport Act which created the DuPage County Airport Authority?"

Speaker Breslin: "Representative Cullerton, to answer the question."

Cullerton: "Yes, it returns the law to the way it was before we passed that Bill last year."

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McCracken: "So, it would be one commissioner for each municipality over 5,000 within the airport district and one commissioner in the unincorporated area and two commissioners at large?"

Cullerton: "I believe so."

McCracken: "Did anyone from DuPage County or from the airport authority ask you to sponsor this Amendment?"

Cullerton: "Oh, no, the people that wanted it are from Kane County."

McCracken: "Did any one from Kane County ask you to sponsor this?"

Cullerton: "They indicated their support."

McCracken: "Okay, to the Bill. This is obviously a swipe at some legitimate attempts on this side of the aisle to take care of a substantial problem at O'Hare Airport. The Gentleman brings this Amendment to a wholly unrelated issue of a county airport authority, not related to O'Hare's authority. The issue surrounding O'Hare is one of decisive importance to the over 400,000 people who reside in the area. This issue, this... this Amendment which the Gentleman seeks to tack onto this Bill has no bearing at all on that issue. It's merely a swipe at those of us who feel that O'Hare resents... presents a legitimate concern and that those of us who have tried to do something about it. I would suggest that it's not offered on the merits and ask it to be defeated."

Speaker Breslin: "Representative Churchill, on the Amendment."

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

Speaker Breslin: "He indicates he will."

Churchill: "Representative, can you go through the change in the commissioner structure that this Amendment entails?"

Cullerton: "Well, perhaps the best way to explain it is to say that we return the airport authority back to the way it was

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prior to September 27th of last year. There will be seven members, four would come from Kane County and three would come from DuPage County. The members would be appointed by mayors of surrounding communities and then there's our Legislative Representatives as well on the commission."

Churchill: "So, the portion that deals with the commissioner members from the municipalities will not change, right? The municipalities are still represented the same in either case..."

Cullerton: "That's correct."

Churchill: "So, the real change then comes from the commissioners that are selected by the county board?"

Cullerton: "Well, maybe it's best if I just read what... what we passed last year and that's what we're striking. We had an Airport Act that applied state-wide and then last year, we passed a law that said except that when the physical facilities of an airport of the authority are located wholly within a single county with a population between 600,000 and 3,000,000 then there shall be a different rule. That only applies to the DuPage County Airport. Now, all I'm doing with this Amendment is striking that language and returning it to the way it was before, that applied to the whole state."

Churchill: "What I'm trying to understand, though, is you changed the commission structure and I'm trying to find out how that commission structure changes. The commissioners selected from municipalities are the same. Now, there are additional commissioners that are..."

Cullerton: "The at-large members... I think it's the at-large members is where the main change is."

Churchill: "Alright, and..."

Cullerton: "The way they passed this Bill last year, the people from DuPage County basically took over control of the

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authority by... by having the DuPage County Board... the DuPage County Board being able to appoint more commissioners so that they could have numerical majority of the committee."

Churchill: "Okay..."

Cullerton: "And so this switches it back so that now you'll have seven members, four from Kane and three from DuPage."

Churchill: "Okay, and whose Bill was this last year?"

Cullerton: "It was voted on at the end of the Session. I don't remember the Sponsor."

Churchill: "By any chance, could this be Representative Giorgi's Bill?"

Cullerton: "The one that started off dealing with two engines on helicopters? That's very possible."

Churchill: "I'm not... I'm not sure if that's how it started out, but I see a lot of heads nodding yes. This must have been Representative Giorgi's Bill, so you're..."

Cullerton: "Right, but then it got into a Conference Committee, in which case, he wasn't the Sponsor any more."

Churchill: "I see, so he gave up his control of the Bill. That's what you are saying."

Cullerton: "Right. I'm... I'm just suggesting we made a mistake last year and we can correct it with this Bill."

Churchill: "Well, Madam Speaker, to the Amendment. I would submit that we did not make a mistake last year, that Representative Giorgi had a Bill which went through this process. That it was amended and put into a Conference Committee and that the Conference Committee came out with a report and that was the way that this Legislative Body decided that this Authority should be. And we are coming back a year afterwards and we are trying to change it right back to the way it was before, even though it was the legislative intent last year to make it this way. I would

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say that this Amendment is not proper. It should not be on this Bill and I would just ask that people would oppose the Amendment and ask for a Roll Call vote."

Speaker Breslin: "The Lady from Kane, Representative Deuchler."

Deuchler: "Would the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "You better vote for this."

Deuchler: "Well, Representative Cullerton, just living in Kane County, as I do, in Aurora, and representing Batavia, which has some very serious noise problems as a result of the potential realignment of the run ways and potentially much higher traffic, I'm assuming that your Amendment is directed toward putting control back to Kane County so that Kane County can have some direction toward controlling the growth and potential negative effects of this airport. Is that correct?"

Cullerton: "Absolutely."

Deuchler: "Representative Cullerton, can you refresh my memory. It seems to me that this was a highly controversial vote at the very end of last year on the DuPage Airport question, and that there were so many negative votes on that Bill that the Roll Call was removed and another vote was taken. Is that correct?"

Cullerton: "Well, I recall it being voted on after June 30th, so that it required 71 votes, and I... I think that many people, at the time, didn't appreciate the significance of the move away from having a regional approach to administering the airport and I think that we are just now, through the process of reasonable debate, correcting that mistake."

Deuchler: "Well, to the Bill, Ladies and Gentlemen. This is a very serious regional question and I know that many constituents from the affected area have called both myself

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and other representatives with very tough positions about any expansion of this airport. And it would seem since Kane County is so adversely affected that we should have control over the growth decisions that may be made in the future. And I would certainly support this Amendment."

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

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. Perhaps if we went back 30 years in time and we were deciding how to plan for the O'Hare Airport, perhaps it would have been done in a different fashion. Unfortunately, that was not done and we have a situation now where the airport is of vitally important to the economic stability of the whole Chicago-land area. We, however, do have an airport out in DuPage County that is right on the border of Kane County. The airport actually borders on Kane County. This is an airport that could be expanded. As a matter of fact, the master plan calls for the runways to be extended from 4,500 feet to 5,000 feet for the purpose of increasing traffic for larger jets to the airport. So, it's very likely that this airport could grow and become a major metropolitan airport. I think that, however, at this stage when we know it's still relatively small, we should heed the approach taken by many people who called for a regional approach to having an airport administered. Even the Governor, earlier when he went to Fenton High School, was complaining about O'Hare, by saying that it was run by one man on the fifth floor of City Hall. Well, perhaps the same could be said about the Chairman of the DuPage County Board... on the third floor, I think it is, out in DuPage County out in Wheaton, running an airport that literally borders on another county. It's not a good idea to have one person control the whole

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airport, especially when it could be... it could be... runways could be built in such a fashion to adversely affect people in another county literally right across the dividing line who would have no representation. So, I urge that you support this Amendment and ask that it be adopted so that we can return back to the law and correct the mistake that we made."

Speaker Breslin: "The question is, 'Shall Amendment #2 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 60 voting 'aye', 50 voting 'no' and 2 voting 'present'... Representative Vinson."

Vinson: "I'd like to request a verification of the affirmative."

Speaker Breslin: "Representative Cullerton asks for a Poll of the Absentees. Poll the absentees, Mr. Clerk."

Clerk O'Brien: "Berrios. Didrickson. Flinn. And Krska."

Speaker Breslin: "Poll of the Affirmative, Mr. Clerk."

Clerk O'Brien: "Alexander. Bowman. Braun. Breslin. Brookins. Brunsvold. Capparelli. Christensen. Cullerton. Curran. Currie. Daley. DeJaegher. DeLeo. Deuchler. Dunn. Flowers. Giglio. Giorgi. Greiman. Hannig. Hartke. Hicks. Homer. Huff. Keane. Kulas. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McGann. McNamara. McPike. Mulcahey. O'Connell. Panayotovitch. Pangle. Phelps. Preston. Rea. Richmond. Saltsman. Shaw. Steczko. Stern. Sutker. Terzich. Turner. Van Duyne. Washington. White. Wolf. Anthony Young. Wyvetter Younge. Zwick. And Mr. Speaker."

Speaker Breslin: "Any questions of the affirmative, Mr. Vinson?"

Vinson: "Representative Braun."

Speaker Breslin: "Representative Braun. Is the Lady in the chamber? Representative Braun. She is not, remove her."

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Excuse me. Representative Black, for what reason do you rise?"

Black: "Leave for verification, Madam Speaker."

Speaker Breslin: "We are not... We are only verifying the affirmative, not the negative. Proceed, Mr. Vinson."

Vinson: "Mr. Brookins."

Speaker Breslin: "Representative Brookins. Representative Brookins. The Gentleman is not in the chamber. Remove him from the Roll Call."

Vinson: "Mr. Brunsvold."

Speaker Breslin: "Representative Brunsvold is in the chamber. Representative Hartke asks leave to be verified, too, Mr. Vinson. Is that granted?"

Vinson: "Yes."

Speaker Breslin: "That is granted."

Vinson: "Mr. McGann."

Speaker Breslin: "Representative McGrann (sic - McGann)."

Vinson: "McGann."

Speaker Breslin: "Representative McGann. The Gentleman is not in the chamber. Remove him from the Roll Call."

Vinson: "Mr. McNamara."

Speaker Breslin: "Representative McNamara is in his chair."

Vinson: "Mr... Mr. O'Connell."

Speaker Breslin: "Representative O'Connell is in the chamber. Representative Brookins has returned to the chamber. Add him to the Roll Call voting 'no'. Excuse me. Voting 'aye'."

Vinson: "No, I think he wanted to vote 'no'."

Speaker Breslin: "No, he wants to vote 'aye'. He told me."

Vinson: "Mr. Steczo."

Speaker Breslin: "He's in his chair."

Vinson: "Mr. Van Duyne."

Speaker Breslin: "He's in his chair."

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Vinson: "Mr. Young."

Speaker Breslin: "Representative Young. Anthony Young. Where is Anthony Young? Anthony Young. Is the Gentleman in the chamber? He is not. Reemove him from the Roll Call."

Vinson: "Mr. Giorgi."

Speaker Breslin: "Representative Braun has returned to the chamber. Add her to the Roll Call. Representative Giorgi is right here."

Vinson: "I beg your pardon?"

Speaker Breslin: "He's in the chamber."

Vinson: "Oh, okay. Turn him around on this, John. Mr. LeFlore."

Speaker Breslin: "He's in his chair."

Vinson: "Mr. Bowman."

Speaker Breslin: "He's in his... by his seat."

Vinson: "Mr. DeJaegher."

Speaker Breslin: "Representative DeJaegher. Bob DeJaegher. The Gentleman is in the chamber."

Vinson: "Mr. White."

Speaker Breslin: "The Gentleman is in the chamber."

Vinson: "Representative Satterthwaite."

Speaker Breslin: "She is in her seat."

Vinson: "Mr. Laurino."

Speaker Breslin: "Excuse me. Representative Satterthwaite is not recorded as voting. How do you wish to vote, Representative? Representative Satterthwaite votes 'aye'."

Vinson: "Mr. Laurino."

Speaker Breslin: "The Gentleman is in his... by his seat."

Vinson: "Mr. Hicks."

Speaker Breslin: "He's in the chamber."

Vinson: "Mr. Hannig."

Speaker Breslin: "He's in his chair."

Vinson: "Mr. Shaw."

Speaker Breslin: "Representative Shaw is in the chamber."

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Vinson: "He what?"

Speaker Breslin: "He is in the chamber, and Representative Dunn asks leave to be verified. Is that granted? It is."

Vinson: "Mr. Panayotovitch."

Speaker Breslin: "Representative Panayotovitch. Is the Gentleman in the chamber? Remove him from the Roll Call."

Vinson: "Mr. Capparelli."

Speaker Breslin: "He's in his chair."

Vinson: "Mr. DeLeo."

Speaker Breslin: "Representative DeLeo is in the aisle. Representative Flinn asks to be voted 'aye'. Representative Preston, for what reason do you rise?"

Preston: "May I be verified, Madam Speaker?"

Speaker Breslin: "Representative Preston asks leave to be verified, Mr. Vinson."

Vinson: "Sure."

Speaker Breslin: "That is granted."

Vinson: "No... No further questions."

Speaker Breslin: "On this question, there are 59 voting 'aye'... Representative Berrios has returned to the chamber. Add him to the Roll Call..."

Vinson: "Who?"

Speaker Breslin: "Representative Berrios wishes to vote 'aye'. Representative Van Duyne, for what reason do you rise? Representative Van Duyne changes his vote from 'aye' to 'no'. Representative Nash changes his vote from 'present' to 'aye'. On this question there are 60 voting 'aye', 51 voting 'no', and none voting 'present', and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. While we are on this Order, Ladies and Gentlemen, dealing with airports, we would like to go to a Special Subject Matter Call on Second Reading

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for those Bills dealing with airports. They appear on page 2 on your Calendar under State and Local Government."

Vinson: "Madam Speaker."

Speaker Breslin: "Yes, Representative Vinson, for what reason do you rise?"

Vinson: "Where, on the Calendar, does that... does that Special Order appear?"

Speaker Breslin: "It's a Special Subject Matter Call, as I announced."

Vinson: "It's what?"

Speaker Breslin: "It's a Subject Matter Call."

Vinson: "And you are going to do a Second Reading Subject Matter Call?"

Speaker Breslin: "Yes, it's only two Bills. They deal with airports and they... I think they specifically deal with the subject of O'Hare Airport."

Vinson: "Could I inquire as to why you didn't choose to publish a special order last week so people could be informed that you were going to do this sort of thing?"

Speaker Breslin: "I think we just decided to do it now since we were on this Order of Business."

Vinson: "Are we... Should the Membership expect the Chair to continue in an arbitrary matter to just announce Subject Matter Calls and go to whatever particular Bills that strikes your fancy, or excites your or titillates your current interest?"

Speaker Breslin: "Representative Vinson, these Bills are up for a Special Order of Business, on the Order of State and Local Government. They are up tomorrow. They are on the Order of Second Reading right now. Since we are on the Order of O'Hare Airport issues, we thought we would take them now to accommodate the Membership, since we are here and ready and discussing those issues now. I think the Membership can

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expect the Chair to try to facilitate an orderly discussion of the business of the people of this state, and this is one of the ways to do so. Representative Vinson, do you have any further comment?"

Vinson: "Yes, Madam Speaker. I wonder why it is such a difficult strategy for the Chair to embrace to simply call Bills as they appear on the Calendar. What so affronts the Chair about that particular kind of fairness? Every Bill on the Calendar that's on Second Reading could be called in a simple, honorable, fair order. Why... Why can't we deal with things that way?"

Speaker Breslin: "Representative Vinson, as I understand, when we left here on Thursday, there was an agreement with Republican Leadership to call these Bills on Tuesday on Second Reading. We are fulfilling that commitment now. Is there any further discussion? Representative Vinson."

Vinson: "I am advised by Mr. Daniels, by his Chief of Staff, that no such agreement was ever reached, that there was never any such discussion for Subject Matter Calls."

Speaker Breslin: "Representative Vinson, as I understand, the commitment was to have them called Tuesday. I don't believe there was any commitment on any particular kind of call, but we believe that it is an orderly process and we believe that there was a commitment made and the commitment is being fulfilled. On that question, is there any further discussion? Representative Daniels."

Daniels: "Yes, Madam Speaker. Let's just straighten the record out so we have everyone's understanding of what you are saying, at the instructions of the Speaker, so that we all know where we are and where we stand. There has never been an agreement to utilize the Subject Matter of Call, which is what you are utilizing. Under no circumstances will this side of the aisle agree to the manner in which you are

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attempting to run roughshod in behalf of the Speaker over the Minority Party. Whether you call it an orderly process or not, it is not an orderly process because you, through your own devices, have chosen to call Bills out of a packet and say, "Now, Subject Matter of Call," and that's the orderly way of doing it. Furthermore, Madam Speaker, the real Speaker, who sits in his office behind you and issues orders to you in running this House has now set, by a priority of call, Bills that nobody saw before today's Calendar came out. Now, you could do that because you have the votes. We understand that. You can destroy our efforts to try to correct the problems at O'Hare field. We understand that too. But just don't represent that we are agreeing to the manner in which you are treating the Minority, because we don't agree to it and we never signed on to your mechanisms or your schemes or that of the Speaker's."

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

Cullerton: "Yes, thank you, Madam Speaker. I believe that the Republicans did sign on to Rule 39(a), Section 2, which says the Speaker, at his or her discretion shall call Bills or Resolutions pertaining to similar subject matter for consideration at the same time, so that the House may consider and resolve the subject matter at any one time. Takes 71 votes to overrule or to suspend that rule. It's certainly within your discretion. I think that if anybody is stalling, it's the Minority Party. The Amendments have been on file for a week."

Speaker Breslin: "Representative McCracken, do you have anything further to say?"

McCracken: "Yes, parliamentary inquiry, Madam Speaker, two points, really. How is the Chair going to define the

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subject matter of the Bill? In the last Bill on which we just voted, three different Acts were amended. The Chair found that all of those three different Acts were germane, in effect, ruling that they pertained to the same subject matter of airports; the EPA Act, the Radiation Personnel Act and the County Airport Act. If that is the case, Madam Speaker, do you plan on calling more than two Bills? It appears to us that there are many germane Bills of a similar or same subject matter that should be called, if you are going to that Order of Business. Do you intend to do so?"

Speaker Breslin: "Representative McCracken, we intend to call two Bills and only two Bills, House Bill 390 and House Bill 3204. The reason for that selection is because they are Bills that deal with the issue of O'Hare Airport. They are issues that your side of the aisle has requested repeatedly be called. As I understand, a commitment was made that these Bills be heard on Second Reading today. So, those are the Bills that we intend to call and we are doing it pursuant to rule. Is there any further discussion? Representative Vinson. Excuse me. Representative Daniels."

Daniels: "Madam Speaker, the agreement was that we would want to go down Second Readings. Second Readings, if you follow the Calendar to give every Member of this House an opportunity for Second Readings, then you will be following what the intent of the rules are, and Representative Cullerton's representations that we agreed to the utilization of Subject Matter of Call and the methods that you are citing them right now, nobody envisioned this abuse and the way in which you would utilize it, which is contrary to the Speaker's own commitment that he made when he was originally elected Speaker. Now, you can be part of

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that. You can do what you want to do. Just don't say that we agreed to it."

Speaker Breslin: "Any further discussion? Representative Vinson."

Vinson: "Yes, Madam Speaker. I think that it ought to be pointed out to the Membership and to those people who might have an interest in the process that the problem with this particular way of dealing with the Calendar is that no Member, be he Republican, be he Democrat, knows what the subject matter that will be announced next will be and he doesn't know what Bills are going to be in that subject matter. So, no Member is on notice as to what Bills are going to be called around here. If you should happen to have a need to walk over to the Senate to deal with a Bill of yours in the Senate, then the Chair can very quickly call a subject matter that includes one of your Bills and the Chair can then represent to the Membership, we dealt with that Bill and the Member wasn't here to call it. The... If Members want staff present to help them, to advise them, to give them information and backup on a Bill, you don't know when to have the staff on the floor. That is the advantage of being able to deal with the Bills in the orderly call on the Calendar because you know two or three Bills before yours, you know yours is coming up and you know to be prepared for it. Under this particular use of the Calendar, what happens is the Chair alone knows what's going to be called. The Chair alone can totally frustrate a Member's ability to prepare for and handle his Bill. That is the reason I thought why Mr. Madigan said to us, when he first became Speaker of this chamber, that he would not use Subject Matter Calls because they were a terrible abuse and because they defeated any attempt for orderly and deliberative handling of legislation before

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this chamber. I suppose that he's lost his desire to deal with the chamber in that fashion."

Speaker Breslin: "Any further discussion? Hearing none, the next Bill to be called is House Bill 390. It appears on page 7 on your Calendar on Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 390, a Bill for an Act relating to actual weight allowance for county streets or highways. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Daniels - Pullen and Wojcik."

Speaker Breslin: "Representative Daniels."

Daniels: "Pullen."

Speaker Breslin: "Representative Pullen, on Amendment #1."

Pullen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #1 would prohibit the Illinois Department of Transportation from adopting any alternative route for the purpose of encouraging future development of O'Hare for the Elgin-O'Hare Expressway. This expressway was mapped out in 1970, and it is going to be built in the near future. There have been proposals made by other agencies for the Department of Transportation to change the route so that more runways can be built at O'Hare and for other reasons that only the City of Chicago knows. This Amendment would require the Department of Transportation to stay with its original route and I move its adoption."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #1 to House Bill 390, and on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, perhaps... I have an inquiry of the Clerk. The Amendment... Floor Amendment #1, offered by Representative Pullen, my file reflects a Floor Amendment #1... or

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Amendment #1 by Davis, sponsored last year. I'm just wondering if we have the right... if we are debating the right... the proper Amendment."

Speaker Breslin: "Mr. Clerk, can you clarify for us?"

Clerk O'Brien: "The Amendment #1 of Representative Davis' was indicated that they didn't want to act on that. These three Amendments were filed this year."

Cullerton: "So, we don't have to... we can call this Amendment #1 and just disregard Representative Davis' Amendment because it was never filed... or it must have been filed."

Clerk O'Brien: "We thought they were all out of the record."

Cullerton: "Okay."

Speaker Breslin: "Representative Davis, for what reason do you rise?"

Davis: "Madam Speaker, thank you, I wish to table Amendment #1 that was adopted to the Bill last year."

Speaker Breslin: "Mr. Clerk, was it adopted to the Bill last year? Representative Davis, the Clerk's Office indicates that it was never acted on last year."

Davis: "Well, withdraw it. I'll withdraw it. Withdraw. It was a Floor Amendment."

Speaker Breslin: "Then we will withdraw Amendment #1, filed by Representative Davis last year. The Amendment we are on right now is Amendment... labeled Amendment #1, filed by Representative Daniels and Pullen. The question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Daniels - Pullen and Wojcik."

Speaker Breslin: "Representative Daniels, for what reason do you rise?"

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Daniels: "I would like a Roll Call on that, please, as the Sponsor of the Amendment."

Speaker Breslin: "Representative Daniels, we are on the next Amendment."

Daniels: "Ma'am, I was asking for recognition. Let's not start that now. You are trampling enough on us. You know that and I have a right to a Roll Call."

Speaker Breslin: "Representative Daniels, your Amendment has been adopted. I am going to rule that..."

Daniels: "I... I am entitled to a Roll Call. I had my light on before you made that announcement."

Speaker Breslin: "I am going to rule that your action is dilatory, Sir."

Daniels: "And I'm... and Madam Speaker, are you going to start this in continuation of this kind of action? You want to run roughshod, you go ahead and you be party to that. You may feel that your are operating under the instruction of the Speaker, but don't do this to your own reputation, Madam Speaker, because you are harming your reputation now. Don't hurt yourself like this. Get the real Speaker out here. He's coming out now. Put him in the Chair and let him operate the House in the fashion ignoring the rights of the Majority... the Minority. You want to do that, make him do the dirty work instead of you doing it."

Speaker Breslin: "Representative Daniels, do you wish to present Amendment #2? Representative Pullen, on Amendment #2."

Pullen: "Madam Speaker, I now wish to... hold on one second. Madam Speaker, I move to adopt Amendment #2, which is the same in substance as Amendment #1 and I request a Roll Call vote."

Speaker Breslin: "Would you explain the Amendment, please?"

Pullen: "I'd be happy to. The Amendment prohibits the Department of Transportation from changing the proposed route of the

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Elgin-O'Hare Expressway for the purpose of encouraging future development of O'Hare."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #2 to House Bill 390, and on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' 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 that question, there are 107 voting 'aye', none voting 'no' and none voting 'present', and the Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. If this Amendment has overwhelming support, I demand a Roll Call Vote. This is the same Amendment which we just debated before, so perhaps we can save some time. It deals with returning the control of the formerly known, the Fox Valley Airport Authority, back to Kane County sharing the control with DuPage County. It's a regional approach to airport authority management. I'd appreciate your support."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to House Bill 390. And on that question, is there any discussion? Hearing none, the question is... Representative McCracken, on the Amendment."

McCracken: "Point of Order, Madam Speaker. Amendment #3 would read... would require the renumbering of prior Amendments and does not take that into account, therefore, it's out of order. If you note, the Amendment deletes the title and inserts, in lieu thereof, another title immediately after the enacting clause. That would require the Amendment of

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the prior adopted Amendments to conform to the new numbering, and it does not provide for that, and it's, therefore, out of order."

Speaker Breslin: "Representative McCracken, would you restate the reason that you think the Amendment is out of order, please?"

McCracken: "Because the Amendment inserts itself between the... immediately after the title and would require different numbering sections... or paragraph numbering to the prior Amendments, which were adopted, and it does not account for that."

Speaker Breslin: "The back of the Bill, however, indicates that the renumbering is done, on the very last page."

McCracken: "I know, but that relates only to this... to this Amendment. It does not renumber the other Amendments which would follow this, because of its inserted... because of it being inserted before the text of the prior Amendments."

Speaker Breslin: "I believe that this is the standard form, in which that kind of renumbering issue is addressed. So, we believe that, with that language added at the end, the other... the prior ones would be renumbered. Do you wish to discuss the Amendment?"

McCracken: "Yes, we're opposed to the Amendment, and I think the reasons for it are obvious. The Gentleman made this Amendment and attached it to another O'Hare issue. I know the Chair has ruled that this is germane, but it's... I submit that it's not offered in good faith for the... on the merits of the issue. If the Gentleman is so concerned with Kane County, why doesn't he move there? Good point."

Speaker Breslin: "Representative Davis, on the Amendment."

Davis: "Well, Madam Speaker, I certainly associate myself with the prior speaker's remarks. It is my understanding, an Amendment identical to this was passed onto another Bill.

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It is perfectly obvious that, if this Amendment were on, the Bill would probably pass, and with the prior Amendments adopted to it, it won't because of the response of the Chair. This will be dropped off the Calendar, as you have been roaming, and it will anyway, and we all know what's going to happen to this Bill. So, if you're going to kill it, why don't you just kill it out right? You got your Amendment on another Bill that you'll call when you feel like doing it, and I would recommend a "no" vote on this Amendment."

Speaker Breslin: "Representative Cullerton. This is your Amendment."

Cullerton: "Yes."

Speaker Breslin: "For what reason do you rise?"

Cullerton: "I wanted to close."

Speaker Breslin: "We're not ready yet, Representative Vinson seeks recognition. On the Amendment, Sir."

Vinson: "Yes, inquiry of the Chair, Madam Speaker."

Speaker Breslin: "State your inquiry."

Vinson: "Does Amendment #3 remove Amendment #2 from the Bill?"

Speaker Breslin: "The answer to your question is, no, Representative Vinson."

Vinson: "Amendment #2 would remain on the Bill, if Amendment #3 were called."

Speaker Breslin: "That's correct."

Vinson: "Well, in that case, Madam Speaker, Ladies and Gentlemen of the House, it's my intention to vote for Amendment #3 and to vote for the Bill on Third Reading."

Speaker Breslin: "All those in favor... Representative Cullerton, to close."

Cullerton: "Yes. Thank you, Madam Speaker. Since the last time we voted on this Amendment, I was told by a couple of Republican Members of the House that, apparently, the

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Governor is also, at least in theory, in favor of this Amendment. Because, apparently, he went out to Kane County and gave a speech out there where he said that he was in favor of adding some Kane County members to the airport authority. So, we can look forward to the Governor's support. At the suggestion that I move out to DuPage County, I'd like to just remind everyone that I moved from DuPage County. My family still lives out there, though, and they still are affected by the flight paths of the planes that come into DuPage County Airport. I would appreciate all of you supporting this, and I appreciate Representative Vinson's change of heart."

Speaker Breslin: "The question is, 'Shall Amendment #3 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 73 voting 'aye', 40 voting 'no' and none voting 'present', and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3204, appears on page 10 on your Calendar on Second Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3204, a Bill for an Act to amend Sections of the Illinois Municipal Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Pullen and Pedersen."

Speaker Breslin: "Representative Pullen."

Pullen: "Thank you, Madam Speaker, Ladies and Gentlemen of the

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House. This Amendment would give veto power to municipal authorities to allow them to prevent condemnation of property within their own boundaries by a municipal airport owner. The reason that this Amendment is being offered is because the City of Chicago, as the proprietor of O'Hare is pursuing what is called a; 'part 150 noise compatibility study,' whereby; a noise contour map will be produced that will brand residential properties ranging over a very wide territory including some 400,000 residents as unfit for human habitation. After the City of Chicago has succeeded in depreciating the property values for those 400,000 people, it can then, under the part 150 program, apply for an 80 percent federal match to acquire those properties in order to render them compatible with the airport instead of the other way around. Because of the way our state law currently reads, none of the elected officials of those 400,000 people have any say in whether the City of Chicago will come into their territory and condemn houses at distressed prices. This is a very serious situation that does not have anything to do with economic development or the operation of O'Hare Airport. I move the adoption of this Amendment and request a Roll Call vote."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #2 to House Bill 3204. And on that question, is there any discussion? Hearing none, the question... Hearing none, the question is, 'Shall Amendment #2 be adopted?' The Lady has requested a Roll Call vote. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye', none voting 'no' and 2 voting 'present'. And the Amendment is adopted. Are there any further Amendments?"

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Clerk O'Brien: "Floor Amendment #3, offered by Representative Williamson - Daniels and McAuliffe."

Speaker Breslin: "Representative Williamson."

Williamson: "Thank you, Madam Speaker and Members of the House. Amendment #3 amends the Municipal Code to prohibit the construction of new runways by municipalities of 500,000 or more population at a multi-county airport."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #3 to House Bill 3204. Is there any discussion? Hearing none, the question is, 'Shall Amendment #4... Amendment #3 be adopted?' Do you wish a Roll Call?"

Williamson: "Madam Speaker, I would request a Roll Call vote."

Speaker Breslin: "Very good. The Lady requests a Roll Call vote. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. Representative Christensen wishes to vote 'aye'. There are, therefore, 100... Would you add Representative Christensen? 106 voting 'aye', none voting 'no' and 4 voting 'present'. And the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representatives Daniels - Pullen and Williamson."

Speaker Breslin: "Representative Daniels. Representative Pullen, on Amendment #4."

Pullen: "Amendment #5 (sic - #4) would create a metropolitan airport authority to oversee aviation in the Chicago metropolitan area. I move its adoption."

Speaker Breslin: "The Lady moves for the adoption of Amendment #4 to House Bill 3204. Is there any discussion? Hearing none, the question is, 'Shall Amendment #4 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the

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Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Daniels - Pullen and Williamson."

Speaker Breslin: "Representative Pullen."

Pullen: "I move ... I ask leave to withdraw this Amendment."

Speaker Breslin: "Withdraw Amendment #5. Are there any further Amendments?"

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

Speaker Breslin: "Representative Cowlshaw."

Cowlshaw: "Madam Speaker, could we please withdraw Amendment #6."

Speaker Breslin: "Withdraw Amendment #6. Are there any further Amendments, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Cowlshaw and Williamson."

Speaker Breslin: "Representative Cowlshaw."

Cowlshaw: "Please withdraw Amendment #7."

Speaker Breslin: "Withdraw Amendment #7. Are there any further Amendments?"

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

Speaker Breslin: "Representative Cowlshaw."

Cowlshaw: "Please withdraw Amendment #8."

Speaker Breslin: "Withdraw Amendment #8. Are there any further Amendments?"

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

Speaker Breslin: "Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, Amendment #9 is an Amendment that I am offering in cooperation with the Division of Aeronautics of the Department of Transportation. I have learned, in working

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with the Division of Aeronautics, that there are more than 1,000 certified airports in this state, but, among those, there are more than 700 that are called restricted landing areas under the definition of the Division of Aeronautics. The Division of Aeronautics personnel have reported to me that these landing areas, particularly many in the Chicago and East St. Louis areas, are threatened by urban sprawl. There is no current provision in the law to protect an existing restricted airport from having an obstacle, a building or something constructed at the ends of those runways. All this does is protect those existing areas from any development that would mean that they could no longer be used as airports. And I move its adoption."

Speaker Breslin: "The Lady has moved the adoption of Amendment #9 to House Bill 3204. Is there any discussion? Hearing none, the question is, 'Shall Amendment #4 (sic - #9) be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, can I demand a voice vote?"

Speaker Breslin: "You may demand it."

Cullerton: "Right. This is an Amendment which we have debated changing the effect of Public Act 84-944 with regard to the DuPage County Airport. Appreciate your support."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #10 to House Bill 3204. And on that question, Representative Vinson."

Vinson: "Inquiry of the Chair."

Speaker Breslin: "State your inquiry."

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Vinson: "I didn't quite hear what the Gentleman demanded."

Speaker Breslin: "The Gentleman demanded a voice vote. I said he may demand it. I didn't say he'd get it, though."

Vinson: "I support the Amendment and would urge everybody to support it."

Speaker Breslin: "Is there any objection to a voice vote? Hearing none, the question is, 'Shall Amendment #10 to House Bill 3204 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Vinson, for what reason do you rise?"

Vinson: "Madam Speaker, since... since we're stuck on these Subject Matter Calls, let's not waste the time of the House. Let's go to immediate consideration on all these airport Bills on Third Reading. Let's just do it and get it going."

Speaker Breslin: "Representative Cullerton, for what reason do you rise?"

Cullerton: "Yes, Madam Speaker, I understand that many of these Bills... the Amendments that we adopted to this Bills do amend the title. And if... at the request of a Member, can be moved back to... May I please finish? Can be moved back to First Legislative Day. However, I do not wish to make that request. I think that they should remain on Second Reading, Second Legislative Day. And rather than take 71 votes to vote on them right now, we should call them tomorrow."

Speaker Breslin: "Representative Vinson, for what reason do you rise?"

Vinson: "I think we could provide the votes to have 71 votes. We

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can just pass these out of here right now. And besides, they're on Third Reading, not Second Reading, Second Legislative Day."

Speaker Breslin: "They're on a Special Subject Matter Call for 12:00 noon tomorrow, Representative Vinson. So, we will..."

Vinson: "A Special Subject Matter Call?"

Speaker Breslin: "Excuse me. A Special Order of Business Call. It is a Special Call set for noon and they will be heard at that time or as close thereto as possible. Ladies and Gentlemen, we have decided to do the rest of the Bills on the Order of State and Local Government that also need amendment so that, they can be acted on tomorrow at noon. Those Bills... The next Bill on that Call would be House Bill 523, Representative Mautino. Clerk, read the Bill."

Clerk O'Brien: "House Bill 523, a Bill for an Act to add Sections to the Liquor Control Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Wojcik. Withdraw Amendment #1. Are there any further Amendments?"

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

Speaker Breslin: "Representative Mautino."

Mautino: "Excuse me, Mr. Speaker... or Madam. Would you please check Amendment #2."

Speaker Breslin: "Check it for what?"

Mautino: "If there is an Amendment #2."

Speaker Breslin: "Yes, we have it on file."

Mautino: "What's the LRB number on that, please?"

Speaker Breslin: "Mr. Clerk."

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Clerk O'Brien: "LRB 84-01776JMCSA01."

Mautino: "I don't happen to have that Amendment here. I've got 75. I'll just withdraw it, because I don't know what it is."

Speaker Breslin: "Withdraw Amendment #2. Are there any further Amendments?"

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

Mautino: "Madam Speaker, will you take it out of the record? We have one more Amendment to file on that as well."

Speaker Breslin: "Okay. Take the Bill out of the record. House Bill 2685, Representative Hallock. Representative Hallock, do you wish this Bill called on Second Reading for Amendments? House Bill 2685. Excuse me. That's already been done. House Bill 2693, Representative Churchill. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2693, a Bill for an Act to amend Sections of an Act in relation to simultaneous tenure of certain public offices. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Churchill and Van Duyne."

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Mada... Thank you, Madam Speaker. Amendment #1 to House Bill 2693 opens up the simultaneous tenure of offices between township offices and the county board. There were various restrictions set forth in the law as to which township officials could hold office on the county board. The initial Bill came in to open it up further to road commissioners. Upon the suggestion of the Chairman of the Committee, Representative Van Duyne, I have put in this Amendment that just opens it up and says that any township officer may hold simultaneous office with the

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county board."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 2693. Is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Rea in the Chair."

Rea: "Thank you very much, Ladies and Gentlemen of the House. I have a very distinct pleasure today of introducing a person who has done great things in my district and certainly has been a great asset and signify many things to people throughout the State of Illinois. A person that for 50 years has been a member of the Illinois Federation of Women's Clubs, serving the Junior Club Women and Women's Clubs in high offices of her clubs, county, 25th district and state federation. She was vice president of the Illinois State Historical Society and the Congress of Illinois Historical Societies and Museums. She was sponsored for Mother of the Year by the West Frankfort Women's Club and she did receive Mother of the Year Award which is a great honor. And at this time, I would like to present Mavis Wright."

Mavis Wright: "Mr. Speaker, Mr. Rea and Members of the House. It is a privilege and I deem it a great honor indeed to appear before this great governing Body of our State Government. This afternoon, I represent all the mothers of our great State of Illinois, as well as to represent our state among the other mothers representing our 51 other states which holds membership in the American Mothers' Incorporated. It

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is a national organization whose purpose is to develop and strengthen the moral and spiritual foundations of the family and the home. It was organized in 1933 as a division of the Golden Rule Foundation. American Mothers' Incorporated is a not-for-profit interfaith organization who conducts the annual search for the state and national Mother of the Year. American Mothers' conducts workshops and provides educational programs for mothers of young children and adolescents. The American Mothers' supports nutrition programs and it encourages creative art projects. It stresses a chapel in every home and the American Mothers' sponsors a statewide prayer vigil annually. Motherhood is a full time job and I sincerely believe that a mother's interest in relevant things outside the home are so important in the understanding of the things confronting our children's lives daily. We are interested in everything that is related to our children, our home, our church, our community, the schools and activities and our nation. It is our belief that families that pray together, stays together. The dinner table in my own family was the time to discuss activities and ask questions. The repore that continues today among the members of our family began around the dining table. I think the importance of the American family can be summed up as, if there be righteousness in the heart, there will be beauty in the character. And if there be beauty in the character, there will be harmony in the home. And if there be harmony in the home, there will be order in the nation. And if there is order in the nation, there will be peace in the world. I believe that the hand that rocks the cradle rules the world. And let us remember today to live in the hearts we leave behind us is never to die. I say thank you from the bottom of my heart. Thank you very much."

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Rea: "I might also add that Mavis has many supporters of the American Mothers' here with her and up here in the gallery I'd like to recognize them at this time."

Speaker Breslin: "On the Order of Second Reading, on those Bills on State and Local Government, next Bill is House Bill 3468, Representative Churchill. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3468, a Bill for an Act to amend the Real Estate License Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Ryder. Withdraw Amendment #2. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3471, Representative Churchill. Clerk, read the Bill. We did it already? Okay. House Bill 3476, Representative Olson. Representative Olson. Representative Olson, House Bill 3476. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3476, a Bill for an Act to amend Sections of an Act creating the Department of Children and Family Services. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 3513, Representative Daniels. Clerk, read the Bill. This is Representative Daniel's Bill. House Bill 3513."

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Clerk O'Brien: "House Bill 3513, a Bill for an Act to add Sections to the Retailers' Occupation Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Shaw. Withdraw Amendment #1. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3527, Representative Slater. Is Representative Slater in the chamber? He is. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3527, a Bill for an Act to amend the law in relation to grain dealers and grain warehouses. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 3543, Representative Steczo. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3543, a Bill for an Act to repeal Sections of an Act in relation to the Cook County Sheriff's Merit Board. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Matijevich. Representative Matijevich. Withdraw Amendment #1. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Sutker and Daley."

Speaker Breslin: "Representative Sutker, on Amendment #2."

Sutker: "Yes, Madam Speaker, Floor Amendment #2 deletes reference

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to Section 13 of the Act and deletes all references after the enacting clause. Floor Amendment #2 becomes the Bill. It provides that all part time deputy sheriffs will be covered by merit selection and it makes merit selection comprehensive in the Cook County Sheriff's Department offices. I'll answer any questions."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 3543. Is there any discussion? Is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. Presently, the Cook County Sheriff's Merit Board is comprised of three individuals. Amendment #3 simply increases the membership on that Board from three to five. And I would move for its adoption."

Speaker Breslin: "Gentleman has moved for the adoption of Amendment #3 to House Bill 3543. Is there any discussion? Hearing none, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3596, Representative Wojcik. Is the Lady in the chamber? Representative Wojcik. Out of the record. House Bill 3605, Representative Daniels. Representative Daniels. Clerk,

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read the Bill."

Clerk O'Brien: "House Bill 3605, a Bill for an Act to amend certain Acts in relation to funds for the developmentally disabled. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Daniels."

Daniels: "Thank you, Madam Speaker. This Bill deals with the Self Sufficiency Trust for the Foundation for the Handicapped and the Mentally Disabled. Floor Amendment #1, which was adopted previously, clarifies the Department of Mental Health may accept monies. Floor Amendment #2, which I'm offering right now, adds language clarifying who may receive monies from the trust fund that's created under the Self Sufficiency Trust and adds minimum standards which the trust fund must meet. This Amendment has been worked out with the Department of Mental Health and other interested agencies. I ask for your adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 3605. Is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "On this Order of Call there is a Bill on Third Reading that needs to... Excuse me. Third Reading for House Bill 3605. There is a Bill on Third Reading that

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needs to be brought back for an Amendment. That's House Bill 2966, Representative Levin. Read the Bill on Second, Mr. Clerk. Are there any Amendments filed on this Bill? 2966."

Clerk O'Brien: "House Bill 2966, this Bill has been read a second time previously. Floor Amendment #1, offered by Representative Levin."

Speaker Breslin: "Representative Levin."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 2966 is a companion to a measure introduced in the United States Senate by Senator Simon. And what it would do is to prohibit individuals who are convicted of lying on their immigration forms, as far as their association with the government of Nazi Germany, from receiving certain state benefits. When the Bill was up in Committee, there were some questions as far as some of the wording in the Bill. And this is a clarification of the wording. It spells out in more detail when... at what point in the process the legislation would kick in."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 2966. And on that question, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "Representative Levin, the way the Bill was originally drafted, basically what it's designed to do is to make people ineligible for state benefits if an order by the U.S. Attorney General deportation was made determining that a person is a former war criminal. And my question to you is does that U.S. Attorney General deportation afford a hearing to the individual before he issues that order?"

Levin: "Yes. Yes, it does. And the intention of the legislation and the Amendment would... would keep the same intention,

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is that the person have the opportunity for a full trial and only after a full trial and a conviction for lying on his immigration forms as far as his association with the government of Nazi Germany, would this kick in. The Amendment gets a little bit more specific in terms of the points in the appeals procedures and provides that there... after he's had the opportunity for a full trial before an immigration judge and, in fact, has appealed that conviction and it's been affirmed by the Board of Immigration Review, at that point, this legislation would kick in and that person would become ineligible to receive state benefits."

Cullerton: "Well, at that point, after it's been affirmed by the Board of Immigration Review, how much longer does the individual have before he's deported?"

Levin: "We just, unfortunately, saw in the newspapers over the weekend the situation of an individual who was deported to Yugoslavia who appealed... was in the U.S. courts in terms of fighting extradition as a Nazi war criminal for 24 years. So, it's a process which unfortunately can run many years. And the intention is that after he's been convicted, the individual has already had a full trial and been convicted of lying on his form and has had one appeal which is affirmed. While he continues to appeal through the process and all the way up to the U.S. Supreme Court, he should not be receiving monies paid him at taxpayers' expense."

Cullerton: "Alright. Thank you."

Speaker Breslin: "The Gentleman... The question is... Representative Vinson, on the Amendment."

Vinson: "Yes, Madam Speaker, I wonder if the Sponsor would yield?"

Speaker Breslin: "He will."

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Vinson: "And I wonder, Madam Speaker, if you would restore some semblance of order in the chamber. This is a very important Bill. Representative, first of all, let me say, so that you know that my questions and my position on the Amendment are not intended to be hostile, that I intend to support the Bill. Secondly, I want to make sure I understand what the Amendment really does and, if I do, what the result would be. My understanding is that the deportations that occur in this process are a result of individuals who were members of Nazi organizations and who committed war crimes, falsified original immigration papers and, because of the falsification, we could revoke their immigration status. Is that the issue in a nut shell?"

Levin: "That is correct."

Vinson: "Okay. Now, there has been some concern with a particular individual who was... whose immigration status was revoked and who was deported and, I believe, who is now in Israel pending trial or on trial, and there is at least the possibility in his case and there is intellectually the possibility in any case that we may come to one of these where the courts make a mistake and then where the Israeli court or the European court that has jurisdiction finds that the individual was not a war criminal. Correct?"

Levin: "The... When the person is in this country, the issue is simply did he or she lie on their immigration forms as far as their association with the government of Nazi Germany. It is only after they exhaust all of their remedies and they are, in fact, deported to Yugoslavia or Israel or Germany that they are then tried and the determination is made whether or not they are, in fact, a war criminal. So..."

Vinson: "Okay. Now, let's assume for a second that an individual were deported to Israel where he would get a fair trial and

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it would... and judged in the trial that he was not a war criminal. And perhaps it might be discovered even that there was a case of mistaken identity between him and somebody else. Now, in the case of that individual, does your Amendment and does your Bill in any way provide a way out so that benefits can be restored that we're depriving them of?"

Levin: "Alright. Representative, let me, just for a moment, outline what the immigration procedures are as I understand them in terms... First, certainly the Attorney Generals or the Immigration and Naturalization Service makes the determination that the person lied. That matter then is tried before an immigration Judge. There is a full trial. That... If he finds that person lied on his immigration form as far as his association with the government of Nazi Germany - and that's the issue - if he... certain classes of Nazi's and Nazi collaborators were not initially eligible to come into this country. Whether they committed any war crimes or not, they... they would have been excluded from coming into this country if they had said, 'I was a member of the Nazi Party', or certain other memberships. Once the immigration Judge finds, after a full trial, that the person, in fact, did lie, they have the opportunity to appeal to the Board of Review... Board of Appeals. If that is affirmed, there is then a further appeals through the Federal District Appellate and up to the U.S. Supreme Court. That is the process. This Bill envisions with this Amendment that a person, if he is convicted by an immigration Judge and it is upheld on appeal, he would lose his benefits. If, in fact, subsequently, say, the U.S. Supreme Court were to reverse that conviction and find that he did not lie on his immigration form, then he certainly would be able to

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restore his benefits."

Vinson: "What about..."

Levin: "If a person..."

Vinson: "What about a court... a foreign court?"

Levin: "The issue, Representative, is, I think, a different issue; because, as I said, the person might not have convicted... been guilty of any war crimes, but been, in fact, a member of the Nazi Party in Germany. To use as an illustration and would have been exclu... would have been unable to come in the country in the first place if he, in fact, had told the truth on his immigration application. So, whether he is subsequently convicted of war crimes after, in fact, he's extradited, I don't believe is relevant to this matter, at least the way I envision it."

Vinson: "Let me suggest to you, and in... as I say, I'm going to support the Amendment. I'm going to support the Bill. Let me just suggest to you that you might consider some process where, if it's discovered in the foreign trial that there is clearly a case of mistaken identity or there clearly is not culpability by the individual charged, that you ought to have a process where benefits can be restored, because, if that should occur, then that travesty of justice would be a mistake for us to ratify. And I would just suggest that you think about that limited possibility because, in this one case, it appears that that might be happening, and consider whether there should not be some special petition process or something where the individual could get back in our good graces."

Levin: "Representative, I would be happy to work with you on, you know, trying to deal with that contingency."

Speaker Breslin: "Representative Levin, to close."

Levin: "I would just ask for the adoption of Amendment #1."

Speaker Breslin: "The question is, 'Shall Amendment #1 be

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adopted?" All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Ladies and Gentlemen, the hour of 2:00 having arrived, we are going to the Special Order of Business designated State Budget and Appropriations. It appears on page three on your Calendar, Second Reading. House Bill 1235, Representative Wyvetter Younge. Clerk, read the Bill."

Clerk Leone: "House Bill 1235, a Bill for an Act making appropriations to the Department of Commerce and Community Affairs. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 1695, Representative Wyvetter Younge. Clerk, read the Bill."

Clerk Leone: "House Bill 1695, a Bill for an Act making appropriations to the Department of Commerce and Community Affairs. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Wyvetter Younge."

Speaker Breslin: "Representative Younge. Wyvetter Younge."

Younge: "Thank you, Madam Speaker. Amendment #1 makes the Bill in conformance with the substantive counterpart, changing the Department from the Department of Commerce and Community Affairs to the Department of Conservation. I move for the adoption of the Amendment."

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Speaker Breslin: "The Lady moves for the adoption of Amendment #1 to House Bill 1695. On that question, is there any discussion? Hearing... The Gentleman from St. Clair, Representative Stephens, on the Amendment."

Stephens: "Will the Lady yield?"

Speaker Breslin: "She will."

Stephens: "Representative, is the Department in favor of that move?"

Younge: "In discussing this matter with the Department, they said that this was the type of program that they had experience with."

Stephens: "The Department of Conversat... Conservation, excuse me, Conservation?"

Younge: "The Department of Conservation said that this was a type of program that they had experience with."

Stephens: "They have experience of urban youth programs?"

Younge: "With youth programs. They run the Illinois Conservation Corp and they have a very small program having to do with youth unemployment with urba... in urban areas. And it's a kind of program that they have experience with."

Stephens: "Have they or do you know, have they budgeted for this program in their appropriations process this year?"

Younge: "They received a very, very small budget last year for a similar type program. They received 100 applications and were only able to fund 20 of those applications. So, the matter of what their budget will be this year is a matter that has to be considered."

Stephens: "I'm sorry. What was the last part of your response?"

Younge: "I said, the matter of what the budget will be this year is a matter that has to be taken up in this Assembly."

Stephens: "And what is your proposal there?"

Younge: "The proposal, Madam Speaker, and we're going beyond the scope of the Amendment. The Amendment merely changes the

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..."

Stephens: "Well, the Amendment... the Amendment says that the Department of Conservation shall fund it, shall run the program. And my question is simply, what is your proposal as to how it's going to be paid for? That's to the Amendment."

Younge: "The Amendment merely changes the Department from the Department of Commerce and Community Affairs to the Department of Conservation."

Stephens: "I understand... I understand that."

Younge: "The Bill requests an amount of 100,000 dollars for the Department of Conservation to plan the program, but the Amendment doesn't have to do with the appropriation. It just has to do with changing the Department from the Department of Conservation..."

Stephens: "Madam Speaker, to the Amendment. If it's changing it from one Department to another, I think that it's legitimate that I ask how that second Department is going to fund the program. I've questioned their experience in running programs in the inner city, and I stand in opposition to the Amendment."

Speaker Breslin: "Representative Leverenz, on the Amendment."

Leverenz: "Madam Speaker, I rise in support of the Amendment. The Department of Commerce and Community Affairs did not conduct activities such as this. It's more proper in Conservation."

Speaker Breslin: "The question is, 'Shall Amendment #1 to House Bill 1695 be adopted?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 56 voting 'aye', 51 voting 'no' and none voting 'present', and the Amendment is adopted. Are there any further Amendments?"

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Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 2586, Representative Wolf. Clerk, read the Bill."

Clerk Leone: "House Bill 2586, a Bill for an Act making appropriations to the Southwestern Illinois Development Authority. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. House Bill 2627. Clerk... Representative Leverenz. Clerk, read the Bill."

Clerk Leone: "House Bill 2627, a Bill for an Act making appropriations to the DuPage County Water Commission. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 2712, Representative Brookins. Clerk, read the Bill."

Clerk Leone: "House Bill 2712, a Bill for an Act..."

Speaker Breslin: "Out of the record. House Bill 2832, Representative Martinez. Clerk, read the Bill."

Clerk Leone: "House Bill 2832, a Bill for an Act making appropriations to the Illinois Development Finance Authority. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. House Bill 2975, Representative Barnes - Daniels. Clerk, read the Bill."

Clerk Leone: "House Bill 2975, a Bill for an Act making

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appropriations to the Office of Public Counsel. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Continuing on page four on your Calendar appears House Bill 2976, Representative Barnes. Clerk, read the Bill."

Clerk Leone: "House Bill 2976, a Bill for an Act making appropriations to the Illinois Commerce Commission. Second Reading of the Bill. Amendments #1, 2, 3, 4 and 5 were adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Mays, on Amendment #6. Excuse me. Representative Barnes, for what reason do you rise?"

Barnes: "Madam Speaker, I would like to move to table Amendment #4 to House Bill 2976."

Speaker Breslin: "I see. The Lady moves to table Amendment #4 to House Bill 2976. Is there any discussion? Hearing none, the question is, 'Shall Amendment #4 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment... the Amendment is tabled. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #6, Mays, amends House Bill 2976 as amended."

Speaker Breslin: "Excuse me. Representative Barnes, did you want to do anything with Amendment #5?"

Barnes: "Representative Leverenz is the Sponsor of Amendment #5 according to my records."

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Speaker Breslin: "Representative Leverenz."

Leverenz: "It's okay. Mine says Barnes, but we'll work together as we normally do. We move to table this Amendment in favor of Amendment 6."

Speaker Breslin: "The Gentleman moves to table Amendment #5. Is there any discussion? Hearing none, the question is, 'Shall Amendment #5 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and Amendment #5 is tabled. Amendment #6, Representative Mays."

Mays: "Thank you very much, Madam Speaker. Amendment #6 simply makes technically correct those portions of Amendment #4 and 5 and that is why those Amendments were withdrawn. This would restore that and make the technical corrections necessary. So, I move its adoption."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #6 to House Bill 2976. Is there any discussion? Hearing none, the question is, 'Shall Amendment #6 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and Amendment #6 is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2977. Clerk, read the Bill."

Clerk Leone: "House Bill 2977, a Bill for an Act making appropriations to the State Board of Elections. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Barnes - Hastert."

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Speaker Breslin: "Representative Barnes."

Barnes: "Thank you, Madam Speaker. Amendment #2 is merely a technical Amendment that changes the title."

Speaker Breslin: "The Lady moves for the adoption of Amendment #2 to House Bill 2977. Is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2978, Representative Barnes. Clerk, read the Bill."

Clerk Leone: "House Bill 2978, a Bill for an Act making appropriations to the Office of State Fire Marshal. Second Reading of the Bill. Amendment #1 was withdrawn in Committee. Amendment #2 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Representative Hensel is recognized for a Motion."

Hensel: "Thank you, Madam Speaker. Prior to introducing Amendment #5, I'd like to table Amendment #2, which was adopted in Committee and then ask for the adoption of Amendment #5, which corrects some errors that were in the Amendment #2."

Speaker Breslin: "He will do them one at a time. The question is, 'Shall Amendment #2 be tabled?' Is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and Amendment #2 is tabled. Are there any further Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #3, Mays - Leverenz, amends House

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Bill..."

Speaker Breslin: "Representative Mays."

Mays: "Thank you very much, Madam Speaker. Amendment #3 would add roughly 92,000 dollars to the State Fire Marshal's Office for the purpose of enhancing the number of inspectors for the boiler inspection program. It's sponsored by Representative Leverenz and myself. It was an issue that was raised in Committee. I move its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to House Bill 2978. Is there any discussion? Hearing none, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, Curran."

Speaker Breslin: "Representative Curran, on Amendment #4."

Curran: "Yes, Madam Chairman, this appropriates 40,000 dollars for a... General Revenue Fund for the fire safety education for children under the kindergarten age. It is an excellent program. It's done here locally and they'd like to expand their program throughout the state. I move for a favorable..."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #4 to House Bill 2978. Is there any discussion? Hearing none, the question is, 'Shall Amendment #4 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #5, Hensel."

Speaker Breslin: "Representative Hensel."

Hensel: "Thank you, Madam Speaker. Amendment #5 reduces the

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personnel services and related lines by 29,800. I ask for its adoption."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #5 to House Bill 2978. And on that question, the Gentleman from Cook, Representative Leverenz."

Leverenz: "Would you explain what the Amendment does again?"

Speaker Breslin: "Representative Hensel."

Hensel: "Yes, this is the same Amendment that was adopted in Committee, Amendment #2, and the only difference is that it corrects some errors that were in there. It reduces it by 29,800. A vacant administrative assistant position in the Chicago office within the management services division is cut and a vacant clerk II position within the fire prevention division is phased out... phased in for six months."

Leverenz: "Would you... I'm in favor of the Amendment. Further, I would like to make sure that with another Amendment maybe to delete a position, we'd like then... I'd work with you to move the Bill to Third, bring it back maybe tomorrow to Second if it's necessary. Is that acceptable?"

Hensel: "Yes."

Leverenz: "Appreciate it. Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #5 to House Bill 2978 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2986, Representative Barnes. Clerk, read the Bill."

Clerk Leone: "House Bill 2986, a Bill for an Act making appropriations to the Illinois Farm Development Authority. Second Reading of the Bill. No Committee Amendments."

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Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading, House Bill 2988. Clerk, read the Bill."

Clerk Leone: "House Bill 2988, a Bill for an Act making appropriations to the Department of Conservation. Second Reading of the Bill. Amendments #1 through 18 were adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #19, Leverenz."

Speaker Breslin: "Representative Leverenz."

Leverenz: "The Amendment 19 would clarify language in the Parks and recrea... or Conservation Fund that the monies that we are appropriating are not to be used for expansion of the nursery operation. I would move for the adoption of the Amendment."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #19 to House Bill 2988. Is there any discussion? Hearing none, the question is, 'Shall Amendment #19 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #20, Richmond - Leverenz."

Speaker Breslin: "Representative Richmond. Representative Leverenz."

Leverenz: "Thank you. The Amendment would restore 35,000 dollars in the Illinois Forestry Development Funds that was deleted in the Committee by Amendment #18. I move for the adoption of the Amendment."

Speaker Breslin: "The Gentleman moves for the adoption of

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Amendment #20 to House Bill 2988. Is there any discussion? Hearing none, the question is, 'Shall Amendment #19... Amendment #20 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #21, Shaw."

Speaker Breslin: "Representative Shaw. Amendment #21, Representative Shaw."

Shaw: "Amendment #... Thank you, Madam Speaker. Amendment #21 deletes all vacancies... or 48 vacancies... current vacancies."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #21 to House Bill 2988. And on that question, the Lady from Cook, Representative Barnes."

Barnes: "Thank you, Madam Speaker. I would like the Members to pay close attention to Floor Amendment 21 because we feel that these 48 vacancies are very vital to some initiatives that have been put in force. And I would recommend a 'no' vote on Floor Amendment 21."

Speaker Breslin: "Representative Mays, on the Amendment."

Mays: "Question of the Sponsor, Madam Speaker."

Speaker Breslin: "Proceed."

Mays: "Can the Gentleman tell us where these vacancies would most likely occur? Where's the elimination impact the most in the Department of Conservation?"

Shaw: "Beg your pardon?"

Mays: "In what divisions of the Department of Conservation do these vacancies that you seek to eliminate most impact?"

Shaw: "Land Management, Forestry, Fishery, Wild Life, Resources, General Office, oh, and the Hatcheries."

Mays: "Is there any fortune of the Department that is left unscathed by this Amendment?"

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Shaw: "Law Enforcement, yes."

Mays: "And what is the rationale behind this Amendment? What was the cut off date for these vacancies that you seek to eliminate here?"

Shaw: "May 13 vacancy list."

Mays: "Okay. So, anybody that had quit on May 12th and then, as that position hadn't been filled on the 13th, that's one of these positions. By the way, you said 48 positions. I had been told of 60 positions. Is... you know, are you pretty solid with the 48?"

Shaw: "Law Enforcement is the definite... would be... if you add Law Enforcement to the 48 then that would give you the 60, but we didn't attempt to... we didn't bother with Law Enforcement."

Mays: "Oh, you..."

Shaw: "And the Illinois Conservation Corp."

Mays: "And the Conservation what?"

Shaw: "Corp."

Mays: "The Illinois Youth Conservation Corp you left untouched, and you left untouched the Illinois... the Conservation police officers?"

Shaw: "Right."

Mays: "What was the rationale for that? How many vacancies... There were 12 vacancies in those two areas that you felt were worthwhile vacancies?"

Shaw: "Yes."

Mays: "Thank you very much. To... to the Amendment. Madam Speaker, we've seen this type of an Amendment on... sought to be attached to different various operating budgets of the agencies throughout the State Government this year, and I think that you can see just from the discussion we just had that it is very arbitrary. It's the cut off date as to positions that are going to be cut. And for those reasons,

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I would urge a 'no' vote on this Amendment."

Speaker Breslin: "The Gentleman from Kendall, Representative Hastert."

Hastert: "Thank you, Madam Chairman, would the Sponsor yield?"

Speaker Breslin: "He will."

Hastert: "Representative, why... how did you order the priorities here? Why did you take away from Hatcheries and the people who grow trees in the State of Illinois as opposed to Law Enforcement. What was your order of priorities?"

Shaw: "Most of the vacancies that we have in the Amendment has been vacant all year. So, it's apparent that they didn't need those vacancies."

Hastert: "Well then what you're saying though, you made a choice, and you made a choice between Youth Conservation Corp and you made a choice of Law Enforcement. And now we're talking about people who raise trees and people who help to restore our rivers and lakes with fish and people who work in the conservation area. You've made a choice to not replenish those or to strike out those vacancies. Is that correct?"

Shaw: "That's right."

Hastert: "Madam Speaker, to the Amendment."

Speaker Breslin: "Proceed."

Hastert: "Thank you. You know, one of the things we're looking at in the state is the work of the Department of Conservation. When the Department has vacancies; otherwise, people who have left or are leaving because they've been transferred to other jobs or their jobs have been... they've decided to... they have been terminated and the Department comes on and starts hiring new people, there's a gap where there's a lapse time. What we're doing is taking away the opportunity for the State of Illinois to put people in the state parks, to put people on the lakes

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and rivers to make sure that fish are replenished, that people are obeying the law. What we're doing is taking people away from the Forestry Department in the Department of Conservation, the people that make sure the trees get planted and trees get grown. And what we're doing is really devastating the system. Now, if we want to part of this and go along with it, then we want to, you know, not... we want to vote for this Amendment. But if we want to preserve the Department of Conservation, if we want to make sure that the Department of Fisheries and the Department of Forestry is kept whole, then we want to defeat this Amendment. And I would recommend the defeat of this Amendment."

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

Leverenz: "Thank you, Madam Speaker. I think it's pretty ironic. The previous speaker mentioned fish hatcheries. This Amendment only cuts one vacancy from that area of the Department of Conservation. Does not address how many are still there. The majority of these vacancies have been open all year. We did not touch the Youth Conservation Corp which gets phased in in June, and we did not touch the Conservation police. These positions have been open for months. We're not eliminating any job. What we are, in fact, eliminating is the stockpiling of General Revenue funds within state agencies. I ask for your 'aye' vote to adopt the Amendment."

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

McAuliffe: "Thank you, Madam Speaker. I'd like to rise in opposition to this Bill and remind my colleagues that part of the funds that will be taken out of this is for the urban fishing program in Chicago where the Department of

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Conservation stocks local ponds and lagoons in the city and gets a chance to have city children go in and learn how to fish. Part of that is going to be hurt by this. Also, it's going to hurt the Department fish hatcheries. We have a wonderful resource in Chicago, Lake Michigan, attracts a lot of tourism to Chicago. And if we want to keep it, we should keep... if we want to keep attracting the tourism and the money that it brings into the state, we ought to fully fund the Department of Conservation budget and vote 'no' on this Amendment."

Speaker Breslin: "The Gentleman from Macon, Representative Tate."

Tate: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Amendment. I'd like the Members... for them to be aware that what we're specifically eliminating in this program is many of the biology programs that this General Assembly passed; and, as many of the Members are aware, the sportsmen's... Legislative Sportsmen's Coalition that I know that many of the Members have heard from were very active in their interest in reinstating the biologist program and the need for additional wildlifes. We all like to sit here and talk about public policy that will preserve wildlife and fish in this state and the concern that we have on different species; yet, here is an excellent opportunity for developing those types of programs and you can't do that... develop those types of programs if you don't have people to implement those programs. For example, a private land habitat program. There's one that the Gentleman from Union County should be concerned about. Certainly he understands what it means to the goose hunters down in Union County when you... you eliminate a wildlife biologist. As Representative McAuliffe has already indicated, we have a program that will directly affect the

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Chicago Urban Fishing Program. We have, in this, the Gentleman from Kendall County should be familiar with the needs of the fish managers that we're eliminating. There's all kinds of different positions here that range from protecting endangered species, to water quality, to safety programs, to enforcement field operations, to heavy equipment, to purchasing, to sport fish restoration that would absolutely emasculate the programs in Conservation. So, before you take this issue lightly and it's just not another issue that we're going to run up the Roll Call and strip all these jobs off, this is going to mean something to each and every one of you back home in programs and in money back into your districts."

Speaker Breslin: "Representative Shaw, to close."

Shaw: "Yes. Yes, I don't know what the Gentlemen on the other side of the... Ladies and Gentlemen on the other side of the aisle are talking about, but the programs that they just described have all been working. These vacancies have been... that we're talking about have existed over the past year and those... and the programs that they are talking about has been working over the past year. We're not touching those programs. We don't need these people to run... to make those programs run efficiently. And I ask an 'aye' vote on the Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #21 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 36 voting 'aye', 66 voting 'no', 2 voting 'present', and the Amendment... Representative Shaw. Okay. Record Representative Shaw as voting 'aye'. The Roll Call is 37 voting 'aye', 66 voting 'no' and 2 voting 'present', and the Amendment fails. Are there any further

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Amendments?"

Clerk Leone: "Floor Amendment #22, Leverenz."

Speaker Breslin: "Representative Leverenz."

Leverenz: "Thank you, Madam Speaker. This would restore 10,400 dollars into the various divisions' equipment line item. I would move for the adoption of the Amendment to add the money back."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #22 to House Bill 2988. Is there any discussion? Hearing none, the question is, 'Shall Amendment #22 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #23, Phelps."

Speaker Breslin: "Representative Phelps. Representative Leverenz."

Leverenz: "Thank you. As a Cosponsor of the Amendment, the Amendment straightens out the references in a previous Amendment to the proper town and counties recognized. I would move for the adoption of the Amendment."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #23 to House Bill 2988. Is there any discussion? Hearing none, the question is, 'Shall Amendment #23 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2989, out of the record. House Bill 2991. Clerk, read the Bill."

Clerk Leone: "House Bill 2991, a Bill for an Act making appropriations to the Historic Preservation Agency. Second

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Reading of the Bill. Amendments #1, 2, 3 and 4 were adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Leverenz."

Leverenz: "This would... Amendment #5 would break out into a new line item the new appropriation of 650,000 of which that is a reappropriation and restricts the amount of money that the agency can spend on operations. I'd move for the adoption of the Amendment 5."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #5 to House Bill 2991. Is there any discussion? Hearing none, the question is, 'Shall Amendment #5 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #6, Parcels - Leverenz."

Speaker Breslin: "Representative Parcels."

Parcels: "Thank you, Madam Speaker. This does not actually add any money to the budget presented to the Committee. This is taking... putting back into their budget the money that we had removed by previous Amendments which were adopted in Committee."

Speaker Breslin: "The Lady moves for the adoption of Amendment #6 to House Bill 2991. Is there any discussion? Hearing none, the question is, 'Shall Amendment #6 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

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Clerk Leone: "Floor Amendment #7, Hallock."

Speaker Breslin: "Representative Hallock."

Hallock: "Thank you, Madam... Thank you, Madam Speaker, Members of the House. Amendment #7 adds 50,000 dollars to the budget. The purpose of the fund is to establish and erect state markers around the state and this is the money to do that purpose."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #7 to House Bill 2991. Is there any discussion? Hearing none, the question is, 'Shall Amendment #7 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor... Floor Amendment #8, Curran."

Speaker Breslin: "Representative Curran."

Curran: "Madam... Madam Speaker, Floor Amendment #8 is technically incorrect. Wish to withdraw."

Speaker Breslin: "Withdraw Amendment #8. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #9, Curran."

Speaker Breslin: "Representative Curran."

Curran: "Floor Amendment #9 appropriates 366,000 additional dollars for various line items in the Historical Sites Division of the Historical Preservation Agency."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #9 to House Bill 2991. Is there any discussion? Hearing none, the question is, 'Shall Amendment #9 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #10, Kubik - Terzich - Leverenz."

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Speaker Breslin: "Representative Kubik."

Kubik: "Thank you, Madam Speaker. Floor Amendment #10 appropriates 125,000 dollars to finish the restoration work at Hoffman Tower in Lyons."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #10 to House Bill 2991. Is there any discussion? Hearing none, the question is, 'Shall Amendment #10 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #11, Flinn."

Speaker Breslin: "Representative Flinn. Monroe Flinn, on Amendment #11. Representative Leverenz. Representative Leverenz"

Leverenz: "Thank you. As a Cosponsor of the Amendment, for 100,000 dollars General Revenue to the Historic Preservation Agency for the rehabilitation of the Jarrot Mansion in Cahokia. I would move for the adoption of the Amendment."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #11 to House Bill 2991. Is there any discussion? Hearing none, the question is, 'Shall Amendment #11 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2993, Representative Hastert. Clerk, read the Bill."

Clerk Leone: "House Bill 2993, a Bill for an Act making appropriations to the State University Civil Service System. Second Reading of the Bill. Amendment 01 was

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adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, offered by Representative Barnes."

Speaker Breslin: "It says here that Amendment #1 was already adopted in Committee. Is that Amendment #1 or Amendment #2?"

Clerk Leone: "Floor Amendment... Correction. That is Floor Amendment #2, offered by Representative Barnes."

Speaker Breslin: "Representative Barnes."

Barnes: "Madam Speaker, Amendment #2 merely changes the title of the Bill."

Speaker Breslin: "The Lady moves for the adoption of Amendment #2 to House Bill 2993. Is there any discussion? Hearing none, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 2998. Clerk, read the Bill."

Clerk Leone: "House Bill 2998, a Bill for an Act making appropriations to the Department of Transportation. Second Reading of the Bill. Amendments #1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 were adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Any Amendments... Floor Amendments?"

Clerk Leone: "Floor Amendment #17, Breslin."

Speaker Breslin: "Representative Leverenz."

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Leverenz: "This is a great Amendment. Amendment #17 would appropriate 250,000 from the Road Fund to the Department of Transportation for the construction of a Welcome Center at Routes 39 and 6, and I would move for the adoption of the Amendment."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #17 to House Bill 2998. Is there any discussion? Hearing none, the question is, 'Shall Amendment #17 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #18, DeJaegher."

Speaker Breslin: "Representative DeJaegher. Representative Leverenz."

Leverenz: "Thank you. As a Cosponsor of the Amendment, the Amendment would appropriate 500,000 from the Road Fund to DOT for construction of a bridge over the Hennepin Canal. I would move for the adoption of the Amendment."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #18 to House Bill 2998. Is there any discussion? Hearing none, the question is, 'Shall Amendment #18 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #19, Saltsman."

Speaker Breslin: "Representative Saltsman - Leverenz."

Leverenz: "Yes, as a Cosponsor of the Amendment, this would appropriate 1.8 million to DOT for the extension of Pfieffer Road from Illinois 24 through the grounds of the former State Hospital in Peoria. I would move for the adoption of the Amendment."

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Speaker Breslin: "The Gentleman moves for the adoption of Amendment #19 to House Bill 2998. Is there any discussion? Hearing none, the question is, 'Shall Amendment #19 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #20, Kirkland."

Speaker Breslin: "Who is the..."

Clerk Leone: "Representative Kirkland."

Speaker Breslin: "Representative Kirkland, on the Amendment."

Kirkland: "Yes, move to appropriate up to 850,000 dollars from the Road Fund to the Department of Transportation for Phase II design and engineering on Algonquin Road which is Illinois Route 62 between Roselle Road and Berrington Roads."

Speaker Breslin: "Representative Kirkland moves for the adoption of Amendment #20 to House Bill 2998. And on that question, the Gentleman from Cook, Representative Leverenz."

Leverenz: "The Gentleman yield?"

Kirkland: "Yes."

Leverenz: "How much?"

Kirkland: "Excuse me?"

Leverenz: "You said up to, and I just wanted to find..."

Kirkland: "Eight hundred and fifty..."

Leverenz: "You said up to 850,000. I just wondered how much. Is it 250, 400, or..."

Kirkland: "Eight hundred and fifty thousand."

Leverenz: "Or the whole 850."

Kirkland: "Eight hundred and fifty thousand."

Leverenz: "You're going for the whole load."

Kirkland: "That's just for Phase II."

Leverenz: "Just for Phase II."

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Kirkland: "Correct."

Leverenz: "How much would Phase III... Would you guess at Phase III's cost?"

Kirkland: "Well, I think it's 11 million - full construction."

Leverenz: "Eleven million. Well, let's get onto Phase III by getting in Phase II. I would agree to this fine Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #20 to House Bill 2998 be adopted?' The... All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #21, Capparelli."

Speaker Breslin: "Representative Capparelli. Withdraw Amendment #21. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #22, Leverenz - Capparelli."

Speaker Breslin: "Representative Leverenz."

Leverenz: "Thank you. This would appropriate 200,000 from the Road Fund to the Department of Transportation for improvements on Devon Avenue between Northwest Highway and Avendale, so that Representative Capparelli's route to his home was flat. I would move for the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #22 to House Bill 2998. And on that question, the Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Madam Speaker. Was Amendment #21 withdrawn?"

Speaker Breslin: "Amendment #21 was withdrawn."

Mays: "Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #22 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have

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it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #23, Deuchler."

Speaker Breslin: "Representative Deuchler."

Deuchler: "Amendment #23 appropriates 910,000 for fire protection facilities at the Aurora Municipal Airport."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #23 to House Bill 2998. Is there any discussion? Hearing none, the question is, 'Shall Amendment #23 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #24, Bowman."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Chairman. Amendment #24 appropriates 2.25 million dollars for a viaduct under the CTA tracks in the City of Evanston near its downtown area to help revitalize its downtown. I move its adoption."

Speaker Breslin: "The question is, 'Shall Amendment...'"

Bowman: "2.25."

Speaker Breslin: "... '#24 to House Bill 2998 be adopted?' All those in favor... Is there any discussion? There being none, the question is, 'Shall Amendment #24 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #25, Hartke."

Speaker Breslin: "Representative Hartke."

Hartke: "Reluctantly withdraw Amendment #25."

Speaker Breslin: "Withdraw Amendment #25. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #26, Barnes - Hastert."

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Speaker Breslin: "Representative Barnes."

Barnes: "Thank you, Madam Chairman. Amendment #26 restores full funding for 68 positions which are a portion of the 105 vacancies discounted in the budget by House Amendment #1. These positions have gone through the hiring freeze process and the interview process with selections made and, in most cases, the individual notified. The fiscal impact is 1.5 million approximately from the Road Fund and... 1.5 total with 41 thous... million dollars from the General Revenue Fund."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #26 to House Bill 2998. And on that question, the Gentleman from Cook, Representative Leverenz."

Leverenz: "The Sponsor yield?"

Speaker Breslin: "She indicates she will."

Leverenz: "It's 41,070 in General Revenue?"

Barnes: "Thank you. I said 41,070, and I was corrected."

Leverenz: "I heard..."

Barnes: "But it is 41,000."

Leverenz: "I heard million, and it scared me right away, because we didn't get our share."

Barnes: "Well, staff said million, and I was right to begin with."

Leverenz: "These are vacancies that we are now funding that we took out in Committee?"

Barnes: "That is correct."

Leverenz: "The employees have been notified to come to work?"

Barnes: "In most cases, according to the Department of Transportation, yes, Representative Leverenz."

Leverenz: "So, their funded in the FY '86 budget which is current, and this would then continue them on the payroll. Is that correct?"

Barnes: "That is correct."

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Leverenz: "A parallel to this is the fact that the Department of Transportation has awarded millions of dollars through the bid process, interestingly, enough for which they do not have the money to spend for construction projects across the state. Did you know that?"

Barnes: "Representative Leverenz, I always appreciate your enlightenment."

Leverenz: "They have already opened bids and said that these contracts are going to be awarded to these construction companies when they don't have the money. I thought that was very interesting. But I support this Amendment."

Barnes: "Thank you very much, Representative."

Speaker Breslin: "The question is, 'Shall Amendment #26 to House Bill 2998 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 2999. Clerk, read the Bill."

Clerk Leone: "House Bill 2999, a Bill for an Act making appropriations to the Department of Transportation. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. House Bill 3,000. Clerk, read the Bill."

Clerk Leone: "House Bill 3,000, a Bill for an Act making appropriations to the Department of Mines and Minerals. Second Reading of the Bill. Amendment #1 was withdrawn in Committee. Amendment #2 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "There is a Motion to table Amendment #2 to House

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Bill 3,000, filed by Representative Barnes."

Speaker Breslin: "Representative Barnes. Representative Barnes, on the Motion to table Amendment #2. The Lady moves to table..."

Barnes: "I wish..."

Speaker Breslin: "...Amendment #2. Is there any discussion? Representative Mays."

Mays: "No discussion. I was just..."

Speaker Breslin: "The question is, 'Shall Amendment #2 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is tabled. Are there any further Amendments or Motions?"

Clerk Leone: "Floor Amendment #3, offered by Representative Shaw."

Speaker Breslin: "Representative Shaw."

Shaw: "Thank you, Madam Speaker. Amendment #3 takes... removes \$12,000 from... removes \$12,000 for travel from the satellite agency for general office. Yes. And \$4,000 for travel from the satellite agency. I ask for the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to House Bill 3,000. Is there any discussion? Hearing none, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, Barnes."

Speaker Breslin: "Representative Barnes."

Barnes: "Madam Speaker, I wish to withdraw Amendment #4 to House Bill 3,000."

Speaker Breslin: "Withdraw Amendment #4. Are there any

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further... Representative Leverenz, for what reason do you rise?"

Leverenz: "Inquiry.... Will Representative Barnes... Can she just answer... I thought 4 was going to replace Amendment 2. This is just... This is just a beep, beep Bill? A vehicle?"

Barnes: "We... we decided to withdraw it, Representative."

Leverenz: "Fine."

Speaker Breslin: "The Lady's withdrawn Amendment #4. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 3003. Clerk, read the Bill."

Clerk Leone: "House Bill 3003, a Bill for an Act making appropriations to the Industrial Commission. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. House Bill 3006. Clerk, read the Bill."

Clerk Leone: "House Bill 3006, a Bill for an Act making appropriations to the State Emergency Services and Disaster Agency. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 3015, Representative Bowman. Clerk, read the Bill."

Clerk Leone: "House Bill 3015, a Bill for an Act making appropriations to the Department of Commerce and Community Affairs. Second Reading of the Bill. No Committee

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Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, offered by Hastert - Barnes."

Speaker Breslin: "Representative Hastert."

Hastert: "I move to withdraw."

Speaker Breslin: "Withdraw Amendment #1. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 3023, Representative Phelps. Clerk, read the Bill."

Clerk Leone: "House Bill 3023, a Bill for an Act making appropriations to the Capital Development Board. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. House Bill 3071. Out of the record. House Bill 3397. Out of the record. Ladies and Gentlemen, with leave of the Body, we'll go back to the one Bill that was left on Second Reading, on the Special Order of Business entitled, State and Local Government. Representative Wojcik was out of the building at the time or out of the room at the time. And that Bill is House Bill 3596, on Second Reading. Clerk, read the Bill."

Clerk Leone: "On page 14 of the Calendar, House Bill 3596, a Bill for an Act to amend an Act to revise the law in relationship to clerks of the court. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, offered by Representatives Homer and Johnson."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker. I'd ask leave to withdraw."

Speaker Breslin: "Withdraw Amendment #1. Are there any further

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Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Johnson - Homer and Hawkinson."

Speaker Breslin: "Representative Johnson or Homer or Hawkinson. Representative Johnson, on Amendment #2."

Johnson: "Representative Homer. Representative Homer, can we communicate across the chambers here? This is to be withdrawn, now, too, isn't it?"

Speaker Breslin: "Representative Homer, on Amendment #2."

Homer: "Yes. The same..."

Speaker Breslin: "Withdraw Amendment #2. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Ladies and Gentlemen, there were two Bills that were passed over when we were on the Order of House Bills Second Reading Short Debate Calendar, on page six on your Calendar. The First one was taken out of the record with the agreement that we would get back to it. That was House Bill 1043. Clerk, read the Bill."

Clerk Leone: "House Bill 1043, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted previously."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Amendment #2 was tabled. Floor Amendment #3, offered by Representative Ryder."

Speaker Breslin: "Representative Ryder, on Amendment #3."

Ryder: "Thank you, Madam Speaker. The Amendment merely asks that the Department of Public Aid determine the applicant's eligibility for all benefits, except those which they expressly decline to apply additionally that makes a requirement of cooperation for those who refuse to

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cooperate with the Department of Public Aid and that they would be ineligible for benefits, both of which are current policy with the Department of Public Aid."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to House Bill 1043. And on that question, the Gentleman from Cook, Representative Levin."

Levin: "Madam Speaker, Ladies and Gentlemen of the House, I rise in opposition to Amendment #3. This is one of the... apparently... approximately 200 Amendments that were filed for purely harassment purposes. House Bill 1043 is a Bill sponsored by the Joint Committee on Administrative Rules. And in Committee, it was approved unanimously and, in fact, was put on the Consent Calendar. I was wondering why it was knocked off the Consent Calendar, and I think we have the answer, unfortunately. It is the policy of this chamber with certain notable exceptions that JCAR Bills not be used as vehicles. The Bills that are proposed by the Joint Committee are the result of objections that the Joint Committee has representing this Legislature to propose rules and regulations of various state agencies. And Bills like House Bill 1043 are intended to correct problems that JCAR has observed in the administration of the legislation that we previously passed. What the Sponsor intends to do here is to go beyond JCAR recommendations to get into the area of substance and to adopt a principle that he may believe in, but which is not one that comes from the Joint Committee. I would just make one observation about the Amendment that he has filed. It sets up a new standard, a standard of quote, 'cooperation'. And one of the problems that we have in JCAR is that all too many agencies have standards that are very, very vague, that are not defined and lead to arbitrary results. I would suggest that the Amendment that the Sponsor is offering fits exactly into

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that category of vagueness and I would oppose this Amendment. It sets up a whole new criteria for determining eligibility on public aid. And it's something which ought to go through Committee, ought to be fully debated and discerned in Committee and examined at length, rather than being offered simply as an Amendment on the floor here, to a Bill that it should not be placed on. For those reasons, I would ask for the defeat of this Amendment."

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

Vinson: "Yes. On a matter of... on an inquiry of parliamentary procedure, Madam Speaker."

Speaker Breslin: "Proceed."

Vinson: "How did we get to this Bill? I thought we were on these Special Orders of Call, but which Order... Special Order of Call is this Bill posted on?"

Speaker Breslin: "We finished with that Order of Business and we went to this Order to take those Bills to which we had made a commitment to get back to. They were taken out of the record at one time previously in the day. As I'm sure you will remember..."

Vinson: "I wish you could say that with a straight face, Madam Speaker. On the Amendment."

Speaker Breslin: "Proceed."

Vinson: "I rise in support of the Amendment which, I think, is a matter of simple justice. The Amendment would simply say that a public aid recipient, who refuses to cooperate with the Department when the Department tries to ascertain his eligibility, can't get public aid. Now, clearly, you got to have some element of trust and cooperation between these recipients and the taxpayers who are subsidizing them if a system is going to work. I think this is a straight forward matter. I can't believe anybody could oppose this

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and could say that a public aid recipient who refuses to cooperate with the Department in verifying his eligibility, should still get public aid. No taxpayer in this state would support that concept. I doubt if any citizen in this state would support that concept, except somebody who wanted to steal from the public. I urge 'aye' votes for this Amendment and request a Roll Call vote in any event that it might... the negative might appear to prevail, I request a verification."

Speaker Breslin: "The Gentleman from Lee, Representative Olson."

Olson: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. The Amendment is a good proposal. This is not the vehicle with which to utilize it. The purpose and role of the Illinois Administrator's Procedures Act, as exemplified by the Joint Committee Administrative Rules, indicates that on matters of these natures, we should stick to the substance of the original Bill. And I would urge the defeat of the Amendment."

Speaker Breslin: "There being no further discussion, Representative Bowman. Excuse me. Are you the Sponsor of the Amendment, Representative Levin? You wishes... Representative Bowman, to discuss the Amendment."

Bowman: "Yeah. I would like to ask the Sponsor of the Amendment a question."

Speaker Breslin: "Proceed."

Bowman: "Okay. Representative, I'll give you a real situation and you tell me if this is a non cooperation. I'd like to know just what is involved in non cooperation. Supposed a person who's on public aid, who has a couple of teenage children, is asked by the Department of Public Aid to go for an interview 50 miles away from her home for a job that is a night shift job, the woman has an old beat up car - is concerned about driving on the country roads at night in a

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beat up car and is also concerned about leaving her teenage kids alone at home at night, and she says, 'I'm sorry, I can't do that.' If you can find a day job for me, fine.' If she refuses to go on that interview, would that be non cooperation?"

Speaker Breslin: "Representative Ryder, to answer the question."

Ryder: "The situation that was expounded by the Representative would not come under this Amendment. This Amendment is to determine eligibility, which is to say whether they are entitled to certain benefits under the Act and whether they're providing that information. The circumstances described by the Representative was one of circumstances of cooperation after the act, and that's not covered by this Amendment. I would have to say that in the situation he described, as regrettable as that is, that probably is not an act of uncooperation. That is a realistic situation in which a person's intent was very valid, who's intent was to cooperate, and I don't think that, first of all, doesn't come under what I'm subscribing... describing. And secondly, it's not one in which anyone could say it was unreasonable or uncooperative."

Speaker Breslin: "Representative Bowman, any further questions?"

Bowman: "Just one. Well, as I understand it, we have as a standard for eligibility in certain instances, involvement with work programs. Don't we have work fair in the state? So, wouldn't... isn't this an issue of eligibility, in fact?"

Ryder: "No. This is directed toward the gaining of information and the providing of information and those who are uncooperative, by either providing false information or failure to provide full information, are the people to whom this Amendment is directed."

Bowman: "Okay."

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Ryder: "Our purpose at this point, is to make for sure that those who rightfully need the dollars that this state pays, those who rightfully deserve the kinds of public aid that is being paid are the ones that receive it, not those that are trying to play games, not those that are trying to run a sham, not those that are trying to hide and failing to cooperate with the services, those are the people who will be affected by this, not the ones that you so rightfully describe as attempting to cooperate, who's intent is... who was very clear to be a cooperative person in that sense. That's the reason that this Amendment is so important."

Speaker Breslin: "Representative Shaw, on the Amendment."

Shaw: "Yeah, will the Sponsor yield?"

Speaker Breslin: "He will yield."

Shaw: "On... Representative, why do you need this Amendment and what is the policy of the Department of Public Aid today?"

Ryder: "My understanding is that the policy of public aid is exactly as the Amendment indicates. I want to guarantee that the policy remains in just that fashion. That's why I'm asking that it be made a law."

Shaw: "Alright. If the... if the... if Public Aid has the power to deny you benefits..."

Ryder: "Which they do?"

Shaw: "...Why would you need this Amendment?"

Ryder: "Public Aid certainly has the power to deny benefits, because they have eligibility standards indicating who should and who should not receive it. That's one of the important jobs that Public Aid accomplishes, theirs is to make that decision. This Bill simply says that in order to make that job easier so that they can be of service to more people, to serve people in your district and my district that so richly deserve the kind of help that Public Aid can make, that we're not going to allow those people that are

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uncooperative in providing the information required to make that decision, that we're not going to allow that uncooperative attitude to allow people that need it to be denied it."

Shaw: "To the... to the Amendment, Madam Speaker. The... This Amendment is no more than a charade to... Right now, the Department of Public Aid has the right to deny anyone any benefit who does not cooperate with the agency. And I don't see why Representative Ryder should be trying to put this Amendment on there. It... actually, it serves no purpose and the Amendment should be defeated."

Speaker Breslin: "Representative Ryder, to close."

Ryder: "Thank you, Madam Speaker. The Amendment and the Bill..."

Speaker Breslin: "Excuse me. Excuse me. Representative Flinn, I didn't see your light. To the Amendment, Sir."

Flinn: "Yes, Madam Speaker, as well intentioned as this Amendment is, I think it's in the wrong place. The Bill is a JCAR Bill and we... we're not dealing with this sort of issue here at all. I think, if the Gentleman wants to pass us an Amendment, he should have either attached it to another Bill or introduce a Bill that does the same thing itself. I think this destroys the intent of the Illinois Administrator Procedures Act and I would ask that we oppose the Amendment."

Speaker Breslin: "Representative Ryder."

Ryder: "Am I to close now?"

Speaker Breslin: "To close, please."

Ryder: "Thank you, Madam Speaker, and thank you very much for the opportunity to discuss fully this Bill. It was objected to earlier because the Sponsor of the Bill felt that there was not an opportunity to fully discuss the Bill, but we have accomplished that. This Bill does... This Amendment does the very same thing that the Bill does. The Bill describes

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and makes law that which is current policy. The Amendment does the same. The purpose of the Amendment is to guarantee that welfare and public aid goes to those people that deserve it. And to deny those people those benefits in the event they fail to cooperate with the Department of Public Aid engaging those eligibilities. We're not talking about if someone gets it and then they're uncooperative later. We're not talking about that situation at all. We're talking about the cooperative nature at the time. It's a good Amendment. It's a good idea. This is the right Bill to have it on, and I strongly urge you to vote 'yes'. Thank you, Madam Speaker."

Speaker Breslin: "The question is, 'Shall Amendment #3 to House Bill 1043 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. There has been a request for a verification. Please push your own switches. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 55 voting 'aye', 56 voting 'no', and none voting 'present'. Representative Vinson had requested a verification of the Negative. Poll the negative, Mr. Clerk."

Clerk Leone: "Poll those voting 'nay'... 'no'. Alexander-Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Christensen. Cullerton. Curran. Currie. Daley. DeJaegher. Farley."

Speaker Breslin: "Representative Tuerk."

Tuerk: "Speaker, how am I recorded?"

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

Tuerk: "Vote me 'aye', please."

Speaker Breslin: "Change Representative Tuerk to 'aye'. Proceed, Mr. Clerk. Representative Flinn votes 'no'. Proceed, Mr. Clerk."

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Clerk Leone: "DeJaegher. Farley. Flinn. Flowers. Virginia Frederick. Giglio. Giorgi. Greiman. Hartke."

Speaker Breslin: "Representative Dunn, how do you vote? Vote Representative Dunn 'aye'. Proceed, Mr. Clerk."

Clerk Leone: "Continuing with the Poll of the Negatives."

Speaker Breslin: "Excuse me. At this case, there are 57 voting 'aye', and 56 voting 'no'. There is no need for a further verification of the Negative. Representative Curran."

Curran: "Vote 'aye'."

Speaker Breslin: "Change Representative Curran to 'aye'. Since no one else is seeking recognition on this... Representative Bowman. Okay. Representative Bowman will verify the Affirmative. Representative Krska, for what reason do you.."

Krska: "'No'."

Speaker Breslin: "Change Representative Krska from 'aye' to 'no'. Proceed with the Poll of the Affirmative now, Mr. Clerk."

Clerk Leone: "Poll of the Affirmative. Barger. Barnes. Black. Capparelli. Churchill. Countryman. Cowlshaw."

Speaker Breslin: "Excuse me. Representative Greiman in the Chair."

Clerk Leone: "Curran. Daniels. Davis. DeLeo. Deuchler. Didrickson. Dunn. Ewing. Dwight Friedrich. Goforth. Hallock. Hannig. Harris. Hasara. Hastert. Hawkinson. Hensel. Hoffman. Homer. Johnson. Kirkland. Klemm. Koehler. Kubik. Mays. McAuliffe. McCracken. McNamara. Mulcahey. Parcells. Parke. Bernard Pedersen. William Peterson. Piel. Pullen. Regan. Ropp. Ryder. Slater. Stange. Stephens. Tate. Terzich. Tuerk. Vinson. Wait. Weaver. Williamson. Wojcik. And Zwick."

Speaker Greiman: "Mr. Bowman, do you have questions of the Affirmative Roll Call? Mr. Parke, wishes to be... leave to be verified?"

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Parke: "Yes."

Speaker Greiman: "Alright. Yes. Proceed, Mr. Bowman, with questions of the Affirmative Roll Call. Turn on Mr. Bowman at Mr. McPike's desk. Mr. Vinson, for what purpose do you seek recognition?"

Vinson: "Such a clear violation of the rules, the rules specify that a speaker shall rise at his desk to be recognized."

Speaker Greiman: "Absolutely. We know... Alright. Just a minute. We know that. Mr. Bowman, is there a mechanical problem you have in yours?"

Bowman: "Yeah."

Speaker Greiman: "I thought there was. Alright. Mr. Bowman in your seat. Mr. Vinson, calm down."

Bowman: "Deuchler."

Speaker Greiman: "Mr. Bowman, questions of the Affirmative Roll Call."

Bowman: "Yeah. Deuchler."

Speaker Greiman: "Ms. Deuchler. Is Ms. Deuchler in the room? How is the Lady recorded?"

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

Speaker Greiman: "Remove the Lady from the Roll Call. Further questions of the Affirmative Roll?"

Bowman: "Stange."

Speaker Greiman: "Stange. The Gentleman is in the middle aisle."

Bowman: "Wait."

Speaker Greiman: "Mr. Wait. Mr. Wait. The Gentleman from Boone, Mr. Wait. Is he in the chamber? Not in the chamber. Alright. How is the Gentleman recorded?"

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

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

Bowman: "Hallock."

Speaker Greiman: "Mr. Hallock. Mr. Hallock. Mr. Hallock in the chamber? Remove Mr. Hallock from the Roll Call."

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Bowman: "Davis."

Speaker Greiman: "The Gentleman from Will, Mr. Davis. I can't see if he's here or not. Mr. Davis. Mr. Davis in the chamber? Mr. Hallock has returned to the Roll... to the room. Restore Mr. Hallock to the Roll Call."

Bowman: "Johnson."

Speaker Greiman: "Mr. Davis is at the rear of the chamber."

Bowman: "Mr. Johnson."

Speaker Greiman: "Mr. Johnson. Mr. Johnson is right here in Mr. Ewing's seat."

Bowman: "I think that's clear violation of the rules, by the way."

Speaker Greiman: "...Or in a vacant seat. Proceed, Mr. Bowman."

Bowman: "Ewing."

Speaker Greiman: "Mr. Ewing."

Bowman: "If he's in Mr. Ewing's seat, then where is Ewing?"

Speaker Greiman: "Mr. Ewing is right here in the middle section."

Bowman: "I think Mr. Vinson should admonish the Members of his side of the aisle..."

Speaker Greiman: "Mr. Bowman, he was admonishing you for speaking... not speaking at your mic, not for being out of your seat. That would... to admonish Members for being out of their seats would be a full time occupation. Proceed, Mr. Bowman."

Bowman: "Okay. No further."

Speaker Greiman: "On this question there are 55 voting 'aye', 56 voting 'no', none voting 'present'. Mr. Vinson, did you wish to change your vote?"

Vinson: "No, Mr. Speaker, I had requested a verification of the Negative."

Speaker Greiman: "Yes, I'm advised that you had. I wasn't in the Chair at that time, Mr. Vinson. Mr. Clerk, proceed with the Poll of the Negative."

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Clerk Leone: "Poll of the Negative. Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Christensen. Cullerton. Currie. Daley. DeJaegher. Farley. Flinn. Flowers. Virginia Frederick. Giglio. Giorgi. Greiman. Hartke. Hicks. Huff. Keane. Krska. Kulas. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McGann. McMaster. McPike. Nash. Olson. Panayotovich. Phelps. Preston. Rea. Ronan. Saltsman. Satterthwaite. Shaw. Steczko. Stern. Sutker. Turner. Van Duyne. Washington. White. Wolf. Anthony Young. Myvetter Younge. And Mr. Speaker."

Speaker Greiman: "Mr. Vinson, questions of the Affirmative... of the Negative Roll Call?"

Vinson: "Yes, Sir, I do. May I proceed?"

Speaker Greiman: "Proceed. You may proceed."

Vinson: "Mr. Giorgi."

Speaker Greiman: "Mr. Giorgi is right in front of me."

Vinson: "Mr. Keane."

Speaker Greiman: "Mr. Keane. Mr. Keane. Mr. Keane in the chamber? How is Mr. Keane recorded? Excuse me. Mr. Keane. Remove Mr. Keane from the Roll Call. Mr. Richmond votes 'no'. Mr. McGann, for what purpose do you seek recognition?"

McGann: "I'd like to change my vote to 'aye'."

Speaker Greiman: "Mr. McGann goes from 'no' to 'aye'. Further questions of the Negative Roll Call?"

Vinson: "Mr. Panayotovich."

Speaker Greiman: "Mr. Panayotovich. Mr. Panayotovich. Is the Gentleman in the chamber? How is Mr. Panayotovich recorded? Mr. Panayotovich is at the door."

Vinson: "He ought to be made familiar with what we are voting on, Mr. Speaker. Mr. Phelps."

Speaker Greiman: "Mr. Phelps. Mr. Phelps is at his desk."

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Vinson: "Mr. Preston."

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

Vinson: "Representative Satterthwaite."

Speaker Greiman: "Mr... Ms. Satterthwaite is in her seat."

Vinson: "Mr. Sutker."

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

Vinson: "Mr. Van Duyne."

Speaker Greiman: "Mr. Van Duyne. Mr. Van Duyne is at the rear of
the chamber."

Vinson: "I'm sorry, what did you say?"

Speaker Greiman: "At the rear of the chamber."

Vinson: "Mr. Steczo."

Speaker Greiman: "Mr. Steczo is in his seat as always."

Vinson: "Mr. Nash."

Speaker Greiman: "Mr. Nash. Mr. Nash in the chamber? Mr. Nash.
Mr. Nash is over on the Republican side."

Vinson: "Mr. Curran."

Speaker Greiman: "Mr. Curran. Mr. Curran is at... is in his
seat."

Vinson: "Well, I think he... I'm sorry, he changed his vote in
the course of the thing. Mr..."

Speaker Greiman: "I'm sorry, Mr. Vinson."

Vinson: "Mr. Farley."

Speaker Greiman: "Mr. Farley. Mr. Farley. Mr. Farley in the
chamber? Mr. Farley's at the door."

Vinson: "Mr. Ronan."

Speaker Greiman: "Mr. Ronan is in the center aisle."

Vinson: "Where?"

Speaker Greiman: "At Ms. Braun's desk."

Vinson: "Oh... Oh, okay. Okay. Interesting what you discover in
these verifications isn't it? I have no further
questions."

Speaker Greiman: "Yes, Ms. Deuchler has returned. How do you

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wish to vote, Ms. Deuchler?"

Deuchler: "How am I recorded, Mr. Speaker. Record me 'aye' please."

Speaker Greiman: "Ms. Deuchler votes 'aye'. Mr. Keane has returned. Restore Mr. Keane to the Roll Call. Where is Mr. Keane? Mr. Keane 'no'. You had been removed from the Roll Call. Restore him to the Roll Call. On this question there are 57 voting 'aye', 56 voting 'no', none voting 'present', and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading Short Debate appears House Bill 2313. Mr. Clerk, read the Bill. Mr. Homer, to your seat."

Clerk Leone: "House Bill 2313, a Bill for an Act relating to state printing. Second Reading of the Bill. Amendment #1 and 2 were adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment 1 and 2?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #3, Homer."

Speaker Greiman: "Gentleman from Fulton, Mr. Homer, on Amendment 3."

Homer: "Thank you, Mr. Speaker. I ask leave to withdraw Amendment 3."

Speaker Greiman: "Amendment #3 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Homer."

Speaker Greiman: "Gentleman from Fulton, Mr. Homer."

Homer: "Thank you, Mr. Speaker. Amendment #4 amends the Violent Crimes Victims' Assistance Act in three ways. First of all, it changes the terminology from the present Act from the word 'fine' to the word 'penalty'. The difference

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being that a fine must be imposed by a Judge, where as a penalty is self-executing. The second way in which it changes, it makes the penalty applicable to dispositions of court supervision. Under current statute, the word 'conviction' is used and a disposition of court supervision will not be included. As a result, there would be a substantial loss of income to the Crime Victims' Assistance Fund, not to include court supervision dispositions. Finally, the Amendment would provide that the investment monies earned on the Violent Crimes Victims' Assistance Fund would stay within the fund and would not be transferred, as is presently the case, to the General Revenue Fund of the state. I would entertain any questions and then move for the adoption of Amendment 4."

Speaker Greiman: "The Gentleman from Fulton, Mr. Homer, moves for the adoption of Amendment #4 to House Bill 2313. On that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All those in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading Short Debate appears House Bill 3418. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3418, a Bill for an Act to amend Sections of the Private Detective, Private Alarm, Private Security Act of 1983. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

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

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

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Amendment #1. Mr. McCracken. Mr. McCracken, you're on Amendment #1. Mr. Cullerton is the Sponsor of the Bill."

McCracken: "I move the adoption of Amendment #1."

Speaker Greiman: "The Gentleman from DuPage moves for the adoption of Amendment #1 to House Bill 3418. Is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, I hate to interrupt the Gentleman's phone call, maybe he... Okay, now that he's off the phone, maybe he can tell me what the Amendment does."

Speaker Greiman: "Yes, will you yield for a question? He indicates he'll yield for a question, Mr. Cullerton."

Cullerton: "Like what does it do, that's the question."

Speaker Greiman: "Alright, that's the question."

McCracken: "This requires paralegals to be employed by a licensed attorney, rather than simply having to work under an attorney supervision in order to be exempted from the Private Alarm, Private Detective and Private Security Act."

Cullerton: "That's fine. I support the Amendment."

McCracken: "Thank you."

Speaker Greiman: "The Gentleman from DuPage moves for the adoption of Amendment #1. Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading Short Debate appears House Bill 3480. Ms. Barnes, you wish to proceed with 3480? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3480, a Bill for an Act in relation to the transfer of various property rights by the state. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

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Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills
Second Reading Short Debate appears House Bill 3521. Mr.
Clerk, read the Bill."

Clerk O'Brien: "House Bill 3521, a Bill for an Act to amend
Sections of the Mental Health and Developmental
Disabilities Code. Second Reading of the Bill. No
Committee Amendments."

Speaker Greiman: "Are any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, on
Floor Amendment #1."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen
of the House. Our staff, after reviewing this Bill with
Representative Friedrich, worked out this Amendment along
with the Reference Bureau. The purpose of the Amendment is
to make a slight change to the Bill. The Bill limits
parental liability for the cost of services provided by the
Department of Mental Health to medical cost. The purpose
of the Amendment is to make sure that disabled children who
are in operative centers receive the same benefits as
disabled children attending community centers. I believe
it's an agreed Amendment and I would ask for your support."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, moves
for the adoption of Amendment #1. Is there any discussion?
There being none, the question is, 'Shall Amendment #1 be
adopted?' All in favor say 'aye', opposed 'no'. In the
opinion of the Chair, the 'ayes' have it. The Amendment's
adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading Short Debate appears House Bill 3576. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3576, a Bill for an Act to amend Sections of the Illinois Industry License Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Marion, Mr. Friedrich, on Amendment #1."

Friedrich: "Mr. Speaker, this merely eliminates from the licensing provision those who install roofs on single family residences, new single family residences or additions thereto. Thank you. There's no objection to it."

Speaker Greiman: "The Gentleman from Marion has moved for the adoption of Amendment #1 to House Bill 3576. Is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

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

Cullerton: "As I understand the Amendment, it provides an exemption from certification for roofing contractors. If the roofing services are provided for the construction of a new single family home or an addition to a single family residence, and my question is, would this apply to contractors of entire developments?"

Friedrich: "I suppose it would; because, in single family residences, the reason is, of course that, a lot of small contractors do this. They not only install the roof, they install the walls, the weather boarding, the siding, the basement and everything else and this the only reason for them to be licensed at all. And I don't believe that's

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where the problem exists. So, it involves a lot of little people who are building new houses, and I... as far as I know, there's no objection to it."

Cullerton: "Okay. Thank you."

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

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

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

Ropp: "Representative, in the explanation of this Amendment, does that exclude or include a person doing a single family old home that wants to reroof it?"

Friedrich: "Well, as it's written, it would be a new single family residences. New... I guess it would not include remodeling. I have no problem with that, but my intention was, you have people building a single family residence, they don't have to have anything to put their rafters up, they don't have to have anything to put the walls up or windows up or the basement, and I didn't see any reason why you should have to have a license to put the roof on."

Ropp: "Okay. Is there another Amendment coming on that will deal with the surety bond?"

Friedrich: "No. You would not... they would not be required to have a surety bond to put a roof on a single family residence, a new one."

Ropp: "Yeah, but... I mean, is there any..."

Friedrich: "So, they would be excluded. They would be excluded."

Ropp: "Is there any Amendment that deals with a surety bond for those people who are not big operators? I thought there was an Amendment somewhere that was being offered to do this."

Friedrich: "Not... not in this particular Bill. I just... Representative Mautino had the Bill and it dealt with the subject I been trying to deal with and that's all I know

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about it."

Ropp: "Okay. Thank you."

Speaker Greiman: "Further discussion? There being none... I'm sorry. The Gentleman from Peoria, Mr. Tuerk."

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

Speaker Greiman: "Indicates he'll yield."

Tuerk: "A year or two ago we had some problems with a roofing Bill, as I recall, and a lot of people that were doing a lot of work in roofing and repairs and so forth, and I extensively put them out of business. Now, is this supposed to correct that?"

Friedrich: "I... I don't believe this has anything to do with the fly-by-night operator that deals... that Representative Oblinger was involved with who came through and ripped off some old people and so on. They don't build new houses."

Tuerk: "No, I realize that, but it doesn't deal with the other problem either, that we created with our Legislature."

Friedrich: "No, it doesn't. I... If I had a choice, I'd deal with that too, but this..."

Tuerk: "Yeah. You can't do that, huh?"

Friedrich: "I don't... I'll take... If I can't get a meal, I'll take a sandwich."

Tuerk: "I see. Thank you."

Speaker Greiman: "No further discussion? The Gentleman from Marion, Mr. Friedrich, to close. No further discussion. The question is, 'Shall Amendment #1 be adopted?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it... the 'aye' has it. The Amendment's adopted. Further Amendments?"

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

Speaker Greiman: "The Gentleman from Adams, Mr. Mays, on

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Amendment #2."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 would repeal the Scaffold Act. I think people pretty much know what that deals with, and so, I offer that for adoption."

Speaker Greiman: "The Gentleman from Adams, Mr. Mays, moves for the adoption of Amendment #2 to House Bill 3576. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading Short Debate appears House Bill 3588. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3588, a Bill for an Act to amend Sections of the State's Attorneys Appellate Prosecutor's Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. Yes, Mr. Vinson?"

Vinson: "Are we sounding the bells because of the last Amendment that got on or because of what we're going to do next?"

Speaker Greiman: "Another John Dunn once said about, 'For whom the bell tolls. It tolls for thee.'"

Vinson: "There was never any doubt in my mind, Mr. Speaker."

Speaker Greiman: "We are now on page five of the Calendar, House Bills Third Reading, Labor and Employment, Special Order of Business, and on that Order appears House Bill 2798. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2798, a Bill for an Act to amend an

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Act relating to wages. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Peoria, Mr. Saltsman."

Saltsman: "Thank you, Mr. Speaker. This is a similar Bill that passed here last Session and got stalled in the Senate. It's a Bill that concerns the Prevailing Wage Act. In this Bill, we have eliminated the Illinois Housing Development Act, because that is for smaller projects that would be least apt to use the bonds that would be subject to the financing of public works projects that would be included in the Industrial Building Revenue Act and the Illinois Development Financing Authority Act. This Bill here is a Bill that allows our contractors in the State of Illinois to bid on a fair basis. Our contractors that have worked with our labor unions and that have negotiated wage agreements in all the different districts in the State of Illinois. What this will do will rebond people that are receiving bonds under Article II, the Municipal Code, the Industrial Building Reserve Bond Act, the Illinois Development Finance Authority Act and Illinois Housing Development Act, this will give our contractors a fair chance to bid on projects and stop out of state right-to-work contractors from coming in our state and being able to bid on developments and projects created with the help of these bonds, and it will also help our contractors have a much fair chance to get this type of a bid through and it protects our contractors here in the State of Illinois. I ask for a favorable vote."

Speaker Greiman: "The Gentleman from Peoria moves for the passage of House Bill 2798. And on that, is there any discussion? The Gentleman from Peoria, Mr. Tuerk."

Tuerk: "Mr. Speaker, Members of the House, I think everybody should be listening to this Bill because it has some far reaching effects on the entire State of Illinois. Let me

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clarify one thing before we get into the merits or demerits of the Bill by saying, that the Sponsor just mentioned the fact that this Bill passed last Session. It did not pass last Session. It was House Bill 863, as I recalled, which was put on Interim Study and; therefore, didn't get debated. At least, that was my understanding on the Bill. Now, the Prevailing Wage Law, as we all know, requires that locally prevailing union rates be paid to workers employed on public works projects. This involves public works only and as much as I'd like to eliminate prevailing wage on all projects, at least, it is only pre... dealing with the public jobs. Now, what this Bill purports to do is broaden the law to provide that on private works projects that all union workers or all workers would have to be paid the prevailing wage. Now, you understand what that will do to the cost of doing business in the state. Naturally, it would, obviously, damage the state's business climate even more than it is today. Now, in the last eight to ten years, we've done a number of things in the Legislature that have been counter productive and bad for the business climate of the state, and this Bill is going to add to that problem of adding unemployment, an ailing manufacturing sector, which would even kill the business climate even that much more. Actually, passage of the Bill would kill the appeal of industrial revenue bonds, rather than enhance them and thereby, depriving cities in the state itself, one of the major tools used in attracting private developers. And, as a result, I appeal that my House colleagues, the House Members, to turn the Bill down, soundly defeat the Bill, send it back to where ever it should go, probably, back to Committee for another Session, and we'll probably have to deal with it because this is something we've been dealing with for a number of years, and I would ask you to

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kill this once and for all, at least, for this Session.

Thank you."

Speaker Greiman: "Gentleman from Fulton, Mr. Homer."

Homer: "Thank you, Mr. Speaker, Ladies and Gentleman. I rise to support the Gentleman's Bill. This is a Bill that's actually been before us on, at least, two previous occasions. In each case, the House passed the Bill, and the Bill, for whatever reason, did not pass through the Senate. What we're simply doing here, what the Sponsor is simply doing, as I understand, is extending the Prevailing Wage Rate Act definition of public works to include those projects which are funded through industrial revenue bonds or under the Illinois Housing Development Act. It was decided a long time ago in this General Assembly that the public policy of the State of Illinois and of this General Assembly would be in those cases where a project is to... involves the public works, that the project should use labor that pays the prevailing wage. And all the Sponsor is asking be done today is to redefine public works to include industrial revenue bond projects. If the rationale applies to public works of other nature where a municipality or a state government or a county government contracts for a public work project, then there is no reason why that it... the same rationale should not apply in cases where that same unit of government has issued industrial revenue bonds allowing a project to be built through tax exempt municipal bonds. There's no reason to not also require prevailing wage rate to be paid for those public works. So, for those of you who, in this body, approve of the prior Acts of the General Assembly in developing the public policy that says, that public works projects ought to pay prevailing wage, then you ought to also support this logical extension in this Amendment. For

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those of you in this Body who are philosophically opposed to prevailing wage, then you should vote 'no'. I think it's very important that we define the issue very clearly, and I would rise to support the Gentleman's... the Gentleman's Bill and also, just to point out that a number of municipalities in the State of Illinois have already on their own initiative adopted ordinances which would implement this very thing and to avoid incongruities and inconsistencies in city... one city fighting another city on these kind of issues. For the sake of uniformity, I would ask for your affirmative vote."

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

Giorgi: "Mr. Speaker, it's not my attempt to correct some of the erroneous statements made on this floor or I'd be at it every other minute, but I heard a statement from the Gentleman from Peoria that was... is opposed to this Bill that said, 'This Bill hasn't passed this previous... in the previous General Assembly.' And I'm sure that it has, and I'd like to ask the Representative if the Bill has passed in the previous General Assembly and is Mr. Tuerk wrong?"

Speaker Greiman: "The Gentleman yield for question. Mr. Saltsman."

Saltsman: "Yes, Representative, Mr. Tuerk had the wrong Bill number. He is wrong. Last year, it was House Bill 791 and it did pass this Assembly."

Speaker Greiman: "The Gentleman from DeWitt, Mr. Vinson. Mr. Giorgi, have you concluded your remarks?"

Giorgi: "Mr. Speaker, if you think they didn't hear them, I'll repeat them, but I think they heard them."

Speaker Greiman: "Alright. Mr. Vin... Mr. Vinson."

Vinson: "Mr. Speaker, what Order of Business are we on?"

Speaker Greiman: "We are on the Special Order of Business, Labor and Employment Benefits."

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Vinson: "And that is the Order on which House Bill 2978 is called?"

Speaker Greiman: "No, 2798."

Vinson: "2798, I mean."

Speaker Greiman: "Excuse me, Mr. Vinson, is this a point of order or you wish to address the Bill?"

Vinson: "It's a point of order."

Speaker Greiman: "Make... state your point, Sir."

Vinson: "Well, on... Thursday, last week, May 15, there were Special Orders of Business listed on the Calendar, Labor and Employment Benefits, this particular Bill was not listed on the Calendar. On Wednesday last week, there were Special Orders of Business listed, including Labor and Employment Benefits, and this particular Bill was not listed on that call. Now, Rule 12 governs your Special Orders that you're going to and Rule 12(B) says, 'That a Special Order shall appear on the daily Calendar for three legislative days, three legislative days and that the rule could only be suspended with 71 votes.' Rule 12(A) says, in part, 'A Special Order shall fix the day to which it applies and the matters to be included.' The matter, 2798, was not included on Wednesday or on Thursday. As a consequence, to include it on Tuesday for the first time would make it ineligible to be called today. You would have to reschedule the Order of Call and wait three days to call it, and I would particularly ask you to pay special attention in your ruling to the third sentence in Rule 12(A), which says, specifically, that the special matter... the Special Order shall fix the day to which it applies and the matters to be included, and I'd ask you to take this Bill out of the record at this time to reconstitute the Special Order, if, in fact, you want to do it so that this Bill is properly posted. The public is properly alerted

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that it'll be called on this Order and that you do not violate the rules of the House."

Speaker Greiman: "I'm sorry. Would you repeat that? No."

Vinson: "Yes, Mr. Speaker..."

Speaker Greiman: "No, Mr. Vinson."

Vinson: "...On Wednesday last..."

Speaker Greiman: "Mr. Vinson, I will... If you'll give the Chair a moment or two, I will advise you of a ruling. Yes, Mr. Vinson."

Vinson: "You said, If I give the Chair a moment or two, you'll manage what?"

Speaker Greiman: "We'll look at a ruling. Mr. Vinson, while it would be certainly possible for the Chair to easily devise a ruling which would frustrate your objections, like the courts, they don't go to the Constitution unless you... unless they absolutely must as a last resort. According to the Chair, pursuant to the rules, we'll call a Special Subject Matter of Call and on that Call, appears House Bill... Special Subject Matter is Labor and Employment Benefits and on that, is 2798."

Vinson: "Speaker."

Speaker Greiman: "Yes, Mr. Vinson."

Vinson: "Let me see if I understand. It's... these leaps of faith and ruling are things that are difficult for a simple Protestant to always understand; but, in this case, I want to make sure that I fully follow this one. You published on the Calendar a series of Special Orders of Business last week, and you neglected to print House Bill 2798 in those Special Orders of Call, and then, today, when you discovered that, you did print 2798 in the Special Order of Call, but we caught you, because you had to do it for three days and you didn't do it for three days. So, when we caught you, what you decided to do was just abandon the

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Special Order of Call that supposed to occur at 4:00 today, and you just abandoned it, and you decided you'd have a subject matter. Isn't that really, truly, where we are?"

Speaker Greiman: "Alright, now, I've just called the Bill. We have made... I have made my ruling. Your choice, Mr. Vinson, is to appeal that ruling if you choose to, if not, I'm going to proceed with House Bill 2798."

Vinson: "Mr. Speaker, inquiry."

Speaker Greiman: "Mr. Vinson, you wish... Is this for a purpose of a Motion?"

Vinson: "It's for an inquiry of the Chair. Is there any likelihood..."

Speaker Greiman: "You can make an inquiry of the Chair."

Vinson: "I beg your pardon?"

Speaker Greiman: "You can inquire of the Chair."

Vinson: "Is there any likelihood that this ruling will have the grace of 'stary - decisus'?"

Speaker Greiman: "Well, Mr. Vinson, the Chair could have made another ruling, but decided that it was not in the best interest of the world and; therefore, decided to go this route. The Chair can skin many of cat, many of different way. This is how we are skinning it today. Mr. Saltsman, on House Bill 2790..."

Vinson: "Mr. Speaker."

Speaker Greiman: "If it's for the purpose of a Motion, Mr. Vinson, then I recognize you."

Vinson: "Mr. Speaker."

Speaker Greiman: "If it is not, then you're not recognized."

Vinson: "Mr. Speaker, what about Bills that were printed last week on the Calendar under the Special Orders, but that you've chosen this week to delete from the Calendar on the Special Order."

Speaker Greiman: "We're going to proceed with those Bills on page

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five, which are being determined as a Special Subject Matter of Call. Now, on that basis, Mr. Saltsman, on 2798."

Saltsman: "Yes, Mr. Speaker, thank you. I'm sorry that Sam has such a growl with the contractors in his area, he want... likes to stop a beautiful Bill like this one; but, in regards to the disruption here, I think everyone knows what this Bill is about. It's a Bill that had a very strong effect in my area three years ago. We had right-to-work people come in and knock our contractors out of bids. We had war wagons in the streets of Peoria. We had buses made up for war buses. They were transported by six or seven police cars to their work place, back to the motel. We had, practically, a war in the City of Peoria. The company that caused this war had gotten \$9,000,000 worth of industrial development bonds from the City of Peoria and then bought right-to-work contractors in from Kansas that under bid the wages that they negotiated with people from all of central Illinois, Bloomington, Peoria, regardless of where it was from, Rock Island and so on. This here will corral that. This will stop the war wagons from coming back to Illinois. I don't want them in my district anymore, and that's why I have an interest in this Bill. Many people don't really understand what this Bill does. They say, 'Oh, that's for a bunch of labor union guys and the tradesmen.' This has got more protection here, for your contractor than it has for any man that's selected to go up those scaffolds, eight and nine stories and take this dangerous type of occupation. So, therefore, this Bill passed last year. It did not fail as one of the previous speakers said. It was House Bill 791. It deserves your support again. I'm urging everybody that voted 'yes' last year to show their contractors back in their district...

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You haven't had one of them call you up and tell you to vote against this Bill. You probably haven't had one contractor in this state call you to vote against this piece of legislation, because it's protection for them. Please support them again and give them a fair chance in the bid system on these jobs in the State of Illinois. I appreciate your support."

Speaker Greiman: "The Gentleman has moved for the adoption of House Bill 2798. Mr. Ewing, the Gentleman from Livingston."

Ewing: "Mr. Speaker, is this to explain my vote or we still debating the matter?"

Speaker Greiman: "No, we're still debating it because I... I felt it was only appropriate since I went to a new Call, a new Order of Call, that way Mr. Saltsman... well, he may not have known it, was nice enough to take the Bill out the record, and we went to the new Call."

Ewing: "Oh, so, we had a new opening, now... Thank you."

Speaker Greiman: "Yes, sure."

Ewing: "Well, Ladies and Gentlemen of the House, I think most of us, we should think about another group of people. We ought to think about those people that are building the projects. And, in many cases, if you've talked to your units of local government, you know, this is one of the things that bugs them the most, is the prevailing wage on all types of projects. Now, we want to extend that. I don't think that's good for business in Illinois. Yes, it may allow a few to come in from out of state, but that isn't the problem, Ladies and Gentlemen, the problem is what we're doing right here in Illinois. And the previous speaker talked about having set policy and that we set this policy on the prevailing wage a long time ago, and this was just a minor extension. Well, when you extend the policy,

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then you're deciding that you're going to extend it to an ever broadening group of our economy. I think we ought to approach that very carefully here. This is not a good business Bill, and then, I think, in many of our communities where there are high unemployment, this would only add to their problems and I would suggest that we vote this Bill down. Thank you."

Speaker Greiman: "Further discussion? The Lady from Cook, Ms. Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. I, too, rise in opposition to this Bill. There are many of you who would say that I do that along philosophical lines. That maybe true, that may not be true. I would like to ask those who are interested in minority contractors or those who represent small downtown... downstate rural areas, what kind of an impact, what kind of an effect is this Bill going to have? What kind of a signal are we sending with regards to doing business in the State of Illinois, and what are we doing with the IRBs, we're weakening it. And for those reasons, I rise against this Bill, and it maybe philosophically, but it is also because we got to get Illinois going, and IRBs as they are today without the expansion of prevailing wage will be that economic tool that we need."

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

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

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

Mays: "Does this Bill have Amendment #1 adopted to it?"

Saltsman: "Yes."

Mays: "And what did Amendment #1 do?"

Saltsman: "It eliminated the Illinois Housing Development Act from one of the agencies involved."

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Mays: "Meaning that, you do not wish prevailing wage provisions to be applied to those projects that utilize the industrial... the Illinois Housing Development Authority, is that not correct?"

Saltsman: "That's... You're right."

Mays: "Why?"

Saltsman: "Because these are smaller projects. They are least apt to use them and there wouldn't be that much demand for them, so we amended it out."

Mays: "These are smaller projects..."

Saltsman: "Yes, it sweetens the Bill, even makes it better than it was last year."

Mays: "Would you, then, consider an Amendment that might delete the provisions from accruing to the bonds used under the Industrial Building Revenue Bond Act as a further little sweetener or..."

Saltsman: "Not at this time. We had two months to amend this Bill. Nobody seemed interested in it and I can't see reverting back to it now. The Bill has been around here. It's a Bill that was asked for by the Construction Association four or five years ago, and we've had plenty of time to amend it. It's time to roll them out of here. Friday is the deadline. Let's move with it."

Mays: "So, the Bill does not apply to the Housing Development Authority now, as it stands with Amendment #1? Is there any taxpayer..."

Saltsman: "Yes."

Mays: "...Liability at all for the payment of these bonds should the person using that contractor building that building default?"

Saltsman: "I don't think there is."

Mays: "Is there... Why, then, would there be an extension of prevailing wage into this area, if, indeed, there is no

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impact on taxpayers, no liability whatsoever should the bonds default, why, then, should we be extending this prevailing wage into this area?"

Saltsman: "Because they're just using it for a weapon to get bonds at lower rates. The lower rates will allow them to hire a decent contractor."

Mays: "So, you say, they're using it for lower rates. Is that what you're saying?"

Saltsman: "To establish these bonds for their loans, yes."

Mays: "Okay. Explain something here. We sell these bonds, and then, the contractors gets the use of the proceeds and he gets lower construction cost as a result. Is that correct? Is that what you just said?"

Saltsman: "The only time you get lower... you get lower funding for the money you borrow. It's got to save on the cost of the construction, yes."

Mays: "So, then, if we adopt... if we pass this Bill, we will be increasing the construction cost of those buildings that are going to hire those people. Is that not correct?"

Saltsman: "In my area, in most cases, 95% of the people that have used these have used good viable contractors from Illinois. It really hasn't affected that many of the people. I don't know why we would raise it. A man's allowable for the amount of wages that he has negotiated with his people that worked for him. And when he makes a bid, he has to bid on the amount of salary that he has negotiated to them. So, therefore..."

Mays: "Correct me if I'm wrong."

Saltsman: "... it will make a difference. If he could borrow the money at a lesser cost, if the money could be borrowed at a lesser cost they can afford the help."

Mays: "If he can borrow the money at lesser cost, he can, then, build that building and hires those people cheaper. Is

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that correct?"

Saltsman: "He should be able to."

Mays: "Okay. So, then, passage of this Bill will increase the cost of building that building that will hire the people. Is that not correct?"

Saltsman: "No. No."

Mays: "Well, Ladies... Mr. Speaker, to the Bill."

Speaker Greiman: "Proceed, Sir."

Mays: "I think that everyone in this room knows that this Bill will cost more money to the people that are going to be building the buildings, that are going to be hiring the people that are unemployed right now. Let me read you the purpose of this Act as it stands right now - this is the Industrial Development... Industrial Building Revenue Act - 'is the purpose of this Act to relieve unemployment and under employment to aid in the reemployment of persons returning disability and life from military service and to encourage the increase of industry and commerce in this state, thereby reducing the evils associate with unemployment and under employment.' Ladies and Gentlemen, the way this Act works is that that person can build that building that hires those people cheaper. The underlying incentive is to get the people working in the state again, and by the Gentleman's own emission, this will cause those people more, thereby reducing effectiveness of this Act, thereby watering down the impact that it might have on the unemployed and under employed in this state. Also, I have not heard one municipality that has written me asking me to support this Bill, because they use this kind of industrial revenue bonds to a very large degree to entice the employees... employers to come to their community to build the buildings in their community and use the proceeds from this bond Act to do so. For those reason, I would urge a

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'no' vote on this Bill."

Speaker Greiman: "The Gentleman from Peoria, Mr. Tuerk."

Tuerk: "Mr. Speaker, Members of the House, let me first clarify a point or two, in my previous statement, I mentioned that House Bill 863 was actually defeated last year, and I stand on that. That was defeated. It went to Interim Study. In my book, that is in passage now. I didn't refer to House Bill 791, so I was on the mark. 791 did pass the House. It's true, however, the Senate was a little more astute than the House. It held it up over there and put it in Interim Study over in the Senate, but be that it as it may, I wanted to clarify that, so that my colleague from Peoria and my other colleague on the other side from Rockford, Winnebago County, actually knows what's happening in the Legislature, but be that as it may, as I said, the Bill is counter productive. It does increase the cost for private construction. It does preclude the opportunity for minority contractors from bidding, because they're going to have to bid at a higher price. It's counter productive to the business climate of the state. It kills the appeal of the Industrial Revenue Bond as a means of attracting business in the state and; therefore, I repeat my opposition to the Bill and would ask for my colleagues to vote like wise."

Speaker Greiman: "Gentleman from DuPage, Mr. Barger."

Barger: "Thank you, Mr... Thank you, Mr. Speaker. This Order of Call is called Labor and Employment Benefits, but the Committee that this was heard in was the Committee on Labor and Commerce. Industrial revenue bonds serve only one purpose and that is to improve the possibility of commerce in our country... in our state. This... these industrial revenue bonds, although they are used for building buildings and for contracting, are also used for funding

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the development of businesses. They're used for funding the development of businesses in the enterprise zones. They provide ongoing jobs for the citizens, the workers of the State of Illinois. They are private enterprise. They are funded with private funds. They are private work. The bonds are not financed by the state or the city. They are only preferred... provided with the interest free status of a public entity in order to get the cost down to the point, where we can provide for the opportunity to develop these projects in Illinois competitive against other states, where it is just as convenient to build as it is here. In DuPage County, we have a large expansion of industry, but it's not expanding in the DuPage County because DuPage County is a better place to build than Cook County, but only because the governments in DuPage County are more receptive to business and are trying to help it develop. This is definitely an anti business Bill. It's an anti enterprise Bill, and it's an anti State of Illinois Bill. I thank you."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. The Gentleman from Peoria, Mr. Saltsman. Did you wish to vote, Mr. Saltsman, on this Bill? No. Mr. Saltsman, you wish to explain your vote?"

Saltsman: "Yes, in explaining my vote, the one person who did endorse this Bill was the Mayor of the City of Peoria, who was formerly our Mayor for ten years, a Republican Mayor, whom I never did support, but he was the one that supported this Bill three or four years ago. So, when you say public officials did not support this Bill, they do have it in writing here, the people who have always tried to sponsor this Bill and work with it. I still ask for its passage."

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Speaker Greiman: "Mr. Kulas, one minute to explain your vote."

Kulas: "Thank you, Mr. Speaker. I just wanted to clarify the rules to Representative Vinson, because he wasn't clear and I simplified the rules for him. Sam, that Special Orders of Business will only be called on days when swimming is allowed in Lake Clinton."

Speaker Greiman: "Mr. Tuerk, are you seeking recognition?"

Tuerk: "Mr. Speaker, only to request a verif..."

Speaker Greiman: "No... Mr... You wish for a verification? Okay. Sure."

Tuerk: "At the appropriate time, if it gets enough..."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 67 voting 'aye', 47 voting 'no', 1 voting 'present'. And Mr. Tuerk, do you still wish to have a verification of the Affirmative Roll Call?"

Tuerk: "No. I withdraw that."

Speaker Greiman: "And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Subject Matter of Call, Labor and Employment Benefits, appears House Bill 2804. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2804, a Bill for an Act relating to collective bargaining agreements. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Peoria, Mr. Saltsman."

Saltsman: "Thank you, Mr. Speaker. This Bill applies to a situation in which a business is sold, transferred or assigned to another owner. Under present law, the purchasing employer referred to as a successor employer is under no obligation to honor a collective bargaining agreement negotiated between the first employer and his

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employee. This Bill was amended last year into another Bill, and it passed by a wide margin in the House. I ask for its passage."

Speaker Greiman: "Excuse me, Mr. Saltsman. Mr. Vinson, for what purpose do you seek recognition?"

Vinson: "Mr. Speaker, How did we come by this Bill on the Calendar?"

Speaker Greiman: "It is on the Special Order of Subject Matter Call. That is the... if that is your inquiry."

Vinson: "It's what?"

Speaker Greiman: "We are following a Special Subject Matter Call dealing with Labor and Employment. You will find that Subject Matter Call pursuant to rules on page 5. Proceed, Mr..."

Vinson: "Mr. Speaker. Mr. Speaker."

Speaker Greiman: "Yes."

Vinson: "The rules only provide..."

Speaker Greiman: "You have a point of order..."

Vinson: "The rules only provide for Special Orders of Call and for Subject Matter Calls."

Speaker Greiman: "This is a Subject Matter Call, that's what... I announced that. When I called this Bill, I announced it..."

Vinson: "Oh, it's Subject Matter Call..."

Speaker Greiman: "Yes, Subject Matter Call..."

Vinson: "Okay, can you tell us..."

Speaker Greiman: "Mr. Saltsman, proceed."

Saltsman: "Yes, Mr. Speaker..."

Speaker Greiman: "Mr. Vinson."

Vinson: "Could you tell us what Bills will be called on the Subject Matter Call?"

Speaker Greiman: "Yes, the Bills on page 5, Mr...., which are under the old Special Order of Business. We're going to

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call those Bills on that Special... 5 and 6 on that Special Order... yes, Special Call Subject Matter. Mr. Saltsman, proceed."

Saltsman: "Thank you, Mr. Speaker. House Bill 2804 would require the successor employer to comply with existing collective bargaining agreements provided that the following conditions were met, and that is that; they would honor the obligations of the agreement of the former employer; that the employer would have to be in the same type of business, the same physical facilities as a previous employer had; and that the successor employer was not a receiver or trustee of bankruptcy. I ask for its passage."

Speaker Greiman: "The Gentleman from Peoria moves for the passage of House Bill 2804. On that, the Gentleman from McLean, Mr. Ropp."

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

Speaker Greiman: "Indicates he will."

Ropp: "Representative, as you have indicated this Bill, what is to ever encourage a new owner to ever buy into that new or old business? If, in fact, that particular business was having some financial trouble, if the new owner has to incur the same kind of problems, how would anyone ever want to come in and buy out that business?"

Saltsman: "Well, if you're speaking about a man with 17 or 18 years, that previously was in a pension fund, and is currently in a pension fund, he should be bound for three years to carry that man's pension fund, if he wants to buy that company. These people have these type of obligations, after workers being with them for 18 and 19 years. These are the low salary people that get hit by this type of programs that come in. And a lot of them aren't for the reason of employees' benefits, a lot of them are poor management and a lot of them are for better profits and

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more profits. They're not just for that reason, that the worker is always wrong, or the worker has bled too much out of the employer, or the people are giving in too much to the unions. What this amounts to is several reasons why a person would buy a business. And for the reasons for them not to do this would be to wait until this contract ran out with this person and give these employees a chance to regroup and renegotiate with them. That's all it amounts to. It's a very fair piece of legislation."

Ropp: "Well, I'm not so sure how fair it is. It certainly wouldn't give anyone who would want to buy into that operation any equity whatsoever, any opportunity to start out fresh. It certainly would continue possibly a very bad situation. And I doubt if that employee, even though he has 18 years and only needs a couple more, would be in greater jeopardy for the fact that no one would ever come in to even buy... to give him an opportunity. If that operation sits idle for several years, I don't see that the advantage is given to assist the employee in the manner that you're attempting to do. And I have support for the employee, but I certainly don't think under this provision that anyone would ever want to come in and buy a business with... It's just like...oh, I don't know... trying to buy a horse that finished last in the Kentucky Derby because the saddle fell off. You would not be able to even try to repair the saddle. It would have to be the same existing business. And I..."

Saltsman: "I don't understand that one."

Ropp: "Well, maybe later on I can explain it. It's just like you're going to have to buy in a failing operation without any opportunity for changes in management. You've really tied his hands here."

Speaker Greiman: "The Gentleman from Will, Mr. Davis."

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Davis: "Well, thank you, Mr. Speaker. With all due respect to the Sponsor, my good friend, Representative Saltsman, there's absolutely no need for this Bill. Absolutely no need at all, you see, because the reason the guy sold his company... and you don't need a successor clause because the reason the guy sold his company was he couldn't get liability insurance because the rates have gone out of sight because of the civil justice system being out of skew in this state. Now, let me tell you something, if that's solved, the guy won't sell his company, the union will still be in place and there will be no need for a successor clause. But unless this General Assembly gets off the dime and starts into the problem of the major business problem and consumer problem in this state, the liability insurance problem, the casualty insurance problem in this state, there won't be any successors because there won't be any businesses."

Saltsman: "I agree with you."

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

McCracken: "Thank you, Mr. Speaker. You know, it's an interesting thing on this Bill, certainly well intention there's no question about that, but were dealing in an area of labor law which is preempted by the Federal Government. It's been held explicitly that the law of the Federal Government, in regard to labor relations, preempts all contrary state law. And under federal law, the only requirement as to these types of successor clauses is that the bargaining unit be recognized by the successor employer, not that the terms of the bargain be recognized, or not that they not be renegotiated, or not that they be honored for three years, or not that they be honored even though the successor employee doesn't know of them. You know, this Bill, even if the successor employee were not

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aware of the agreement, he would be bound by it and it would not be a defense that he was not aware of its provisions. So, not only is this bad public policy, but it is also preempted by federal law. Without any question, we should defeat this Bill."

Speaker Greiman: "The Gentleman from Peoria, Mr. Tuerk. Mr. Tuerk, did you want to enter the..."

Tuerk: "Well, I was going to ask the Sponsor a question."

Speaker Greiman: "Well, you can ask him now or wait until you get home to Peoria."

Tuerk: "Well... Well, we get along back in Peoria. We talk to each other quite often as a matter of fact."

Speaker Greiman: "Alright, Sir."

Tuerk: "Yes, isn't that nice. Actually, I was going to ask the question, and maybe Representative McCracken covered it, I was going to ask Representative Saltsman if he knew what the federal law was on this issue."

Saltsman: "With the present administration in the White House now, they've all been changed and nobody has a chance of going to court anyhow, so what difference does it make."

Tuerk: "No, apparently, from that answer, you don't know what the federal law is then."

Saltsman: "They don't abide by it anyhow, ask anybody that's went to court in the last four or five years."

Tuerk: "Do you know what the federal law is on this issue?"

Saltsman: "No."

Tuerk: "Okay. That's fine. Let's educate you a little bit then."

Saltsman: "I'm worried about the Illinois law."

Tuerk: "Well... Yes, but Illinois law can't preempt federal law on this issue, that's the point, you see."

Saltsman: "Give it chance."

Tuerk: "So, you may have... you may have a well intention Bill

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here, in your estimation, which I don't agree with, but on the other hand, it has no force of law for the simple reason that state law can't preempt federal law. Now, federal law points out that you have to recognize the existing labor representative, but your not required to accept the bargaining agreement which was in existence with the previous owner. So, therefore, it would have no force of law, and actually, what you're going through is a fine exercise here, but even if you passed it, it couldn't be signed into law because the Governor couldn't sign the Bill in the first place. So, I would suggest that we save the time of the House, also the Senate and the Governor's time, and everybody's time in the whole state, and vote the Bill down right now."

Saltsman: "Well, the information I have received that there is... a... the Bill from a different state is being considered by the Supreme Court now, whether it's legal or not."

Tuerk: "Well, if I'm able to respond in that, that has no... no party in this Bill right at the moment, because...".

Saltsman: "It will when this one passes."

Tuerk: "Well, you don't know that, and I don't know that, and nobody knows that, what the Supreme Court is going to do. So, I stand on my case that says, that it has no course of law and, therefore, we ought to vote it down right now."

Saltsman: "Well, at the present Supreme Court, I know how they'd bet against the working man."

Speaker Greiman: "Alright. There being no further discussion, the Gentleman from Peoria to briefly close, Mr. Saltsman."

Saltsman: "Yes, I ask your support for this Bill. This helps the employees that will benefit from this Bill, that are usually the lower paid employees in the state. It's a very sad situation when an employee works for 18 or 19 years and is called in by a successor employer and told... told him

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that he no longer has a pension. In many of these cases, it's not because the previous employer was going under in his businesses, it's because it's rich conglomerates working together to break these types of programs up. Many of these people that take these pension systems away can well afford it. They're the richest companies in the nation, working under subsidies, names of subsidies that come in under names that are some of the most high priced... highest companies on the stock market existing today that just come in under different subsidies and names and buy these companies up and burn them out, and they're not winning in the courts, the working man don't have a chance in the federal court system anymore. I ask for the passage of this Bill."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 54 voting 'aye', 55 voting 'no', 2 voting 'present'. Mr. Saltsman requests that..."

Saltsman: "Absentees."

Speaker Greiman: "Alright, within your rights. Mr. Clerk, Poll the Absentees."

Clerk O'Brien: "Christensen. Hicks. Laurino."

Speaker Greiman: "Laurino votes 'aye'."

Clerk O'Brien: "Mautino. And VanDuyne. No further."

Speaker Greiman: "Mr. Saltsman, what's your pleasure, Sir?"

Saltsman: "Take it out of the record."

Speaker Greiman: "No. No. We... Mr. Saltsman, you wish to have this placed on the Order of Consideration Postponed?"

Saltsman: "Yes."

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Speaker Greiman: "Alright. The Bill will be placed on the Order of Consideration Postponed. On the Order of Special Subject Matter - Labor and Employment Benefits, appears House Bill 2927. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2927, a Bill for an Act to amend Sections of the Software License Enforcement Act. Third Reading of the Bill."

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

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I will open it and at the end, Representative Didrickson will close. This legislation deals with the subject of computer software. Last year, when we were considering House Bill 800, an agreement was reached to move the effective date of that Bill to July 1 of this year and to come back this year and attempt to cleanup some of the problems that were discovered very late when we were debating that Bill on the floor of the House. House Bill 2927 makes those corrections. Prior to the adoption of Senate Bill 800 last year, when you bought software, if you were a consumer or if you were a business or you were government and you purchased software, your rights were governed by the Federal Copyright Act. Senate Bill 800, which we passed last year, established a new relationship of... that of licensee and licensor, and as it passed, limited many of the rights enjoyed by purchasers of software under the federal law. What House Bill 2927 does is to restore those basic rights, and let me just mention a few of those rights. One of the things that you find in the instructions for almost any software is it tells you, as a warning at the beginning, make sure you make an archival back-up copy in case your disc gets mauled. The Bill we passed last year would have precluded the making of a back-up copy. This legislation restores the right to do

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that. The Bill we passed last year would have prohibited the lending of software by public libraries, under many circumstances. This legislation restores that right, and is, therefore, supported actively by the Illinois Library Association. The legislation we passed last year would have prevented a person from modifying software or the modification of software for another, in order to make it work. We have the Criminal Justice Information Authority, which purchases... one of its functions is to purchase software and modify it for law... local law enforcement agencies. Under Senate Bill 800, as we passed it last year, they would have been precluded from carrying out their function of modifying software and passing it on to local law enforcement. This corrects that problem, and let me add, in addition, when you've bought a computer system, being an Apple or an Mackintosh or another system, and you decide you're going to upgrade and you buy another system and you want to sell your old system, you like to be in a position to give your software to the purchaser of your old system. One of the problems, again, with last year's Bill was that you wouldn't be able to do that. This corrects that problem. Basically, as I said, this Bill puts the law, in terms of the rights of business and the rights of the consumers who purchase software, back the way it was before by... while retaining the basic strengths of Senate Bill 800, as it was passed. Let me finally say that the Federal Government has frowned on states getting involved in tampering with rights under the Federal Copyright Act. A number of years ago, there was a number of state laws dealing with common law copyright, and in 1976, the Federal Congress preempted all of those Bills because it felt that there ought to be a uniform set of laws across the country dealing with copyright. Computer software is included

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under the Copyright Right Act, and one of the intentions of this legislation is to maintain that uniformity. So, that the same rules that apply in New York apply here, as far as the rights and responsibilities of users of computer software. If there are questions, I'll be able to answer them. We did have a very very full debate in the Judiciary I Committee, which lasted well over an hour, and I think it was very educational to the Members of the Committee. I would urge the adoption of House Bill 2927."

Speaker Greiman: "The Gentleman from Cook moves for the adopt... for the passage of House Bill 2927. And on that, the Gentleman from DeWitt, Mr. Vinson."

Vinson: "Yes, I wonder if the Gentleman would yield for questions, Mr. Speaker?"

Speaker Greiman: "Indicates that he will."

Vinson: "Representative, there is almost nothing in this Bill, as I analyze it, that is objectionable, but I'm wondering why it is that we have to pass this Bill? Does this Bill amend existing law?"

Levin: "Yes, Representative, last year, we passed Senate Bill 800, which was signed into law. And when that Bill was considered in the Senate, unfortunately, there were... the Senators were not that conversant in terms of the subject matter of computers, but we have in the House several Members of this Body who are very knowledgeable on computers, and when that Bill came out onto the floor, those Members, as well as, many of the computer people and others, became aware of some of the flaws in that legislation. So, what we did was to amend that legislation on the floor to put some Amendments on it, including changing the effective dates of Senate Bill 800 to July 1, 1986, so we could come back this year and modify it. It then went to the Governor and the Governor signed it. So,

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it is law, and this legislation is the followup that the Sponsors of the legislation agreed to. That we have an opportunity to come back this year and deal with the defects in this very technical subject matter, and that's what this legislation does."

Vinson: "Would you object... I mean, clearly, your Bill is a desirable improvement upon what will exist after July 1, if your Bill is not passed. But would you object to a simple repealer?"

Levin: "Representative, I personally, you know, would have no problem with a repealer. However, you know, the legislation last year had strong sponsorship, there were commitments that were made last year, as far as allowing the Bill to come back. And so, the course that, you know, I think we're committed to is to try to make that legislation as good as we can. Personally, you know, as I said, I would have no problem with a repealer, but I think that we made a commitment to make that legislation work. There are certain advantages to licensed agreement. It does provide certain protections against pirating and certainly we want to protect the hours and hours of work that the manufacturers and the inventors of the software put in, and so, there are certain advantages in the license agreement. We just would like to make that work."

Vinson: "As I understand your Bill in 'biefnerence', the law that was passed and signed last year, and I believe this is true even if your Bill is passed and becomes law. A purchaser of software who may never have read this law, and who may never have seen any document inside the packaging on the software, and who may never have had any conversation regarding licenses with the purveyors of software, may, in fact, be bound by a fictional license that has legal binding effect and limits what he can do with what he's

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purchased, is that correct?"

Levin: "Okay, that is one of the reasons we came back with 2927, because we did not feel that there was enough information and enough warnings to people to put them on notice. One of the things we do in the legislation is we require a warning on the front of the software in ten-point type, so everybody can read it, and we also provide that if the full terms of the license agreement are not on the outside, that people can open the software package, read the license agreement. And as long as they do not use the software, they can return it, if they object to the licensing agreement."

Vinson: "Alright. Now, tell me this, if I go into a retailer and buy a software package and it states on that software package that it is sold subject to a license and the retailer says, that's a lot of fine print, but the deals between you and me, that's who the contracts between, and I don't reserve the rights under the license, I'll bargain them away, and when you pay me for this software, I'm not... you're not bound by that license. What then is the status of that transaction? Does the license apply or not?"

Levin: "I don't believe that the dealer would have the authority to negate, you know, unless, he's... you know, unless, he's expressly authorized by the manufacturer, I don't believe he would have the authority to negate the licensing agreement."

Vinson: "Well, explain that to me. I'm the purchaser, I'm only in privity of contract with the retailer, that's the only person who ought to be able to bind me to the substance of a contract, because that's the only person I've contracted with in buying my software."

Levin: "Mildly. Mildly."

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Vinson: "Why can't the... the only person I contracted with vary the terms of the deal according to how he wants to make it? Explain that to me."

Levin: "Alright. If, you know, it's a matter of agency, and if, in fact, the manufacturer authorized the dealer to vary the terms, the dealer would certainly have the right to vary the terms. But in the absence of such an express authorization, the dealer would not be acting, I don't believe, as an authorized agent in terms of being able to vary the terms. One of the reasons..."

Vinson: "Well, what about a parent agency? I mean, I got the material there. I'm selling it. That creates all of the trappings of a parent agency, doesn't it?"

Levin: "A lot of people are retailers of products without being spokesmen or express agents for the manufacturer of that product."

Vinson: "What?"

Levin: "Pardon?"

Vinson: "What'd you say?"

Levin: "You know, in different businesses, people sell products which they are... you know, not... certainly not the agent for the manufacturer of that product. They're just there to sell that product and not necessarily to speak for that manufacturer."

Vinson: "Well, I don't know that I agree with that interpretation of the law, and I think that any consumer rights oriented person would have serious question about that being a valid interpretation of law in general. But what about the doctrine of strict liability in tort? Is that aggregated by the law we passed last year or by this Amendment to the law?"

Levin: "I don't believe that Senate Bill 800, as we passed it, dealt in any way, shape or form with the tort issue, and

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this legislation does not deal with that issue."

Vinson: "Under the license provisions of the law as it exists in this Bill, what can be... what rights of the purchaser can be restricted?"

Levin: "Alright. Under the license agreement, could limit the number of copies that are made. Now, the Bill we passed last year provided that you could limit the number copies to zero. So, you couldn't make even an archival backup copy, which is what you can do under the Federal Copyright Act, and if your a purchaser, you have a right to do. So, what we've done in this legislation is we've restored that right and we've restored other rights to the status that they would be, if the person... was, in fact, a purchaser under the Federal Copyright Act. Let me go to the example of the libraries for a moment. We provide that you can, in fact, lend software, so long as, on the package the libraries put a warning indicating that there is a license agreement and put the terms of the license agreement and the legislation provide..."

Speaker Greiman: "Yes, excuse me. Mr. Vinson, your time has expired, but I'll certainly permit you to close it a little bit."

Vinson: "Mr. Speaker, I don't want to prevail on the Body any longer. I just want to simply say, and I hope you personally have been listening to a little of the discussion on this thing. We clearly have a situation here where we have allowed some people to terribly over reach. We have really unfairly and improperly, in my judgement, destroyed consumer rights, and in this case, we're talking about consumers who are not only little old grandmothers, but also, small businessmen and a variety of people. We have really trampled on some consumers in what we did last year. Representative Levin's Bill, in my judgement, is an

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improvement on what we did last year, and I'd urge people to support it. But I would also suggest that probably the only adequate resource... recourse for this General Assembly is to really undo what we did last year, repeal what we did last year, and I'm certain that I'll find a Bill from the Senate that will serve as an appropriate target for that."

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

Matijevich: "Speaker and Ladies and Gentlemen of the House, I only rise because I heard the Sponsor of the Bill say that the Senators were very ignorant of the subject of computers, and that we, in the House, are so knowledgeable. And I thought, if we're so knowledgeable, we at least ought to spell software correctly, and as I look at the board, it's not spelled correctly."

Speaker Greiman: "It's 'softyware'. Yes, Miss Didrickson."

Didrickson: "Yes, thank you, Mr. Speaker, Members of the House. As a Joint Sponsor of this Bill, which was brought to the attention by a constituent of mine, last year was Senate Bill 800, and I'm pleased that Representative Vinson, also, highlighted some of the problems with what we passed last year. None of us were competent enough to predict what might happen. Now, we are fairly aware of what might happen with regards to the warnings of the users. We certainly need to notify them of their rights and responsibilities clearly. The libraries in the State of Illinois would not be able to make one archival backup copy of software it is using for record keeping, circulation, et cetera. Once software has been bought and is owned by the library, that library could not legally repair it. And more importantly, I think members of library systems or other consort could not share these software programs for identifying each others resources. That is what the Bill

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does. It amends this portion with regards to the library usage of the software and clearly notifies the user of its rights and responsibilities. I ask for an affirmative vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Special Subject Matter, appears House Bill... Labor and Employment, appears House Bill 2939. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2939, a Bill for an Act in relation to unfair labor practices by public employees and educational employers. Third Reading of the Bill."

Speaker Greiman: "The Lady from LaSalle, Miss Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill seeks to prohibit the expenditure of public funds, when there is an attempt being made to influence the outcome of a representational election in the public sector. It applies to both State and Local Government, and to the educational sector, as well. So, the Bill was amended, I don't know if you remember that, but the Bill was amended at the suggestion of Representative Zwick to specifically note that there is nothing in this Act that would, in any way, attempt to limit free speech. Employees... Employers, rather, would have every right to internally communicate with their employees about the outcome of a representational election, and, of course, an employer would have every right to be represented by legal

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counsel on any legal matter, including, unit determinations, unfair labor practice charges, or pre-election conferences in any formal or informal proceedings before the board. The only thing this Bill seeks to restrict is the expenditure of taxpayers' money on an issue where the taxpayers are divided, whether or not the employees should vote for or against a unionization. The only... There are many issues prior to the election and after the election, or even during the election, for instance, when legal services might be required. Where they... where the public employer would have the right to seek outside counsel, whether that is in the form of attorneys or public relation consultants. However, to hire a public relations firm to solely come in to run an election, either for or against unionization, is, in my view, inappropriate, and this Bill would make it an unfair labor practice to use taxpayers' money to do so. I would entertain any questions."

Speaker Greiman: "The Lady from LaSalle moves for the passage of House Bill 2939. And on that, the Gentleman from Cook, Mr. Keane."

Keane: "Thank you, Mr. Speaker. A couple of questions for the Sponsor."

Speaker Greiman: "She'll yield for question."

Keane: "As I understand the Bill, a public body that's involved in a labor negotiation or any kind of collective bargaining could not pay for a brochure, using public funds, to explain their position."

Breslin: "That would be correct. That would be..."

Keane: "Can the union use union funds to explain their position?"

Breslin: "Surely they could."

Keane: "Don't you think that your Bill would limit the knowledge that those union... those employees should have, who

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probably should be exposed to both sides of a question, when they vote on..."

Breslin: "Oh, I definitely think that they should be exposed to both sides of the question, and, I think, that they already are."

Keane: "How would they become exposed? In other words, the union would... could the union hire a public relations firm to go in and work with the employees?"

Breslin: "They could, although, it would be unusual to do so. And remember that public... they are using private money, number one, and they are not using any public facility or public..."

Keane: "Well, let me ask you this. Hold it. If it is a... let's say it's a renegotiation and there's a checkoff, it's public funds that have been checked off and given directly to the unions and..."

Breslin: "Sir, we're... this is a pre-election issue. The public employees that are seeking to unionize have not checked off any part of their check to go towards union funds. They are determining at this point whether or not they even want to be a union. So, when unions use money, in order to organization a particular part of the public sector, they are using private funds, not taxpayers' funds."

Keane: "Well, they may be using funds that at one time were public funds and through a checkoff process has gone... for instance, any public union, any union that is public members, under a contract that has checkoff receives public funds into their treasury."

Breslin: "Representative Keane, I don't really think you can call that public funds."

Keane: "Well, let me just... to the Bill. Mr. Speaker."

Speaker Greiman: "Proceed, Mr. Keane."

Keane: "Thank you. I was a union president of a teachers union

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and I'm... and my union record is as good as anyone's. What I don't like about this Bill is the fact that we are limiting information to the employees to make a decision upon which to organize or not. My tendency is, anyone who looks at my voting record can see, is that people are better off generally under a collective bargain agreement. But I don't think we should limit the ability of employers... of public employers to get information out and to do as good a job in informing the workers of their position, as the unions have of informing their people of their position. I think this is a bad concept. It limits information, and I intend to vote against the Bill."

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

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

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

Hoffman: "Is this Bill directed at expenditures of public funds prior to an election?"

Breslin: "It is intended for the expenditure of public funds that are used exclusively to influence the outcome of the election. They are generally prior to the election. That is true."

Hoffman: "Then, generally prior to the election..."

Breslin: "There are many... There are many expenditures, you understand, that would be permitted prior to the election that have nothing to do with influencing the outcome of the election."

Hoffman: "Are these... are all of these elections secret ballots?"

Breslin: "I believe they are."

Hoffman: "I mean do the... do the employees vote in private?"

Breslin: "I believe they are, yes."

Hoffman: "Alright. Thank you..."

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Breslin: "I'm not an expert, so I... but I believe so."

Hoffman: "Okay. I mean generally the individual employee will make his own decision after being exposed to information on the issue."

Breslin: "Yes."

Hoffman: "And I think... I think that's the point. I think, if this is a body of public employees who are going to take public funds that they received directly or indirectly to support... those who are in favor of the union to support the union cause, it just seems fair to me to allow the employers on the other side to explain their position. You wouldn't expect, in the private sector, where you have this kind of election, to tie the hands of the employer in that setting... in the public setting... in a private setting. Now, that we have taken collective bargaining, in this state into the public sector, I think, in order to be even handed and to be fair to the taxpayers, who are represented by that public body and who's funds will be drawn upon and may be impacted by the outcome of that election, it's fair that both sides have the right to tell their side of the story and then the employees decide for themselves when they go in the ballot. And so, therefore, I think the situation we have now is fair and equitable, and I rise in opposition to the Lady's legislation."

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

Huff: "Thank you, Mr. Speaker. I rise in opposition to this measure. I think what this Bill has the effect of doing, Ladies and Gentlemen, Mr. Speaker of the House, is limiting the information, not to the employer, but to the taxpayer. I think that the head of any municipality, whether it's the Mayor of the City of Chicago or a trustee of a small municipality, have a judiciary obligation to at least get the information to the taxpayer, who, after all,

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has to pay for all. And I think that this is a bad measure and should be defeated. In fact, it conjures up in my mind the Jonathon Swift image of Gulver tied up on the beach, helpless, to the rapacious demands of a lot of little unionized lilliputians who don't seem to think that... that the public trough is a endless cornucopia of public money. I think this is a bad measure and is terribly and horrifically flawed for that reason. I urge a 'no' vote."

Speaker Greiman: "The Gentleman from McHenry, Mr. Klemm."

Klemm: "Thank you, Mr. Speaker. I wonder if the Sponsor would yield for a short question? Representative Breslin, my question is, I see that the Bill in our synopsis has representation on elections and I was wondering if that also refers to the election of school board members?"

Breslin: "Election of school board members?"

Klemm: "Would that fall under your definition of representational elections?"

Breslin: "Well, it only applies to representational elections held under the Illinois Public Labor Relations Act."

Klemm: "Alright. Thank you very much."

Speaker Greiman: "There being no further discussion, the Lady from LaSalle, to close."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, the issue here is one of fairness. Some people think this Bill is fair, others think it is unfair. I'll tell you why I think it is fair. When organizing in the public sector, whether it's a local Government, state Government, or a university, or a community college, the employer has access to their employees. They have an onsite captive audience. People respond to their boss. If their boss has an opinion about whether or not they should vote for a union or against a union, an employee usually listens. In addition to that, there is the expenditure already of public funds

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in the use of management staff time to influence the outcome of that election. There is the influence of the duplicating machines to give them information about the election. There is the use of building space and employer time in discussing the election. If you are trying to organize a group, you have to go outside the building. You have to get employees to come to you. You have to hire your own room. You have to pay for all your own duplicating. I think this Bill puts the employers and the employees on an equal level. There is no attempt in this Bill to, in any way, infringe upon free speech or right to counsel. I will say, that in answer to Representative Keane's question, with regard to the printing of brochures, I want to make very clear that, if an employer wishes to print a brochure at their expense that they develop and duplicated on their machines, they certainly are free to do so. It is the hiring of outside firms to develop that piece of material as a part of their campaign that would be prohibited by this legislation. I think it is a vote for fairness. I'd appreciate your support. Thank you."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 50 voting 'aye', 52 voting 'no', 2 voting 'present'. And this Bill, is hereby declared failed. Representative Braun in the Chair."

Speaker Braun: "On the Order of Special Subject Matter - Labor and Employment Benefits, appears House Bill 3044, Representative Capparelli. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3044, a Bill for an Act to amend Sections of the Illinois Public Labor Relations Act. Third

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Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Capparelli."

Capparelli: "Thank you, Madam Speaker. House Bill 3044 requires the Illinois Labor Relation Board to direct a representation election no later than 120 days after a petition is filed by a public employer who is alleging that one or more labor organizations have presented it... to have claimed that they will be the recognized representative of that majority of the public employees in that appropriate bargaining unit. When the Bill came out of Committee, it was 90 days. The Department of Illinois Labor wanted to extend it, I put it to 120 days, and so that each and everyone would get a fair hearing. And I ask for a favorable Roll Call."

Speaker Braun: "The Gentleman has moved for the passage of House Bill 3044, and on that is there any discussion? The Chair recognizes the Gentleman from Adams, Representative Mays."

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

Speaker Braun: "He indicates he will."

Mays: "In Committee, when we were discussing this Bill, the labor relations board people were there and in attendance, and it was left at that point that they were going to enter some discussions with you and try to reach accord. Has that been done?"

Capparelli: "That's right. I extended 120 days... we passed that out at 90 days. I talked with them and we extended the... to 120 days, right."

Mays: "So, then they do not feel this to be anything that's unattainable and they are in accord with you in this endeavor."

Capparelli: "That's what I understand, yes."

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Mays: "Thank you very much."

Speaker Braun: "Is there further discussion? There being none, the Chair... Representative Capparelli to close."

Capparelli: "Favorable Roll Call, please. Thank you."

Speaker Braun: "The Gentleman has moved for the passage of House Bill 3044. All in favor vote 'aye', opposed vote 'no'. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 87 voting 'aye', 28 voting 'no', none voting 'present'. House Bill 3044, having received the Constitutional Majority, is hereby declared passed. On the same Order of Business, appears House Bill 3144, Representative Farley. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3144, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Farley."

Farley: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 3144 asks that case work may include the study of the history labor movement and its contribution to the United States and Democratic principles that we all believe in. It asks that public education for every child be included. The achievement of education for every child be included. It asks for higher standards of living and working condition. And it, also, states that the struggle against bias and discrimination be taught in this nation's work force. I amended the Bill to make this permissive. It asks that there be some direction, some guidance, given. Amendment #2 is adopted on the floor, which asks that the state task force on encouraging citizen involvement in education be increased from five members to thirteen members. And that was adopted and, also, part of the Bill.

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With that, Madam Speaker, I would ask for affirmative vote."

Speaker Braun: "The Gentleman has moved for the passage of House Bill 3144. And on that, is there any discussion? The Chair recognizes the Gentlemen from DuPage, Representative Hoffman."

Hoffman: "Thank you very much. Will the Sponsor yield to a question?"

Speaker Braun: "He indicates he will."

Hoffman: "I'm sorry, Representative Farley, I missed the last part of your comments about increasing the membership of something."

Speaker Braun: "Representative Farley."

Farley: "This Bill was used to put an Amendment on that would ask the state task force on encouraging citizen involvement and education to be increased from five members to thirteen members. This was Representative... Madam Speaker Braun and Al Ronan's Amendment."

Hoffman: "Well, this is in Chapter 34 of the Code, which affects Chicago, is that correct?"

Farley: "Yes."

Hoffman: "Alright, and then you have amended the Bill to provide that it make optional, rather than mandatory, that a history course..."

Farley: "Correct."

Hoffman: "That in a history course, include the history of labors contribution to society. Is it..."

Farley: "That's correct."

Hoffman: "Alright, is it not... is it true that the current language of the law, after the passage of House Bill 730 last Session, included the study of labor history, which had formerly been in the consumer education section in the history section?"

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Farley: "Did the Bill include that?"

Hoffman: "Doesn't the... isn't the law in the statute right now,
include reference to this?"

Farley: "I don't think so, no."

Hoffman: "Alright."

Farley: "That was the purpose for the Bill."

Hoffman: "Fine. Thank you. I know there are other people who
wish to speak on this and thank you very much."

Speaker Braun: "Is there further discussion? The Chair
recognizes the Gentleman from Peoria, Representative
Tuerk."

Tuerk: "Would the Sponsor yield for a question or two?"

Speaker Braun: "He indicates he will."

Tuerk: "It seems to me that a number of years ago there was some
Bill passed along this line, and I'm a little bit confused,
too, as to why this Bill is needed."

Farley: "We're clarifying it. We're trying to give some
direction."

Tuerk: "Direction?"

Farley: "What?"

Tuerk: "What kind of direction?"

Farley: "Well, we're stating that we would appreciate, at the
discretion of those that teach, the contributions of the
American labor movement."

Tuerk: "Well, did you not say earlier that this was optional?
That it... and therefore, what's the need for it, if it's
optional? There's a number of things that can be optional
that..."

Farley: "The history course... The history of the United States
is a mandated course, and it is our intention to make sure
that this is part of that history course, U.S. history
course."

Tuerk: "How are you able to impress upon the Rules Committee that

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this was an emergency?"

Farley: "I didn't attend the meeting."

Tuerk: "Beg your pardon?"

Farley: "I didn't attend the Rules Meeting. So, I didn't impress upon them at all."

Tuerk: "You did not? Oh, in other words, they just looked at the Bill and decided it was an emergency."

Farley: "In their opinion, I guess, they did."

Tuerk: "Well, it seems to me... To the Bill, Madam Speaker. It seems to me that we have a number of issues on the Calendar that require some real intense debate during the course of this Spring Session and this is not one of those Bills. It would seem to me that we ought to be spending a lot of our time, and particularly, those on the other side of the aisle, to get a handle on the insurance crisis that's about us and spend some time talking about liability insurance, and making that affordable and available, then this particular type of legislation. It seems that the best thing to do with this Bill is to vote 'no', and get on with the Calendar, and on with the business of the House. Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Lake, Representative Matijevich."

Matijevich: "Madam Speaker, I know Fred Tuerk was... directing that question to me, as Chairman of the Rules Committee, but let me tell you why this is an emergency. The Bill tries to include the history of labor unions in history in the schools in the State of Illinois. And if we don't do it pretty soon, according to Reagan's federal policies, it's all going to be ancient history. So, we've got to act quickly."

Speaker Braun: "Is there further discussion? The Chair

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recognizes the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker. There are really two, and only two, major objections that I have to this piece of legislation. The first, and most important, is that it is totally unnecessary, and the second is that it is inadvisable. When we were formulating Senate Bill 730, we realized that the teaching of the history of the labor movement had been required to be taught in consumer education, but because we were providing some proficiency possibilities for that course, we changed that requirement and put it into that portion of the School Code that has to do with the teaching of history. That sentence, which is presently in the statutes, reads as follows, 'The teaching of history shall also include a study of the role of labor unions and their interaction with government in achieving the goals of a mixed free enterprise system.' That is what the law already says, but the law does not dictate the curriculum for the teachers in our schools. What this Bill does that is inadvisable is, that it tells the people, who are the professionals in establishing the curriculum for our schools, that we know what the curriculum must include. And we say, in this Bill, after having stricken what is already in the law, we say, 'that the course work shall include the labor's contribution to the assurance of public education for every child be achievement of higher standards of living and working conditions, and the struggle against bias and discrimination in this nation's work force.' That's setting the curriculum. I don't think that is the place of the General Assembly. We have already required the teaching of the history of the labor movement in history, U.S. history courses, throughout this state. We ought not to be setting the curriculum, that is not our responsibility, nor are we competent to do it. Thank you."

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Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from DeWitt, Representative Vinson. Representative Vinson."

Vinson: "Yes, Madam Speaker, Ladies and Gentlemen of the Assembly, there may be some particular problems in the drafting of this Bill. There's no particular problem in the concept. There are a lot worse Bills that we've dealt with. And the Gentleman is focusing on a problem that properly done could be a positive thing. And I think that we debated this Bill as much as we need to, and we ought to just pass it and send it over to the Senate to be approved."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from St. Clair, Representative Stephens. The Gentleman has indicated he does not wish to talk at this time. Representative Farley, to close."

Farley: "Thank you, Madam Speaker. I would like to point out that the Bill was amended, that does not states... states, 'shall be'... it says, 'may include, but not limited to labor's contribution.' And I would also comment that, when we are talking about education reform, I think it is a priority item in this Session, as it is in every Session, and that is what this Bill is all about. So, with that, Madam Speaker, I would appreciate an 'aye' vote."

Speaker Braun: "Is there further discussion? The Gentleman has moved for the passage of House Bill 3144. All those in favor vote 'aye', opposed vote 'no'. This is final action. Have all voted who wish? Have all... Oh, the Gentleman from Friedrich... from Marion, Representative Friedrich, to explain his vote."

Friedrich: "Madam Speaker, Members of the House, after listening to Representative Cowlshaw, I think this is what we call down home, 'beaten on the log after the fox is gone'. We

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took care of this last year, and I don't see any reason for taking care of it again this year."

Speaker Braun: "Have all vote who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 62 voting 'aye', 48 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair... For what reason does the Gentleman from Cook, Representative Ronan, rise?"

Ronan: "Yes, my switch is broken. I want to be recorded 'yes' on that Bill. I've got leave of the Minority Spokesman. Representative Vinson understands the technical problem."

Speaker Braun: "Your remarks will be journalized, Representative Ronan. Representative Vinson."

Vinson: "I find it offensive, when the guy that asked me to cast a vote and give a speech, doesn't vote himself."

Speaker Braun: "Your remarks will be journalized, Representative Vinson. On the same Order of Business, Labor and Employment Benefits, on the Order of Second Reading... Second Reading, appears House Bill 3587. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3587, a Bill for an Act to amend Sections of an Act to create the Illinois Emergency Employment Development Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Mr.... The Chair... Just hold your horses, Representative Vinson. For what reason does the Gentleman from DeWitt rise?"

Vinson: "Inquiry of the Chair, Madam Speaker. My inquiry is, what Order of Business are we on?"

Speaker Braun: "We are on the same Subject Matter Order of Business that we've been on for the last couple of hours."

Vinson: "Yes, and you might recall that the previous incumbent of that particular Chair that you now reside in stated that

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particular Subject Matter of Call were those Bills listed on the Special Order of Business on page 5 of the Calendar, under Special Order of Business, Labor and Employment Benefits. I don't find 3587 located in that particular sequence of Bills. Would you explain that discrepancy?"

Speaker Braun: "Representative Vinson, it does not appear on page 5."

Vinson: "That's right."

Speaker Braun: "It appears on page 2, but then, House Bill 3144, which we just passed, appeared on page 6, as opposed to page 5."

Vinson: "I know, but the fact that we did something wrong earlier, shouldn't get us involved in a second wrong now, would you explain that?"

Speaker Braun: "I would absolutely agree, Representative Vinson."

Vinson: "Can we call another Bill then, and do something else?"

Speaker Braun: "No, Sir. Representative Dunn, for what reason do you rise?"

Dunn: "Well, to... This is my Bill, and I'd like to present Amendment #1."

Speaker Braun: "Alright. Well, thank you. Mr. Clerk, continue. Are there any Floor Amendments?"

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

Dunn: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #1 is a Bill which, I believe, is approved by... or an Amendment which is approved by DCCA, and it would change the attitude of this Bill slightly to provide that, should an employer hire someone off the unemployment rolls and continue that employee on the payroll after the period of subsidy is end... is ended, there will be an additional subsidy equal to a bonus of one-sixth of the subsidy the employer received, if the

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employer retains the employee for an additional six months.
I ask for a favorable... I ask for adoption of Amendment #1
to House Bill 3587."

Speaker Braun: "Is there any discussion? The Chair recognizes
the Gentleman from Adams, Representative Mays."

Mays: "Yes, will the Gentleman yield for a question?"

Speaker Braun: "He indicates he will."

Mays: "You have... The language of the Amendment is, 'if the
eligible employee remains employed for six months of
unsubsidized employment', what do you mean by that?"

Dunn: "What is meant by that is the..."

Mays: "Unsubsidized employment..."

Dunn: "... The main Bill contemplates a subsidized period of
employment of six months. The Amendment contemplates that
after the period of subsidy ends and an employer decides to
keep an employee on for a second period of six months, the
carrot and stick approach is followed and the incentive to
the employer will be a subsidy during the second six
months, equal to one-sixth of the subsidy provided to the
employer during the first six months."

Mays: "What Act is this..."

Dunn: "It amounts to a subsidy of another month."

Mays: "Okay, what type of subsidy are we talking about? I guess
the Bill was... clarified that..."

Dunn: "The main Bill, which was considered by this General
Assembly last year and passed and signed into law by the
Governor, provides for subsidies up to four dollars per
hour for those who are hired, who are eligible for AFDC or
general assistance. And what this simply boils down to is,
if you hire someone who is on welfare and pay them up to
eight dollars an hour, the State of Illinois will... will
subsidize that hourly rate by 50 percent. So, if you hire
somebody at six dollars an hour, the state will pay three

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dollars. You hire at seven dollars an hour, the state will pay three and a half. You hire at eight dollars, the state will pay four. If you hire at nine or ten dollars, the state will still only pay four dollars."

Mays: "Okay. So, then, under this Amendment, at six dollars an hour, the state would subsidize the first six months at three bucks an hour, you would be totally unsubsidized for the next six months."

Dunn: "In the main Bill, that's correct."

Mays: "And then you would get 50 cents an hour additional from the state for a period after that."

Dunn: "It... You sound like a better mathematician than I am, but, yes, I think you would take the total amount of subsidy paid, during the first six month period, and you would pay the employer one-sixth of that amount, if the employer keeps the employee for a total of one year."

Mays: "How long would that one-sixth subsidy continue?"

Dunn: "For another six month period. So, we're talking about an employee coming off the welfare roles and... for 12 months after comes off."

Mays: "Any idea as to the fiscal impact?"

Dunn: "The... This is a start-up program, a pilot program, and there is attached to the DCCA budget at this time an Amendment in the amount of 10,000,000 dollars for the purpose of appropriation to fund this legislation. The Bill was passed last year, and the Governor indicated that he would support a 10,000,000 dollar appropriation for this purpose. So I am told. But, no, the appropriation Bill was killed and nothing showed up in the Veto Session this Fall. So, an Amendment was put on the DCCA budget, and it is on there right now at 10,000,000 dollars."

Mays: "So, the 10,000,000 dollars will take care of this additional one-sixth subsidy, and the Bill clarifies how

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long that one-sixth subsidy can last, whereas the Amendment does not."

Dunn: "The main Bill... Yes, the... To answer your question, yes, there is clarification about how long both pieces of this subsidy can pass... can last. The first, and main portion, can last no more than six months. The portion contemplated by the Amendment can last no more than six months and each six months, one follows the other. So, at the end of 12 months there would be no subsidy."

Mays: "To the Amendment, Madam Speaker. From a public policy standpoint, it simply a question of, when does it stop? And we can see right now that the first six months at 50 percent of the wages, in the Sponsor's view, is not enough, so, he wants to continue it for another six months, after the first year, at one-sixth. When do we get off of this cycle? It's a question that I will leave up to the Members of this astute Assembly. I, for one, plan to vote 'no'."

Speaker Braun: "Is there further discussion? There being none, the Gentleman from Macon to close."

Dunn: "Just in closing, I'd like to indicate to the Membership that DCCA does, in fact, support this Amendment, because what we're talking about, we must remember, is we're hiring people who are on the welfare roles. They cannot be off the welfare roles. They must be eligible for welfare, not just... not collecting unemployment. They must be welfare recipients. These people, quite often, are difficult to hire. So, the additional incentive of this Amendment is provided and supported by DCCA to encourage the hiring of these people. There is no bureaucracy about hiring. We must remember, in the main Bill, which is now law, it simply says to an employer, 'if you are willing to hire someone off the welfare roles, this is what we will pay you to do that.' There's no training program. There's no

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bureaucracy. And DCCA does support this Amendment, and I would ask for adoption of Amendment #1 to House Bill 3587."

Speaker Braun: "The Chair recognizes the Gentleman from Cook... Oh, I'm sorry. The Gentleman has moved for the passage... Sorry, moved for the adoption of Amendment #1 to House Bill 3587. All in favor say 'aye', opposed say 'nay'. All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this, the 'ayes' are 77, 'nos' are 39. Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill... On the same Order of Business, House Bill 3412. Representative Saltsman. I'm sorry, Representative DeJaegher."

DeJaegher: "Thank you, Madam Speaker and..."

Speaker Braun: "No. No, I was looking for you to stand up. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3412, a Bill for an Act to amend Sections of the Emergency Medical Services System Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Chair recognizes the Gentleman from Rock Island, Representative DeJaegher."

DeJaegher: "Thank you, Madam Chairman (sic - Madam Speaker), Members of the General Assembly. Basically, what Amendment 2 does to the Bill, it clarifies the... the Emergency Medical Act, and it permits nurses and doctors to ride on ambulance after the completion of the prescribed course by

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the Department of Public Health. This particular Amendment, that I make reference to, has the support of the Fire Fighters' Association, the Nursing Association, the Illinois Department of Public Health, and I ask for the adoption of this Amendment."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 2 to House Bill 3412. On that, is there any discussion? The Chair recognizes the Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Madam Speaker, I wonder if the Sponsor would yield for a question?"

Speaker Braun: "He indicates he will."

Vinson: "Representative, I didn't hear the description of the Amendment. What is it that the Amendment would do?"

DeJaegher: "Well, basically, Sam, what it does, it permits nurses and doctors to ride with an ambulance after the completion of this course prescribed by the Department of Public Health."

Vinson: "And what happens, if they don't complete the course? They can't ride in an ambulance, then?"

DeJaegher: "That's right, Sir. They have to be certified."

Vinson: "And this... That would be true for doctors and nurses?"

DeJaegher: "True."

Vinson: "Okay. You know, I don't have a problem with that come to think of it. Madam Speaker, I have filed a fiscal note. I'd like to withdraw the fiscal note. I like the idea of this Bill."

Speaker Braun: "Representative Vinson, we have just received your request for a fiscal note."

Vinson: "Madam Speaker, I'd like to withdraw the request."

Speaker Braun: "Mr. Clerk, the request for fiscal note is withdrawn. Is there further discussion? The Chair recognizes the Gentleman from Adams, Representative Mays."

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

Speaker Braun: "He indicates he will."

Mays: "Can the doctors and nurses ride in an ambulance right now?"

DeJaegher: "No."

Mays: "They can not. And if they go through this course for certification, then they can."

DeJaegher: "Yes."

Mays: "Thank you."

Speaker Braun: "Representative Vinson, we have a tiny problem. The fiscal note request is signed by Representative Piel. It would be within his purrogative to withdraw it."

Vinson: "Yes, it would be. I wonder... and I don't know whether he wants to do that or not."

Speaker Braun: "The Gentleman from Cook, Representative Piel."

Piel: "One of my leaders said, he would appreciate it, if I wouldn't. Seeing that he is so nice to ask me, I will withdraw it."

Speaker Braun: "Thank you, Representative Piel. The Chair recognizes Representative DeJaegher to close."

DeJaegher: "Thank you, Madam Chairman (sic - Madam Speaker). All I ask for is a positive vote on Amendment #2. Thank you."

Speaker Braun: "The Gentleman moves the adoption of Amendment 2 to House Bill 3412. All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. 113 voting 'aye', none voting 'no', none voting 'present'. Amendment #2 is adopted. Further Amendments? I'm sorry. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. There are a number of Bills remaining on the Calendar, which require Amendment before

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they can be considered on Third Reading. These Bills all appear on Special Order of Call on the Calendar. We will read the Special Order and those Bills, which need to be moved from Second to Third. I'm trying to explain this, Representative Piel, so as to minimize contingent here. We will go through these Special Orders - Infrastructure and Community Development. I'll list the Bills for you. House Bill 562, House Bill 2709, House Bill 3115, 3616. On the Order of Revenue, House Bill 1675, 2871, 3229, 3309, 3431, 3449, 3503. Human Services, 1477, 2612, 2807, 3213, 3231, 3332, 3346, 3521, 3530, 3531 and 3536. I hope that answers any questions you may have. The Chair recognizes the Gentleman from Cook, Representative Ronan."

Ronan: "Thank you, Madam Speaker. On the Infrastructure and Community Development Section, House Bill 2549, I have an Amendment that I have to add to that Bill."

Speaker Braun: "You're requesting leave to bring that Bill back to Second Reading for purposes of Amendment."

Ronan: "Correct."

Speaker Braun: "Alright."

Ronan: "Is that what you're... Isn't that what your doing now?"

Speaker Braun: "Yes."

Ronan: "Okay. That's what I'm requesting."

Speaker Braun: "The Gentleman from Cook, Representative Piel."

Piel: "Thank you, Madam Speaker. Question of the Chair. Basically, what you're doing, you're talking about Bills that you want to have on your Special Order for tomorrow, that have to be amended today, correct?"

Speaker Braun: "Representative, they... these Bills all appear on the Calendar."

Piel: "Correct. I realize that, but we're talking about just Bills that you will be hearing tomorrow."

Speaker Braun: "Right. I think so."

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Piel: "Now, my question would be, so we end up going through the entire Order tomorrow and then we'll have to amend Bills that will be heard on Thursday, but I'm sitting here and I could care less because I don't have any Bills on Second Reading at the present time. But what about the people that have Bills on Second Reading that have to, you know, go to Third Reading before they can be heard. If we end up, you know, dragging our feet too long, it's going to be a situation where a touchy Bill is going to need an Extraordinary Majority before it can be heard on Third Reading the same day."

Speaker Braun: "Thank you, Representative Piel, with a little luck and cooperation we could move through these so that we could get to those other matters that are... remain on the Calendar. The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Madam Chairman... or Madam Speaker, I'm sorry. Earlier in the day, we took House Bill 523 out of the record, and I was informed that one of the Amendments that was to be presented is not going to be presented now. And my inquiry of the Chair is, are you going to call back 523, since the Amendments are in order?"

Speaker Braun: "I'm sorry, Representative Mautino, what is the number of the Bill?"

Mautino: "House Bill 523. It was taken out of the record earlier today, at the request of the leadership who was preparing an Amendment. I have been informed that Amendment is not going to be presented. I've also was informed at that time, that you would come back to the Bill. Because it has some Amendments on it, it was on Second Reading."

Speaker Braun: "Can we get back to you, Representative Mautino? Thank you. The Gentleman from Macon, Representative Tate."

Tate: "Yes, Madam Speaker, I was wondering whether we're going to

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have a Special Order on Liability Insurance. We have several Amendments filed on that Subject Matter and that's currently one of the major issues facing the state, and I'm just wondering whether we're going to go to that Order of Business?"

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

Vinson: "Well, Madam Speaker, first of all, I would associate myself with Representative Tate's comment. It is an important subject, and we seem to be able to do everything else in this Session, but important subjects, and I wonder when we're going to do the most important subject of the year. I think he's absolutely right, and I'd ask you to check on that. And secondly, I wonder why it is that Mr. Mautino can't get his Bill heard. We would support his right to have his Bill heard. We'd support his right to have his Bill heard, when he wants it heard, at his choosing. And I think he's got the right to have it called now, and it's about time that you treat your Members fairly."

Speaker Braun: "Continuing with the Call. House Bill 562, Representative Levin. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 562, a Bill for an Act in relation to condominium and community association. Second Reading of the Bill. Amendments #1 and 2 were adopted previously."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments? The Chair recognizes the Gentleman from Cook, Representative Levin."

Levin: "Yes, before we proceed with Second Reading, I would like the record to reflect the fact that I have filed a letter with the Clerk of the House in connection with this Bill, indicating the fact that I enjoy a... counsel relationship

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with a law firm that represents condominiums and community associations. And I would ask that my remarks to this effect be journalized."

Speaker Braun: "Thank you, Representative Levin. Proceed, Mr. Clerk."

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

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

Cullerton: "I wish to withdraw Amendment #3, please."

Speaker Braun: "Amendment #3 is withdrawn. Further Amendments?"

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

Speaker Braun: "Representative Levin."

Levin: "Withdraw Amendment #4."

Speaker Braun: "Further Amendments?"

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

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

Churchill: "Madam Speaker, withdraw Amendment #5."

Speaker Braun: "Amendment #5 is withdrawn. Further Amendments?"

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

Speaker Braun: "The Gentleman from Morgan, Representative Ryder. Withdraw Amendment #6. Further Amendments?"

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

Speaker Braun: "The Gentleman from Cook withdraws Amendment #7."

Clerk O'Brien: "Floor Amendment #8, offered by Representative Levin and Parke."

Speaker Braun: "The Gentleman from Cook, Representative Levin, withdraws Amendment #8. Further Amendments?"

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Clerk O'Brien: "Floor Amendment #9, offered by Representative Levin and Parke."

Speaker Braun: "The Gentleman from Cook, Representative Levin, on Amendment 9."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #9 is technical in nature. It makes no substantive changes in Amendment #2, which became the Bill. It does reflect a number of suggestions and comments, by the staffs on both sides of the aisle. And it took several versions of the Amendment to get everything worked out. In particular, Art Harrison, always takes an active interest in these condominium Bills. And a number of the Amendments that were previously filed individually are incorporated in this Amendment #9."

Speaker Braun: "The Gentleman has moved the adoption of Floor Amendment #9. All in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the Amendment is adopted. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 2709, Representative Dunn. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2709, a Bill for an Act to amend Sections of an Act concerning conveyances. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "For what reason does the Gentleman from Cook, Representative Ronan, rise?"

Ronan: "Yes, Madam Speaker, I asked you to do 2549. Now, you

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just skipped over it. I need to amend that Bill. So, you're coming back to it at some point? Thank you."

Speaker Braun: "Not to worry. Representative Dunn."

Dunn: "Representative Matijevich indicated to me earlier that he was going to withdraw Amendment #1. So, if he is not, here I would ask... I would move to table Amendment #1, and I know I'm doing that with his approval. Or Amendment #2, pardon me. Committee Amendment #1."

Speaker Braun: "The Gentleman has moved to table Floor Amendment #2. All in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is tabled. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 2549. The Gentleman from Cook, Representative Ronan. Read the Bill Mr.... Does the... Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2549."

Ronan: "Okay, I would like to hear Amendment #3."

Speaker Braun: "Not yet, Representative Ronan."

Clerk O'Brien: "Oh, House Bill 2549, a Bill for an Act to create the China Development Corporation of Illinois. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Cook, Representative Ronan."

Ronan: "Thank you, Madam Speaker. Amendment #3 to House Bill 25..."

Speaker Braun: "You mean you... Representative Ronan requests leave to bring the Bill back to Order of Second Reading. Is leave granted? Leave is granted. The Chair recognizes the Gentleman from Cook on..."

Ronan: "Thank you, Madam Speaker. Amendment #3 to House Bill 2549, takes a good idea and makes it even better. What we're doing is we're expanding the China Development Authority Board to make it the East Asian Development

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Advisory Board. It's a bipartisan concept that makes a lot of sense to me and I move for the adoption of Amendment #3 to House Bill 2549."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #3 to House Bill 2549. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 3115, Representative McGann. Mr. Clerk read the Bill."

Clerk O'Brien: "House Bill 3115, a Bill for an Act to amend Sections of the Telecommunications Excise Tax Act. Second Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Cook."

Clerk O'Brien: "... No. Amendment #1 was withdrawn. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Chair recognizes the Gentleman from Morgan, Representative Ryder. Withdraws Amendment #2. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill... The Chair recognizes the Gentleman from Macon, Representative Tate."

Tate: "Yes, Madam Speaker, I inquired with the Chair earlier about whether we were going to entertain the issue of liability insurance in a Special Order of Call and we understand on this side of the aisle that the Speaker is now conducting special secret summit meetings. He had one this morning apparently, at eight o'clock or last night at eight o'clock in the evening. He has one scheduled tomorrow morning at eight in the evening and we haven't

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received any invitations on this side of the aisle. We were wondering whether we would have any opportunity to hear what is going on with these meetings. We do realize it's a major issue facing the state and we've filed several Amendments on that subject matter. And we were wondering since he is attempting to find some answers, we have some answers in the form of some Amendments and we were wondering whether we would have the opportunity in the next four days to ever get those Bills heard and Amendments called."

Speaker Braun: "Thank you, Representative Tate. On the Calendar appears House Bill 3616, Representative Curran. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3616, a Bill for an Act to assist minorities and obtaining loans for business enterprises. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Curran and Satterthwaite."

Speaker Braun: "The Gentleman from Sangamon, Representative Curran on Amendment #1."

Curran: "Madam Speaker, I wish to withdraw Amendment #1."

Speaker Braun: "Amendment #1 is withdrawn."

Curran: "Madam Speaker, being the principal Sponsor of House Bill 3616, I move to take House Bill 3616 from the Order of Second Reading and place it in the House Committee of State Government Administration and Regulatory Review Interim Study Committee. I've cleared this with the other side of the aisle."

Speaker Braun: "The Gentleman has moved to recommit this House Bill 3616 to Committee. The Bill is recommitted. House Bill 523, Representative Mautino. House Bill 523. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 523, a Bill for an Act to add Sections to the Liquor Control Act. Second Reading of the Bill. Amendments #1 and 2 were withdrawn previously."

Speaker Braun: "Any Floor Amendments?"

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

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

Mautino: "Withdraw, please."

Speaker Braun: "Withdraws Amendment #3. Further Amendments?"

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

Speaker Braun: "Representative Mautino, on Amendment 4."

Mautino: "Thank you very much, Madam Speaker. When Representatives Nash and Hensel were kind enough to allow this legislation to come out to correct a couple of inequities, the next three Amendments - 4, 5, and 6 - address those inequities. And #4, since there is a new definition provided... there is no definition provided on what is called a master distributor. Amendment #4 basically sets out what a master distributor is, as prepared by the supplier in the case of a beer distributor. It means a wholesaler who acts in the same or similar capacity as a brewer or out of state seller of one or more of the brands of beer to other wholesalers on a regular basis in the normal course of business. That's all that it does. It is a definition that is new to the industry and included in this legislation. I ask for its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Floor Amendment #4 to House Bill 523. All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

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Speaker Braun: "The Gentleman from Bureau."

Mautino: "Thank you, Madam Speaker. Amendment #5, corrects the error that was... that occurred in legislation previously passed as it pertains to Navy Pier. All... What happened in the previous Bill to Navy Pier was they eliminated the sale of products in 1987, while all this Amendment does is add the term, 'alcoholic liquors may be sold in any building belonging to or under the control of the city, village,' et cetera. That's what that Amendment does and that corrects an inequity we sent out of here. I ask for its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #5 to House Bill 523. On that, is there any discussion? There being none, all in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Mautino: "Thank you very much. Amendment #6 was presented to me by the commissioners of the Liquor Control Commission, who also serve on the Appeals Board of the City of Chicago. What it establishes is a hundred dollar per diem meeting. They meet approximately three days a month on the appeals that they are by... by existing city statute and state authorization, to sit on that board. They are the only non remunerated members of that board and therefore, they ask to be remunerated as the same as the members who serve on the city, and that's what that Amendment does. And, I move for its adoption."

Speaker Breslin: "The Gentleman has moved... The Gentleman has moved the adoption of Floor Amendment #6. On that, is there any discussion? There being none, all those in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further

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Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. On the Special Order of Revenue, House Bill 1675, Representative Young. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1675, a Bill for an Act to amend Sections of an Act providing for state collection of certain locally imposed taxes. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Young on Amendment 2."

Young: "Withdraw Amendment #2."

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

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

Speaker Braun: "The Gentleman from Cook, Representative Shaw on Amendment 3. The Gentleman from Cook, Representative Young."

Young: "Representative Shaw has indicated to me that he would like to withdraw Amendment #3. Since he does not appear to be in the chamber I would move that we table the Amendment."

Speaker Braun: "The Gentleman has moved that Amendment #3 to House Bill 1675 be tabled. On that is there any discussion? There being none, all in favor say 'aye', opposed 'nay'. The Amendment... in the opinion of the Chair the 'ayes' have it. The Amendment is tabled. Further Amendments?"

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

Speaker Braun: "The Gentleman from Morgan, Representative Ryder.
Withdraws Amendment #4. Further Amendments?"

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

Speaker Braun: "Representative Ryder on Amendment 5."

Ryder: "This... Thank you Madam."

Speaker Braun: "Representative Ryder."

Ryder: "Thank you, Madam Speaker. This Amendment changes the
figures from 75 percent to 85."

Speaker Braun: "The Gentleman has moved the adoption of Amendment
#5 to House Bill 1675. On that is there any discussion?
The Chair recognizes the Gentleman from Cook,
Representative Young."

Young: "Thank you, Madam Speaker. I would like to advise the
author of the Amendment that there is an Amendment printed
and not distributed, but it has been filed. It is the
Amendment drawn up by the Department of Revenue with the
understanding that it, should this Bill pass to Third
Reading today. Tomorrow I will bring it back to Second
Reading to put the Department of Revenues' Amendment on the
Bill. The way the Amendment is drafted we will no longer
be dealing with percentages. So, even though, I don't
really oppose the Amendment, I would ask the Gentleman to
withdraw it."

Speaker Braun: "Is there further discussion? The Chair
recognizes the Gentleman from Cook, Representative
Leverenz."

Leverenz: "The Gentleman yield to a question?"

Speaker Braun: "He indicates he..."

Leverenz: "Whats your Amendment do?"

Ryder: "The Amendment provides that the payments be at 75 percent

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of the previous years collection as opposed to the 85 which is now contained in the Bill."

Leverenz: "What would be the practical impact... impact of that to the City of Chicago?"

Ryder: "It would mean that there would be less money coming out on a regular basis than is called for by the original Bill."

Leverenz: "How about the city of Jacksonville?"

Ryder: "Same all over, if you'd..."

Leverenz: "Less money?"

Ryder: "Sure. But, understand that this Bill is calling for accelerated payments. So, we're talking about a smaller percentage of more money."

Leverenz: "Then that sounds like you're trying make a bad Bill worse."

Ryder: "Either that or a good Bill better depending on your perspective, Representative."

Leverenz: "I think I'm against the Amendment."

Speaker Braun: "Is there further discussion? The Gentleman... The Chair recognizes the Gentleman from DuPage, Representative McCracken."

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

Speaker Braun: "He indicates he will."

McCracken: "Representative Ryder, what's the purpose of making it 75 percent of next years or the previous years revenue as opposed to 85 percent?"

Ryder: "Representative the purpose is to reduce the amount of accelerated funds that were coming. The purpose of the original Bill is to accelerate a large percentage of the funds to give the money out quicker. This is a more reasonable and rational approach based on 75 rather than 85 percent."

McCracken: "And, there could be a difference in the funds that

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are actually due the local government once the actual years count has been made. Is that correct?"

Ryder: "Well, given the fact, that is correct. Given the fact that we are dealing with percentages based on previous years and the actual amount will not be determined until later in the year. It's entirely possible that through certain kinds of circumstances that if one were to pay 85 percent at the end of the year when an accounting is made that the 85 percent maybe indeed be in excess. So, we're actually doing a favor for the receiving organization in this case the city or municipality by not causing them to be in an indebted situation to the State of Illinois."

McCracken: "Thank you, I rise in support of the Amendment. I think the 75 percent accelerated idea is far superior to the 85 percent, for that very reason it is impossible to predict exactly what the current years revenues will be and anytime you're projecting them based on the prior years experience there has to be a margin of error given. Fifteen percent is just to narrow a margin it ought to be a 75 percent of previous years opposed to 85 percent. I think the Gentleman has a good Amendment and if the Sponsor of the Bill is not really opposed to it, then I think we should adopt it."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Madam Speaker. I rise in support of this Amendment. This was a Bill that was introduced late in the committee. It came in the last day. There were Amendments to the Bill that had not gone through the normal process and the Revenue Committee. What the Bill really seeks to do is to provide an accelerated payment. In other words, it produces more money now, and the Bill keeps the

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accelerated payment. This Amendment keeps the accelerated payment, so that the local municipalities are able to get their funds in a faster basis and that is what the whole Bill is about. The question on percentages is one that really just is one of determining how much do we use... what basis do we use in this year as opposed to last year to determine the dollars that are going to go. So, the 75 percent really isn't the crux of the Bill, but it is something that is going to relieve a little bit of the burden from the State of Illinois to pass these funds before the time is come due. Therefore, I would rise in support of the Amendment and ask the people to vote for it."

Speaker Braun: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Young."

Young: "Madam Chairman, I just wanted to correct an error that was made, a statement on the other side of the aisle. He said the... No, I'm not speaking in debate. They said the Sponsor of the Bill was not opposed to the Amendment. I said, I was opposed to the Amendment but a future Amendment will change it anyway. I am clarifying a misstatement on the other side of the aisle. Thank you."

Speaker Braun: "Representative, there is no reason to yell. Representative McCracken has rightly pointed out the Gentleman spoke in debate. So, the question then is... Representative Ryder to close."

Ryder: "Thank you Madam Speaker, I would ask for an 'aye' vote for the reason that this would be helping out those municipalities in a more reasonable and rational apportionment of the dollars that are called for. To do otherwise, may very well put these cities and other municipalities in to a very great financial crisis. Additional... additionally, I understand the... the spoken

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intentions of the Sponsor of the Bill. However, I think he would be the first to indicate that sometimes even though we may have Amendments that we anticipate will be very successful on occasion those plans go awry. I would like to see the Bill in the best possible shape and the best possible circumstances. Even in anticipation of a proposed revision Bill, and we...Thank you."

Speaker Braun: "The Gentleman moves the... the Gentleman moves adoption of Floor Amendment #5 to House Bill 1675. All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? The Gentleman from DuPage, Representative McCracken for what reason do you rise? Have all voted who wish? Have all voted who wish? Have all voted who wish? On this question, there are 62 voting... 63 voting 'aye', 48 voting 'no', none voting 'present'. The Amendment is adopted. Further Amendments?"

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

Speaker Braun: "The Chair recognizes the Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you, Madam Speaker. This Bill would exclude any municipality with population in excess of 500 thousand from the provisions of the Bill."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #6. On that is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Young."

Young: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I just like to take this time to point out to the Gentleman on the other side of the aisle that this Bill was in fact on Second Reading last week. I had the opportunity at that time to move it to Third Reading at the request of the other side to give the Department of Revenue time to draft Amendment that was agreeable to it. I agreed to keep

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the Bill on Second Reading in good faith. Now, the Gentleman proposes that Amendment that would take the City of Chicago out of the Bill. The Bill is to help all the municipalities in this state, 200 municipalities plus the City of Chicago as they get accelerated payments from the Revenue Department. Now, if the Gentleman thinks that taking the City of Chicago out of the Bill is in fact a good faith Amendment, then I think it is clear that the Amendment is not offered in good faith, and I'd ask for a 'no' vote. And frankly, I'm rather surprised that after more or less bowing to a request to hold a Bill on Second Reading for an Amendment in good faith, that such an Amendment would be placed on the Bill. It's clearly in bad faith."

Speaker Braun: "On that... Is there further discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Will the Sponsor of the Amendment yield?"

Speaker Braun: "Indicates he will."

McCracken: "Representative Ryder, were you a party to that agreement, that the Gentleman refers to?"

Ryder: "Representative, I have no knowledge of any kind of agreement that he made. He may of made an agreement with some folks. I had no knowledge of it, and frankly, I am a little surprised that what was said in that fashion."

McCracken: "And, do you offer this in good faith?"

Ryder: "I most certainly do. I think there's legitimate reasons for this Amendment."

McCracken: "To the Amendment, if... if the Sponsor of the Bill feels that this is a bad Bill, at least it won't include the City of Chicago, if we adopt this Amendment. So, I think that this is the right thing to do."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative

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Cullerton."

Cullerton: "Yes, Representative Ryder, I missed your explanation of theory behind this Amendment. What is the need for the Amendment."

Ryder: "I'm offering the Amendment for the reason that the City of Chicago is... is certainly the largest recipient of this. And, to have the accelerated payments based on the fluctuation that causes could put the City of Chicago on a deficit circumstance on which they owe rather than are to receive money and there would be an adverse financial impact and I would not want to do that to the city. Additionally, its being the largest amount causes an undue drain on accelerated payments. In some cases payments accelerated before the state receives the funds and it is for that fiscal purpose that I offer the Bill. That is the Amendment."

Cullerton: "The fiscal purpose is of protecting the state from having them acceleratethe money."

Ryder: "I would, I would suggest that it goes both ways, Representative."

Cullerton: "Do you think the Bill should only apply to the rest of the state and not to Chicago?"

Ryder: "I'm indicating that in the event that Chicago being the largest and in many ways standing alone, that there could be an arguement made, which I am making. That to accelerate payments to the extent required by this Bill, that it would then be necessary for the city to in some way pay that money back and that would be an adverse effect to the city."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Terzich."

Terzich: "Yes, Representative Ryder, could you tell me what the

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Amendment does and why you put the Amendment on?"

Ryder: "Representative, this Amendment excludes the City of Chicago from the application of this Bill."

Terzich: "Why? Why would you... are they a part of the State of Illinois, or why would they be excluded?"

Ryder: "I just indicated that to Representative Cullerton. I'll be more than glad to reiterate for you. I did it..."

Terzich: "I mean are you concerned about the City of Chicago or the people of the state of..."

Ryder: "I'm sorry, I can't hear..."

Terzich: "... are you concerned about the people in the City of Chicago or the people in the State of Illinois..."

Ryder: "Yes, I am."

Terzich: "But why are you putting the Amendment on?"

Ryder: "Yes, I am."

Terzich: "Who is it affecting?"

Ryder: "It affects all of the people of the State of Illinois, Sir, and what this calls..."

Terzich: "Except Chicago."

Ryder: "... and what this calls..."

Terzich: "Except Chicago?"

Ryder: "No, this calls for an acceleration of payments and acceleration before proper accounting is done. It could very well be, that the acceleration of payments would cause the City of Chicago to place their finances in a deficit situation in which the acceleration, the mere fact that their getting it before proper accounting is accomplished would cause them to be in a situation where they receive and spend funds that they would ultimately would have to return and pay back."

Terzich: "Then why should the rest of the state get it?"

Ryder: "I'm sorry."

Terzich: "Why should the rest of the state get it and not Chicago

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then?"

Ryder: "The City of Chicago is obviously a unique situation by drawing such a large percentage that it places a strain on the State of Illinois, but it also, talking about such huge amounts for the City that it places it in a unique category."

Terzich: "Well, doesn't the revenue normally get generated from the City in most cases? Normally, doesn't, you know, the people of the State of Illinois which the majority live in the City of Chicago, don't they contribute to anything in this state or why would you be concerned about them and not the other people in the State of Illinois?"

Ryder: "Representative, the intent of the Bill is not to deprive the City of Chicago from receiving the amount of money they are due. That is explicit within the Bill. The Bill itself calls for accelerated payments. Accelerated..."

Terzich: "Well, what happens if this Amendment is not adopted?"

Ryder: "If this Amendment is not adopted, then the City of Chicago is to receive the same amount in the accelerated payments as everyone else."

Terzich: "Oh, that sounds fair. I would say that we shouldn't adopt the Amendment then."

Speaker Braun: "Is there further discussion? There being none, the Gentleman from Morgan to close. Representative Ryder."

Ryder: "Thank you. I would ask for a favorable vote on this Amendment and this circumstance I believe that there is a valid reason for the differentiation to be made and I am certain that those who may have argued against this Amendment have been some of the first to argue for the exceptions granted to the City of Chicago on countless number of issues. And, in this circumstance I would... submit that there are legitimate reasons for such a distinction just as those have argued in the past. I ask

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for a favorable vote and ask for a Roll Call."

Speaker Braun: "The Gentleman has moved adoption of Floor Amendment #6 to House Bill 1675. All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question there are 52 voting 'aye', 60 voting 'no', one voting 'present'. The Amendment fails... Representative McCracken."

McCracken: "We're requesting a verification, Speaker."

Speaker Braun: "The Gentleman has requested a Verification of the Affirmative..."

McCracken: "Negative."

Speaker Braun: "... of the Negative vote. Mr. Clerk, Poll the Absentees."

Clerk O'Brien: "Daley. Davis. and Leverenz."

Speaker Braun: "Proceed, Mr. Clerk."

Speaker O'Brien: "Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Capparelli. Christensen. Cullerton. Curran. Currie. DeJaegher. DeLeo. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Greiman. Hannig. Hartke. Hicks. Homer. Huff. Keane. Krska. Kulas. Laurino. LeFlore. Levin. Martinez. Matijevich. McAuliffe. McNamara. McPike. Nash. Panayotovitch. Pangle. Phelps. Preston. Rea. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Steczko. Stern. Sutker. Tuerk. Turner. Van Duynes. Washington. White. Wolf. Anthony Young. Wyvetter Younge. and Mr. Speaker."

Speaker Braun: "Representative, any questions of the negative vote?"

McCracken: "Yes, Representative Dunn."

Speaker Braun: "Representative Dunn. Representative John Dunn. Is the Gentleman in the chamber? He is not. Remove him."

McCracken: "Representative Preston."

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Speaker Braun: "Representative Lee Preston. Lee Preston. Is the Gentleman in the chamber? He appears not to be. Remove him."

McCracken: "Representative Bowman."

Speaker Braun: "Representative Woods Bowman. Representative, oh, Representative Dunn has returned to the chamber. Return his vote to the Roll Call. Representative Bowman. Is the Gentleman in the chamber? He appears not to be. Remove him."

McCracken: "Representative Levin."

Speaker Braun: "Representative Ellis Levin. Representative Levin. Is the Gentleman in the chamber? Appears...yes, he's in the rear of the chamber."

McCracken: "Representative Farley."

Speaker Braun: "Representative Farley. The Gentleman is in his chair."

McCracken: "Representative Laurino."

Speaker Braun: "Representative Laurino. Representative Bill Laurino. Is the Gentleman in the chamber? He appears not to be. Remove him."

McCracken: "Representative Richmond."

Speaker Braun: "Representative Richmond. Is the Gentleman in the chamber. He appears not to be. Remove him. Representative Bowman has returned. Return him to the Roll Call."

McCracken: "Representative Ronan."

Speaker Braun: "Representative Al Ronan. Representative Ronan. Is the Gentleman in the chamber? He appears not to be. Remove him."

McCracken: "Representative Breslin."

Speaker Braun: "Representative Breslin. The Lady is in her chair. Representative Ronan has returned to the chamber. Return him to Roll Call."

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McCracken: "Nothing further."

Speaker Braun: "On this question there are 52 voting 'aye', 57 voting 'no', 1 voting 'present'. The Amendment fails. Further Amendments."

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

Speaker Braun: "The Gentleman from Cook, Representative Young."

Young: "Thank you, Madam Speaker, Members of the Assembly. Amendment #7 would now in fact become the Bill. It was my understanding that it was drafted by the Department of Revenue, based on conversations with the City of Chicago and the Illinois Municipal League. What the Amendment do would be instead of monthly accelerated disbursement to each municipality there would be an annual one time disbursement to counties and municipalities based upon an average monthly collection of the preceding year. I urge its adoption."

Speaker Braun: "The Gentleman moves the adoption of Amendment #7. On that is there any discussion? There being none. All in favor... The Chair recognizes the Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Braun: "Indicates he will."

Ryder: "Representative, is this the Amendment to which you eluded earlier?"

Young: "That's correct, Representative."

Ryder: "You indicated that the percentages that this Assembly just passed, will now be excluded or taken out of the Amendment. Is that right?"

Young: "That is correct."

Ryder: "In fact, Amendment 7 becomes the Bill."

Young: "That is correct."

Ryder: "Would you please explain to me by what standard the

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payments are now to be accelerated?"

Young: "There's to be accelerated on a one time annual yearly payment starting, January 31, 1987. That payment will be based on the preceeding years annual monthly payment, deleting the top... the highest two months of the year."

Ryder: "Alright. Representative, the law as it now stands calls for monthly payments. Is that correct?"

Young: "Yes."

Ryder: "Alright. Are those monthly payments based on what, Representative?"

Young: "Second preceeding month."

Ryder: "Okay, so we have sixty days in which to determine trends and to make it... a payment."

Young: "More than sixty."

Ryder: "Okay, that is a 100 percent or 85 percent or 75 percent."

Young: "100."

Ryder: "Okay, under your Amendment what would the payment be? 100 percent?"

Young: "We're not changing the monthly payment."

Ryder: "Okay. But, we are accelerating one payment, an annual payment?"

Young: "Once a year."

Ryder: "Alright. When you say the word accelerating we're moving a payment up a month, or is this a one time shot? Are we catching up to 30 days or explain the acceleration portion to me please?"

Young: "Every January there will be a one time payment based upon ten months in the preceeding year."

Ryder: "So, this is a one time, one shot windfall. Correct?"

Young: "A one time acceleration, that will be on annual basis, each January. Based on the preceeding year."

Ryder: "So, under current averages, do you have a estimate of how much we're talking about for that one time, one shot for

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the City of Chicago?"

Young: "The Department of Revenue didn't have that information yet."

Ryder: "I'm sorry, I couldn't hear that."

Young: "The Department of Revenue did not have that information yet."

Ryder: "So, we don't know how much money we're talking about?"

Young: "No, we don't."

Ryder: "When we were talking about the percentages, as we were in previous Amendments, we knew what we were talking about because the percentages were dealing with dollars that were actually taken in."

Young: "That's correct."

Ryder: "But, now we're talking about Amendment... excuse me, we're talking about an Amendment and we don't know what we're talking about as far as the dollars are concerned. At least the Department of Revenue is unable to tell you, what they are talking about."

Young: "At this time. But, one thing I would like to make clear, Representative, is we're talking about the city's own money, that has already been collected."

Ryder: "Thank you. Thank you, Madam Speaker."

Speaker Breslin: "Further discussion? The Chair recognizes the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. Will the Sponsor yield for a question?"

Speaker Braun: "He indicates he will."

McCracken: "Is it correct that this accelerated disbursement only applies to municipalities which had received more than 500,000 dollars in the previous years disbursement?"

Young: "And counties."

McCracken: "And counties. What, do you know what municipalities that would include or not include?"

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Young: "It would include the counties of Champaign, Christian, Cook, DuPage, Kane, Kankakee, Lake, LaSalle, Madison, McHenry, Peoria, Perry, Randolph, St. Clair, Saline, Sangamon, Will, Williamson, Winnebago, Macoupin, it would, I have a municipalities list that includes 200 municipalities. So, would you like me to read them in the record?"

McCracken: "Okay. No, no, no, no, I was just trying to get an idea of how many municipalities would be affected by this. Do you know what percentage of the annual collection that represents? Is that a very high percentage of the total amount disbursed?"

Young: "I don't know."

McCracken: "Okay. Thank you, I have nothing further."

Speaker Braun: "Representative Young, to close."

Young: "I urge a favorable vote."

Speaker Braun: "The Gentleman moves the amend... the adoption of Floor Amendment #7 to House Bill 1675. All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. Representative McCracken."

McCracken: "...We're seeking a verification."

Speaker Braun: "That's what I thought. On this question there are 59 voting 'aye', 48 voting 'no'. A verification has been requested. Mr. Clerk, Poll the Absentees."

Clerk O'Brien: "Poll of the Absentees. Brunsvold. Daley. Davis. DeJaegher. Homer. Mautino. McGann. Phelps. And Piel."

Speaker Braun: "Representative Piel votes 'no'. Representative Davis votes 'no'. Proceed Mr. Clerk."

Clerk O'Brien: "No further absentees."

Speaker Braun: "Proceed with the Verification of the Affirmative vote."

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Clerk O'Brien: "Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Capparelli. Christensen. Cullerton. Curran. Currie. DeLeo. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Greiman. Hannig. Hartke. Hicks. Huff. Keane. Krska. Kulas. Laurino."

Speaker Braun: "Mr. Clerk, excuse me. Representative Curran. Representative Curran."

Curran: "Leave to be verified, Madam Speaker?"

Speaker Braun: "Representative Curran request leave to be verified. Are there other such requests? Representative DeJaegher requests leave to be verified. Representative McCracken. Oh, I'm sorry, Representative DeJaegher votes 'aye'. Proceed, Mr. Clerk."

Clerk O'Brien: "LeFlore. Leverenz. Levin. Martinez. MatijeVich. McAuliffe. McNamara. McPike. Mulcahey. Nash. O'Connell. Panayotovich. Pangle. Preston. Rae. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Steczko. Stern. Sutker. Terzich. Turner. VanDuyne. Washington. White. Wolf. Anthony Young. Wyetter Younge. And Mr. Speaker."

Speaker Braun: "Any questions of the affirmative vote? Representative McCracken."

McCracken: "Yes, thank you. Representative Sutker."

Speaker Braun: "Representative Cal Sutker. The Gentleman is in the rear of the chamber."

McCracken: "Okay, Representative Greiman."

Speaker Braun: "Representative Greiman. Representative Alan Greiman. Is the Gentleman in the chamber? He appears not to be. Remove him."

McCracken: "Representative Bowman."

Speaker Braun: "Representative Woods Bowman. The Gentleman is in the aisle. One second, Representative McCracken. Representative Homer, for what reason do you rise?"

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Homer: "Will you please record me as 'aye'?"

Speaker Braun: "Representative Homer votes 'aye'.
Representative Phelps. Representative Phelps votes 'aye'.
Do you wish to proceed, Representative McCracken?"

McCracken: "Yes. Representative Preston."

Speaker Braun: "Representative Lee Preston. Representative
Preston. Is the Gentleman in the chamber? He appears not
to be. Remove him."

McCracken: "Representative Dunn."

Speaker Braun: "Representative John Dunn. The Gentleman is in
the chamber."

McCracken: "Representative O'Connell."

Speaker Braun: "Representative O'Connell. Representative
O'Connell. Is the Gentleman in the chamber? He appears
not to be. Remove him."

McCracken: "Representative Terzich."

Speaker Braun: "Representative Terzich. The Gentleman is in the
aisle. Further challenges, Representative McCracken."

McCracken: "No, I have nothing else."

Speaker Braun: "On this question there are 59 voting 'aye', 50
voting 'no', none voting 'present'. Amendment #7 is
adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading."

Speaker Braun: "Oh, I'm... I'm sorry bring the Bill back to
Second Reading. There has been a request for a fiscal
note, as Amended, Representative Young. The Bill will
remain on Second Reading. House Bill 2871, Representative
Hicks. Representative Hicks. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2871, a Bill for an Act to amend
Sections of the Civil Administrative Code. Second Reading
of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "Representative Hicks."

Hicks: "Yes, Madam Speaker. Floor Amendment #2 simply is a clarification that we talked about in Committee. It's just a technical type of Amendment that just clarifies the position of the Department of Conservation."

Speaker Braun: "The Gentleman moves the adoption of Floor Amendment 6 (sic - Amendment #2) to 2871. On that is there any discussion? There being none, the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 3229, Representative Keane. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 32..."

Speaker Braun: "29."

Clerk O'Brien: "House Bill 3229, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No, Motions filed."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Gentleman from Cook on Amendment #2."

Keane: "Thank you, Madam Speaker. Amendment #2 is a technical Amendment. It just creates an error in a number. I'd ask for its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #2. On that is there any discussion? The Chair recognizes the Gentleman from DeWitt, Representative Vinson."

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Vinson: "Madam Speaker. Would the Sponsor yield for question?"

Speaker Braun: "He indicates he will."

Vinson: "Representative, did I hear you say that the Amendment just creates a error in the numbering?"

Keane: "It's late in the evening and I may of said that. What I meant to say was that I... makes it..."

Vinson: "I mean I would be glad to vote for an Amendment that just created an error in the drafting, and I just wanted to be sure thats what it does."

Keane: "No, it takes care of an error in the... Amendment #1 (sic - Amendment #2)."

Vinson: "Thank you."

Speaker Braun: "Is there further discussion? The Gentleman moves the adoption of Amendment #2. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Shaw."

Speaker Braun: "The Gentleman withdraws Amendment #3. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Churchill."

Speaker Braun: "The Chair recognizes the Gentleman from Lake, Representative Churchill on Amendment 4."

Churchill: "Thank you, Madam Speaker. Amendment #4 solely moves the effective date to January 1st of 1988."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 4. On that is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Keane on Amendment 4."

Keane: "Thank you, Madam Speaker. I'm, I oppose Amendment #4. I'd like the Act to take effect on becoming law, January 1, 1988, is roughly an 18th month delay in the enactment of the Bill and I see no reason for it. And, I'd ask for a 'no' vote on Amendment #4."

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Speaker Braun: "Is there further discussion? There being none.
The Gentleman from Lake to close."

Churchill: "Thank you, Madam Speaker. One of the things that we tried to do in the Revenue Committee this year was to postpone the effective date of any Bills which did not have any emergency status. I think this, what this Amendment does is basically, take... and put this Bill in that status where everybody would have a chance to observe what the Bill is going to do. A chance to react, if there are computer programs throughout the state that have to change interest rates or amounts on tax bills. I would give everybody a chance to put those computer programs in the proper form and so therefore, I would ask for a favorable support of this Amendment."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #4. All in favor vote 'aye', opposed vote 'no'. Voting is... Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there 50 voting 'aye', 62 voting 'no'. The Amendment is lost. Further Amendments?"

Clerk Leone: "Floor Amendment #5, Farley."

Speaker Braun: "The Gentleman from Cook on Amendment 5."

Farley: "Thank you, Madam Speaker, Ladies and Gentleman of the House. What Amendment #5 attempts to do is raise the Homestead Exemption for those people 65 and over, from 2,000 to 2,500."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #5. And, on that is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Keane."

Keane: "I stand in opposition to Amendment #5. And the reason is that while the Amendment is laudable, it doesn't really go far enough and if you're trying to give tax relief, my feeling is that tax relief should be given to people based

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on a means test. The way the Amendment is structured is that we would be providing tax relief for very wealthy people and passing over people who, in fact, did need that. I would also indicate that the Amendment does not do, I don't think it does what the Sponsor wanted it to do. Because I am sure he would not want to reduce the tax income of the school districts in all of the local tax bodies, especially the park districts, and cause an economical hardship for them. While only providing relief, in many cases, to very, very wealthy people and not to the poor or people such as ourselves middle class. And, therefore I resist his Amendment and would ask for a no vote."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Madam Speaker. I rise in opposition also to this Amendment. Early this year one of the townships which I represent, Avon Township, came down in to this process because they had a specific problem. Combined with the changes we made a few years ago on the green sheet and with all of the various exemptions that we have placed on the local real estate tax bills. Avon Township and the various districts contained within Avon Township found out that they were losing so much money that there was no way that they could come back and recoup that money to provide the services to the local constituents that they were... imbounded to provide. The local fire protection district had placed a contract order for... a new fire engine and had to cancel that contract, because of the fact that there were not sufficient funds to fulfill the contract. We looked at the total problem and there were some other things that were a part of the problem, but, one of the

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biggest parts of the problem was that township and others like it have faced along with other municipalities and other taxing districts is the fact that we continually erode the local tax base. This Bill does just that. It's well intentioned. It's something for the senior citizens which always sounds good around here. What this does is to erode a tax base and it destroys the services that are to be provided at a local tax level by those units of local government that rely upon this tax base. And, I would rise in opposition and ask people to vote 'no' for this Bill."

Speaker Braun: "The Gentleman from Cook, Representative Farley to close."

Farley: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I couldn't disagree more with my seat mate. The Bill or the Amendment does exactly what I intended to do. I intend to provide tax relief for senior citizens. I'm tired of standing in my neighborhood and my district and my ward and having senior citizens come up to me and say, 'What is this new 75 million dollar tax?' I am tired of them walking up to me and say, 'What is this tax on education?' 'What is this new gas tax?' 'What are all these taxes?' People better get the message that people are tired of taxes. The seniors in this state, don't need what all of the government agencies try to tell them they need. They need police. They need fire. They need sanitation. Well, it just so happens that there happens to be a lay off in sanitation. So, they're even getting dealt in that regard. The Amendment speaks very clearly that if you are going to raise real estate taxes 20 percent, I'm going to stand here and give those seniors a 20 percent reduction. Madam Speaker, I would like for everybody to take a close hard look at the intention. I would also ask, for a Roll Call vote."

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Speaker Braun: "The Gentleman has moved the adoption of Amendment #5. All in favor vote 'aye', opposed vote 'no'. The voting is... Present... Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 50 voting 'aye', 50... 49 voting 'no'. For what reason does the Gentleman from Knox, Representative McMaster..."

McMaster: "Madam Speaker, I punched the wrong button. Please vote me 'no'."

Speaker Braun: "Representative McMaster votes 'no'. Representative Pangle."

Pangle: "Yes, Madam Speaker, I also punched the wrong button. Vote me 'yes'."

Speaker Braun: "Representative Pangle votes 'aye'. Representative Flinn."

Flinn: "Madam Speaker, I didn't punch any button. Vote me 'aye'."

Speaker Braun: "Representative Flinn votes 'aye'. Representative Hicks. Representative Hicks. Your button is on."

Hicks: "Yes, Ma'am."

Speaker Braun: "Your button is on."

Hicks: "...Excuse me."

Speaker Braun: "Okay. Representative Martinez. Representative Martinez votes 'aye'. Representative Ronan votes 'aye'. Representative McGann votes 'aye'. Representative Daley votes 'aye'. Representative Black votes 'aye'. Representative Wojcik votes 'no'. Further changes? Representative Hartke votes, sorry, votes 'aye'. Okay, there's a lot of ... there are a lot of people seeking recognition. Representative Ewing."

Ewing: "Yes, I think what we ought to do is just do this by acclimation. I move that we just make it unanimous. We're going to play games, let's all do it."

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Speaker Braun: "Representative Ewing, does that mean you want to change... you want to vote 'aye'?"

Ewing: "Oh, sure and I want you to change everybody else that's red up there, and just have them raise their hand and we'll move right on, cause this is all for show."

Speaker Braun: "Representative Ewing, I understand its late, but, we're going to move right along here. Representative Dunn."

Dunn: "Let the record show that I was with Farley to begin with."

Speaker Braun: "Representative Hartke. Representative Hartke votes 'aye'. Representative Hasara votes 'aye'. Further changes? Representative Ewing, did you want to change your vote? You did, well, you might push the button. Representative Huff."

Huff: "Yes, Madam Speaker, change me from 'present' to 'aye'."

Speaker Braun: "Representative Huff votes 'aye'. Representative Stange votes 'aye'. Representative Denny Hastert."

Hastert: "Yeh, Madam Speaker, you know I thought I had a vote on here and all of the sudden, I look and I'm not recorded, anymore. Could you tell me how I'm recorded?"

Speaker Breslin: "You're not recorded as voting, Representative Hastert."

Hastert: "But, I did vote, there's a problem. I voted 'no'. I would like to be changed to 'aye'. But, I want to know how my vote went from a 'no' vote to a no vote period. What kind of button have you got up there?"

Speaker Braun: "Representative Hastert votes 'no'. Representative Weaver. Representative Weaver votes 'aye'. Representative Williamson votes 'aye'. Representative Ewing, you have your light on again."

Ewing: "Yes, you have my button locked."

Speaker Braun: "I think they all are, since we're in the middle of a vote."

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Ewing: "Well, no, when you change your vote, don't you... doesn't it work that way anymore? I guess I don't understand this complicated system."

Speaker Braun: "Okay, moving right along, Representative LeFlore. Alright, we're going to... we're going to... there are about 18 people seeking recognition. We're going to dump the Roll Call. Representative Vinson, half of your side of the aisle is seeking recognition. I understand that, but I think it makes more sense, under the circumstances, to have this vote taken again. On Floor Amendment #5, all in favor vote 'aye', opposed vote 'no'. The voting is open. Representative Vinson."

Vinson: "Madam Speaker, you have no authority under the rules to dump a Roll Call. As a matter of fact, the rules specify that you can't dump a Roll Call."

Speaker Braun: "Thank you, Representative Vinson. Have all voted who wish? Representative McCracken."

McCracken: "Same point, Speaker. We were kidding. We didn't want to dump the Roll Call. You don't have any authority to do that."

Speaker Braun: "Thank you, Representative Ewing."

Ewing: "Are we voting? Is this the same Amendment now?"

Speaker Braun: "The same Amendment."

Ewing: "Yes, we really didn't want that dumped."

Speaker Braun: "Moving right along. Representative Stephens."

Stephens: "How was I recorded on the last Roll Call?"

Speaker Braun: "I... Representative Stephens."

Stephens: "There's a reason to this madness. There's a reason that we didn't want that dumped and..."

Speaker Braun: "Well, Representative Stephens, if you would just vote this time, however; it was before, it will be fine. Any... Representative Vinson, are you still seeking recognition? Okay, the Clerk will take the record. On

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this question, there are 85 voting 'aye', 23 voting 'no', 4 voting 'present'. The Amendment is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "This Bill... Representative Keane, a fiscal note has been requested on the Bill as Amended. It will remain on the order of Second Reading. Yes, Representative Vinson."

Vinson: "Madam Speaker, I move that a Fiscal Note Act does not apply to this Bill."

Speaker Braun: "Representative Keane."

Keane: "I agree with the previous Speaker."

Speaker Braun: "Alright. The Gentleman has moved that the Fiscal... the Fiscal Note Act is inapplicable. All in favor vote 'aye'... say 'aye', opposed say 'nay'. In the opinion of the Chair the 'ayes' have it. The fiscal note is deemed inapplicable to this Bill. The Bill, however, will remain on, well, the Bill will then go to Third Reading. Happy. Moving right along, House Bill 3309, Representative Dwight Friedrich. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3309, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, offered by Representative Shaw."

Speaker Braun: "Representative Shaw. Representative Shaw. Withdraws Amendment #1. Further Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Homer."

Speaker Braun: "Representative Homer, on Amendment 2."

Homer: "Thank you, Madam Speaker, asks leave to withdraw."

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Speaker Braun: "The Gentleman withdraws Amendment 2. Further Amendments?"

Clerk Leone: "Floor Amendment #3, offered by Representative Friedrich and Phelps."

Speaker Braun: "The Gentleman from Marion on Amendment 3."

Friedrich: "Thank you, Madam Speaker. This Amendment becomes the Bill. I think, I should give a little explanation of why the Bill is here in the first place. There developed a situation where it was impossible for the Supervisor of Assessments to accurately and fairly assess coal, either being mined or just coal in the ground. We've been working, last year we passed a Bill which actually delayed any positive action 'till January of this next year. And, now something has to be done or we'll have a real crisis. This Bill... This Amendment has been worked out carefully between the Farm Bureau and Supervisor of Assessments and the coal companies and I think everybody is in accord now, except possibly one of the companies. This provides that formula for assessing newly mined coal for undeveloped coal reserves and provides that farmers will not be taxed for minerals on their land unless they've leased their coal rights. And this Department of Revenue cannot apply the state multiplier to coal assessments but review assessments to make certain there being made according to the provisions of this Act. And, as I say this has taken a lot of work and been a lot, on the part of a lot people and I think we're finally all the parties are in accord. And, I would appreciate the adoption of the Amendment."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #3. On that is there any discussion? The Chair recognizes the Gentleman from Kendall, Representative Hastert."

Hastert: "Would the Sponsor yield?"

Speaker Braun: "He indicates he will."

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Hastert: "Representative Friedrich, I understand this Amendment does not apply to people who have already sold the mineral rights off. Is that correct?"

Friedrich: "Not unless they are developed. Is that right?"

Hastert: "Right. So, those people who have sold off and developed is a separate treatment."

Friedrich: "Pardon me."

Hastert: "Those people who have sold off and/or developed their mineral rights have a separate treatment under this Act."

Friedrich: "Well, if they have sold it their not the owners, they would be assessed to the person, the coal company, who ever bought it."

Hastert: "Otherwise, what I'm... Yes, so the right, what I'm saying then is that this only applies to farmers who may or may not have coal under their property..."

Friedrich: "They would not be assessed. It would apply to the coal companies who have bought that coal rights."

Hastert: "Right. So, what I'm saying we're just, these are people who are basically farmers they may have mineral rights to sell, or there may be coal or may not be coal. So..."

Friedrich: "They will not be taxed for minerals that... and land unless they've least it."

Hastert: "Alright, thank you."

Speaker Braun: "Is there further discussion? There being none, the Gentleman has moved the adoption of Amendment #3. All in favor vote 'aye', 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', 1 voting 'no'. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Representative Homer."

Speaker Braun: "Representative Homer on Amendment 4."

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Homer: "Thank you, Madam Speaker, ask leave to withdraw Amendments 4 and 5."

Speaker Braun: "Amendment 4 is withdrawn."

Homer: "I'm out of it."

Speaker Braun: "Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. Mr. Clerk, you have an announcement."

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

Speaker Braun: "For what reason does the Gentleman from Cook, Representative Keane rise?"

Keane: "Yes, Madam Speaker, could I clarify the record? I would like to show that on House Bill 3309, both Floor Amendment 4 and 5 were withdrawn. I don't know that was made part of the record. But its..."

Speaker Braun: "Thank you, Representative Keane, apparently Representative Homers' Motion was to withdraw both Amendments 4 and 5."

Keane: "Thank you."

Speaker Braun: "Representative Vinson, you had a question?"

Vinson: "No."

Speaker Braun: "Okay, good. House Bill 3431, Representative Flinn. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3431, a Bill for an Act to revise the law in relationship to county treasurers. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Braun: "An Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 3449, Representative Churchill. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3439, correction that is House Bill

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3449, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, offered by Representative Shaw."

Speaker Braun: "Representative Shaw. Is the Gentleman in the chamber? Representative Shaw withdraws Amendment #1. Further Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Churchill."

Speaker Braun: "The Chair recognizes the Gentleman from Lake, Representative Churchill on Amendment 2."

Churchill: "Madam Speaker, I would move to withdraw Floor Amendment #2."

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

Clerk Leone: "Floor Amendment #3, Churchill."

Churchill: "Madam Speaker, has Floor Amendment #3 been printed and distributed?"

Speaker Braun: "The Amendment has not been printed... has not been distributed, Representative Churchill."

Churchill: "Okay, then I would take the Bill out of the record at this time."

Speaker Braun: "The Gentleman takes the Bill out of the record. House Bill 3503, Representative Turner."

Clerk Leone: "House Bill 3503, a Bill for an Act to amend an Act in relationship to State Revenue Sharing. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Shaw."

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Speaker Braun: "The Gentleman withdraws Amendment 2. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 1477, Representative Turner. The Gentleman from DuPage, Representative McCracken."

McCracken: "Inquiry of the Chair, Mr. Speaker (sic Madam Speaker). Where are we?"

Speaker Braun: "I'm sorry, I should hve made the announcement this is Human Services which is the third Order of Business that we started with. So we're on Human Services, now. On the order of Human Services on page seven of the Calendar, appears House Bill 1477, Representative Turner."

Clerk Leone: "House Bill 1477, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted previously."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Turner."

Speaker Braun: "The Gentleman from Cook, Representative Turner on Amendment #2."

Turner: "Thank you, Madam Chairman (sic - Madam Speaker), Ladies and Gentlemen of the Assembly. Amendment #2 amends the Public Aid, while Amendment #2 rewrites the Bill. It retains the energy allowance for the AABD recipients similar to the six percent that was... increase that was provided to other types of recipients in the Fiscal Year 1985. It sets a minimum of \$150 shelter payment for interum disability assistance cases, excluding utility and household furnishings. And, it further authorizes the Department to pay a shelter allowance, even if a recipient

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does not have a current residence. I ask for its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #2. On that is there any discussion? There being none, all in favor say 'aye', opposed say 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 2612, Representative McNamara. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2612, on page 8, a Bill for an Act to amend the Mental Health and Developmental Disability Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, offered by Representative Piel."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Piel. Representative Piel, on Amendment #1. Is the Gentleman in the chamber? Representative McNamara, on Amendment 1."

McNamara: "Amendment #1 is an Amendment that is a dilatory Amendment that deletes the numbers 22 and inserts one score and two. I would ask that that Amendment be tabled."

Speaker Braun: "The Gentleman has moved to table Amendment number... Amendment 2. And on that is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative McCracken."

McCracken: "I can see why Representative, oh, there he is."

Speaker Braun: "Representative Piel, what is your pleasure on Amendment #2. The Gentleman has moved to table that Amendment."

Piel: "Thank you, Madam Speaker, my apologies to the House. Basically, all Amendment #2 is a... is no substantive

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change and if you'll check it is technical language only."

Speaker Braun: "Representative... The Motion pending is to table Amendment #2."

Piel: "Then I would ask the Gentleman to retract his Motion, at the present time."

Speaker Braun: "Representative McNamara withdraws the Motion to table. Representative Piel on the... Representative Piel on Amendment #1 not 2."

Piel: "I'm sorry, Madam Speaker, his Motion was on Amendment #1 or 2."

Speaker Braun: "On Amendment 1. I just have by informed by the Clerk. It's only one Amendment. There is only one Amendment on this Bill and it's Amendment #1 and not two."

Piel: "One second. Yes, just like I explained a minute ago, Madam Speaker, it's basically just making a technical change in the Bill. It is not a substantive change as far as the numbering of it."

Speaker Braun: "Thank you, Representative Piel. Representative... The Gentleman from Cook, Representative Leverenz, on this Amendment. Representative Leverenz."

Leverenz: "The Gentleman yield to a question?"

Speaker Braun: "He indicates he will."

Leverenz: "What does your Amendment... Oh, he doesn't... Madam Speaker... The Gentleman yield?"

Speaker Braun: "He indicates he will."

Leverenz: "What does the Amendment do in practical language to the Bill? Could staff help him? This is not light out... not working?"

Piel: "Thank you. I would... Excuse me."

Leverenz: "Could he have Representative Vinson's copy of the Amendment?"

Piel: "No, I've got it. I've got it. I was just waiting... just waiting to get turned on. And not by... not by

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Representative Vinson, either."

Leverenz: "You better wait a long time."

Piel: "Thank you, Madam Speaker. In reference to the Gentleman's question, I think we can clarify the whole problem, because I was just talking to staff and the problem had been taken care of. So, I would move to withdraw Amendment #1."

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

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 2807, Representative Washington. Mr. Clerk, read the Bill."

Clerk Leone: "On page 9, House Bill 2807, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, offered by Representative Mays."

Speaker Braun: "The Chair recognizes the Gentleman from Adams, Representative Mays on Amendment 1."

Mays: "Thank you very much, Madam Speaker. Amendment #1 simply defines employer or makes the definition of employer consistent throughout the Human Rights Act apply to the Bill. So, basically is as I understand it Title Seven of the Human Rights Act exempts employers with 15 or less employees or 20 or more calendar weeks work in what this Bill... what this Amendment does is simply make Mr. Washington's Bill the definition of employer consistent with the definition of employer in the Act in which he's Amending. I move its adoption. Right."

Speaker Braun: "The Gentleman has moved the adoption. Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Washington."

Washington: "Yes, Madam Speaker and Members of the House. I object to this Amendment #1, on the basis that the this

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limits the applicability of my Bill. And, that the Bill itself if you would include this Amendment it certainly would eliminate the scope in which I am attempting to try to include all employees. And, for that reason I object and would move for Amendment #1 to be tabled."

Speaker Braun: "The Gentleman from Adams to close."

Mays: "Well, thank you very much, Madam Speaker. I somewhat resent the Gentleman's remarks on that Amendment. The Human Rights Act right now exempts employers of 15 employees or less. And, what this Bill does is take the pregnancy leave into that area. It however; does not, it should not in my mind, impact the size or type of employers that are currently covered on the Human Rights Act. So, if you want to get off on saddling small business with this kind of rules and regs and laws, that's fine. Vote against this Amendment. This Amendment, however, exempts small business from the applications of this specific Act. So, I move its adoption. I would ask for a Roll Call."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1 to House Bill 2807. All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 75 voting 'aye', 26 voting 'no', 1 voting 'present'. The Amendment is adopted. Further Amendments? Further Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Tuerk."

Speaker Braun: "The Chair recognizes the Gentleman from Peoria on Amendment 2."

Tuerk: "Madam Speaker, Members of the House. What Amendment #2 does is delete everything after line seven. And, the thrust of the Amendment is that it deletes the Subsection that requires all employers of the state be subject to the

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section requiring at least four months leave for pregnancy leave. I think it's fine that employers give pregnancy leaves and they should. But, I don't think we at the state level should be mandating that it should be at least four months. And, therefore, that's what the Amendment does it just deletes that section. I move for the adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment 2. On that is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Washington."

Washington: "Yes, Madam Speaker and Members of the House. I object to this Amendment #2 and I moved for it to be tabled, simply on the grounds that if this Amendment is acted it would certainly kill my Bill entirely. And, the applicable part of my Bill this would affect it greatly. I certainly resent the fact that this Amendment is being attempted to be placed on my Bill to kill the Bill. And, I move for the tabling of this Bill."

Speaker Braun: "Representative Tuerk."

Washington: "Table the Amendment."

Speaker Breslin: "The Gentleman has moved to table Amendment #2 and in the priority of Motions the Motion to table comes first."

Tuerk: "He is... he has filed a Motion to table the Amendment? Is that what you're saying? I..."

Speaker Braun: "He has orally moved to table the Amendment."

Tuerk: "He may of moved... Okay."

Speaker Braun: "Yes."

Tuerk: "Well, I think that's a kind of bad way to do things. You either vote an Amendment up or down. I think the Amendment has a lot of validity to it. I think it should be adopted and therefore, I would appeal to the Sponsor of the Bill to let the Amendment be voted up or down and I think it should be voted up."

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Speaker Braun: "Alright. Representative Ewing, the Gentleman from Livingston."

Ewing: "Madam Speaker, I would object to that oral Motion and I think that the rules provide that it should be in writing."

Speaker Braun: "Representative... Representative Leverenz, for what reason do you rise?"

Leverenz: "An inquiry of the Chair."

Speaker Braun: "Yes, Sir."

Leverenz: "What's going on?"

Speaker Braun: "We're about to take either a vote on Representative Tuerk's Amendment or a vote on the Motion to table Representative Tuerk's Amendment."

Leverenz: "Well... why don't we just kill his Amendment?"

Speaker Braun: "...The Gentleman from Cook, Representative Washington."

Washington: "Yes, Madam Chairman. I would move to withdraw my Motion to table."

Speaker Braun: "Representative Washington has withdrawn his Motion to table Representative Tuerk's Amendment. The question then is whether Floor Amendment #2, should pass. All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 51 voting 'aye', 60 voting 'no'. The Amendment fails. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Washington."

Speaker Braun: "Gentleman from Cook, on Amendment 3."

Washington: "Yes, Madam Chairman (sic - Madam Speaker), I withdraw Amendment #3."

Speaker Braun: "Amendment #3 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Representative Washington."

Speaker Braun: "Gentleman from Cook, on Amendment 4."

Washington: "I'll withdraw Amendment #4, Madam Speaker."

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Speaker Braun: "Amendment #4 is withdrawn."

Washington: "And #5 also, I believe is in that sequence."

Speaker Braun: "Amendment #5... 4 and 5 are withdrawn. Further Amendments?"

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

Speaker Braun: "The Gentleman from Cook, on Amendment 6."

Washington: "Yes, Madam Speaker, Amendment #6 basically would make some technical changes that was an error in drafting in two parts, and I move for the adoption of Amendment #6."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #6. On that, is there any discussion? The Chair recognizes the Gentleman from Adams, Representative Mays."

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

Speaker Braun: "He indicates he will."

Mays: "Would you please clarify for the benefit of the Body what Amendment #6 does?"

Washington: "Well, early... What we had... Basically, what Amendment #6 would do, it includes some changes originally provided in Amendment #3 and 4. And it... The corrected Section... Subsection in the Bill which were not rectified in the previous Amendment. And, three, it makes the... of medical leave gendered neutral."

Mays: "Does it basically nullify the effect of Amendment #1 which was adopted, which made the definition of employer consistent throughout the Act?"

Washington: "No."

Mays: "It leaves that in tact."

Washington: "That's correct."

Mays: "Thank you very much."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Piel."

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Piel: "Inquiry of the Chair, Madam Speaker. Has this Amendment been printed and distributed?"

Speaker Braun: "I'm going to inquire of the Chair... of the Clerk. The Amendment has not been distributed. The Gentleman from Cook withdraws the Amendment and asks that the Bill be moved to the Order of Third Reading. Ladies and Gentlemen, I know everyone is tired. We have exactly... Can I finish? Can I finish? There are right now, ten Bills remaining on this Order of Business. Just wanted to let you know so we can get through this so that we can conclude. Representative Vinson."

Vinson: "Yes, Madam Speaker, Ladies and Gentlemen of the House, I'd just like to make it clear that I would personally support anybody that offered a Motion to adjourn at this time."

Speaker Breslin: "House Bill 2717, Representat... Representative McCracken, for what reason do you rise?"

McCracken: "I move we adjourn."

Speaker Breslin: "You're not recognized for that purpose. Representative Shaw, on 2717. Mr. Clerk, read the Bill."

Clerk Leone: "On page 17, House Bill 2717, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Braun: "The Gentleman asks leave to return the Bill to the Order of Second Reading for purposes of Amendment. Mr. Clerk, read the Bill."

Clerk Leone: "Amendment #2, offered by Representative Shaw."

Speaker Braun: "Gentleman from Cook."

Shaw: "I'll withdraw #2."

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

Clerk Leone: "Floor Amendment #3, offered by Representative Shaw."

Speaker Braun: "The Gentleman withdraws Amendment 3."

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Clerk Leone: "Floor Amendment #4, offered by Representative Shaw."

Speaker Braun: "Representative Shaw, on Amendment 4."

Shaw: "Yes, Madam Speaker, Ladies and Gentlemen of the House, all this Amendment #4 does is on Project Chance, it called for reporting, on Project Chance. And the Department of Public Aid concurs with the Amendment. And I ask for the adoption of the Amendment."

Speaker Braun: "The Gentleman has moved the adoption of Floor Amendment #4. On that, is there any discussion? The Chair recognizes the Gentleman from Lake, Representative Churchill."

Churchill: "Madam Speaker, has this been printed and distributed?"

Shaw: "Yes, it has."

Speaker Braun: "Yes, it has. Further discussion? The Chair recognizes the Gentleman from Cook, Representative Ronan."

Ronan: "Yeah, Representative Shaw, this Amendment makes no sense to me. What does it really do?"

Shaw: "Beg your pardon?"

Ronan: "Representative Shaw, this Amendment makes absolutely no sense to me. What does it really do?"

Shaw: "Well, the only thing that it does, Representative, is asking the Department of Public Aid to report on the number of people that are in Progress (sic Project) Chance."

Ronan: "You're saying that the Department of Public Aid is trying to keep that a secret?"

Shaw: "Well, to date, they haven't been reporting. So, this would mandate them to do so."

Ronan: "Well, Representative Shaw, I know that you've had some marvelous ideas in your career, but why don't you maybe put in a call to the Department of Public Aid and ask them just to tell you over the phone, as opposed to taking our dinner

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time right now to listen to this Amendment?"

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from DuPage, Representative McCracken."

McCracken: "Will the Sponsor yield for some questions?"

Speaker Braun: "He indicates he will."

McCracken: "I didn't hear what you said to Representative Ronan. Did you ever tell him what the Amendment does?"

Shaw: "Yes, the only thing that it does is call upon the Department of Public Aid to report on the effectiveness of this work... work program and that's dealing with Progress... Progress Chance."

McCracken: "What's the name of that program the Amendment refers to?"

Shaw: "Project Chance."

McCracken: "Project Chance?"

Shaw: "Right."

McCracken: "Has that been created in some other Bill or is that created in the original Bill, this Project Chance? Is it current law?"

Shaw: "That's the program that was announced by the Governor, and I believe they did that by Executive Order."

McCracken: "Okay. So, that's an Executive Order?"

Shaw: "Yes, I believe..."

McCracken: "Okay."

Shaw: "... they created the program by Executive Order."

McCracken: "What type of data are you looking for in this? How substantial is the reporting requirement?"

Shaw: "How many people are being placed, what type of jobs are they being placed in and whether they've come back on the rolls of public aid."

McCracken: "Alright. What is it about the persons under this program that differentiates them from other public aid

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recipients? What is it that... What is the reporting designed to determine?"

Shaw: "We're talking about the implorable, and they've got a chance to get regular jobs and so forth."

McCracken: "Okay. And are they defined somehow either in here or in the Executive Order?"

Shaw: "They are... yeah, under the Code, Public Aid Code already."

McCracken: "Okay. Thank you."

Speaker Braun: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Kulas."

Kulas: "Thank you, Madam Speaker. I just wanted to let Representative Shaw know that the number to the Public Aid Department is 782-1212 and the Director's a little chubby guy. He loses weight once in a while, but he's always willing to talk to people."

Speaker Braun: "Further discussion? The Chair recognizes the Gentleman from Kendall, Representative Hastert."

Hastert: "... Sponsor yield?"

Speaker Braun: "He indicates he will."

Hastert: "Representative Shaw, this Bill is really the Bill that came out of the hearings on Appropriations, is that correct?"

Shaw: "In part, but the Bill also came out of Human Services."

Hastert: "Alright. So... But this is the Bill to beef up the Department of..."

Shaw: "Right."

Hastert: "Okay. What does your Amendment do?"

Shaw: "The..."

Hastert: "I heard you. If you could just speak up so I can understand what you're saying."

Shaw: "It requires more accountability for Project Chance. The Department..."

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Hastert: "More what?"

Shaw: "Accountability from the Department of Public Aid for Project Chance."

Hastert: "And how does that accountability come about?"

Shaw: "By them reporting back to the General Assembly on how the program is working and giving some statistics."

Hastert: "And those statistics are statistics that are compiled by the Department?"

Shaw: "Right."

Hastert: "And basic... what are the basis of the statistics?"

Shaw: "The effectiveness of the work program."

Hastert: "So, numbers and retention."

Shaw: "Right. Right. As a matter of fact, Public Aid concur in the Amendment itself."

Hastert: "So, what you're asking for is really accountability to a program. I think that makes good sense. Thank you."

Shaw: "Right, that's all."

Speaker Braun: "Further discussion? The Chair recognizes the Gentleman from Ste... from St. Clair, Representative Stephens."

Stephens: "Will the Gentleman yield?"

Speaker Braun: "He indicates he will."

Stephens: "What's the effective date of the Amendment?"

Shaw: "The effective date is the..."

Stephens: "Well, will they report back in January, is that right?"

Shaw: "Right. January 1, I believe."

Stephens: "Okay. And this is Project Chance, and it's just for the City of Chicago, is that right?"

Shaw: "That's statewide."

Stephens: "I'm over here."

Shaw: "Who?"

Stephens: "No further questions. Thank you."

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Shaw: "Okay."

Speaker Braun: "The Gentleman moves the adoption of Floor Amendment #4 to House Bill 2717. For what reason does the Gentleman from DeWitt rise?"

Vinson: "To support the Amendment. I think it's a good Amendment. I think it ought to be adopted. It is accountability, as Mr. Hastert pointed out. Nothing wrong with this Amendment at all, and I would urge that the chamber adopt this Amendment to the Bill."

Speaker Braun: "Thank you. The Gentleman has moved the adoption of Floor Amendment 4. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments? There are apparently no further Amendments. However, a request for a fiscal note has been filed. And so, the Bill will remain on the Order of Second Reading. House Bill 2900, Representative White. Mr. Clerk, read the bill."

Clerk Leone: "On page nine, House Bill 2900, a Bill for an Act to amend certain Acts in relationship to Acquired Immune Deficiency Syndrome. Second Reading of the Bill. Amendment #1 was adopted previously. Amendment #2 was withdrawn. And Amendment #3 lost. Next Amendment is Floor Amendment #4, offered by Representative Capparelli - DeLeo and Vinson."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Braun: "Floor Amendment #4 is under consideration. Representative Capparelli, on Amendment #4. Representative Capparelli. The Chair recognizes the Gentleman from Cook, Representative White."

White: "It was our understanding... Representative Capparelli - DeLeo and Vinson are all hyphenated Cosponsors on the Amendment, and it was my understanding that they would

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withdraw Amendment #4."

Speaker Braun: "Chair recognizes the Gentleman from DeWitt, Representative Vinson."

Vinson: "Madam Speaker, Ladies and Gentlemen of the House, I believe Amendments 4 through 10 are Capparelli - DeLeo - Vinson Amendments. And as I don't see Cosponsors of the... the other Sponsors of the Amendments on the floor, I would suggest that we did in fact represent to Mr. White that we would withdraw these Amendments because he consented to support the discharge a Bill by Mr. Capparelli that would be brought to the House floor which would serve as an appropriate vehicle for these Amendments. We have no intention of trying to steal his Bill. And as long as we have another vehicle available, we are perfectly content to apply our Amendments to that Bill. I want to emphasize that on Third Reading both the White Bill and the Capparelli Bill embrace very different philosophies in how we should deal with this problem. And at that time, the chamber is going to have to be called upon to make a decision as to what philosophy it wants to follow in dealing with the issue. But, there is no reason, given the Gentleman's cooperation and support in giving us a vehicle to deal with, why we should try to steal his vehicle. For that reason, I would suggest that we all agreed to withdraw Amendments 4 through 10 and that we should be permitted to do that."

Speaker Braun: "The Gentleman withdraws Amendments 4... I'm sorry. The Chair recognizes the Gentleman from Cook, Representative White."

White: "He really meant to say Amendments 4 through 9."

Speaker Braun: "Thank you, Representative White. The Gentleman withdraws Amendments 4, 5, 6, 7, 8, and 9. Further Amendments?"

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Clerk Leone: "Next Amendment, Amendment #10, offered by Representative White."

Speaker Braun: "Gentleman from Cook, on Amendment 10."

White: "Madam Speaker, Ladies and Gentlemen of the House, Amendment #... I wish to withdraw Amendment #10 and offer Amendment #11."

Speaker Braun: "The Gentleman has... The Gentleman withdraws Amendment 10. Further Amendments?"

Clerk Leone: "Floor Amendment #11, offered by Representative White."

Speaker Braun: "Gentleman from Cook, on Amendment 11."

White: "Madam Speaker and Ladies and Gentlemen of the House, Amendment #11 is the Illinois Health Department's Amendment, and it does a lot of housekeeping to put this Bill in the shape that we want it to be in. It will change the name of the AIDS indiscretionary... Interdisciplinary Advisory Council to AIDS Advisory Council. And it would also provide that a physician would be required to notify the recipient of a donated organ that has a potential... that the person who is donating the organ may be infected with AIDS. And that's basically..."

Speaker Braun: "The Gentleman..."

White: "... the gist of Amendment #11."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #11. On that, is there any discussion? There being none, all in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 3213, Representative Vinson. Representative Vinson. House Bill 3213."

Clerk Leone: "House Bill 3213, on page ten of the Calendar, a Bill for an Act to amend the Community Living Facilities

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Licensing Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, offered by Representative Vinson."

Speaker Braun: "Gentleman from DeWitt, on Amendment 1."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill occurred as a result of a particular problem that I encountered with a constituent, consequently had to go to Mental Health... Public Health on to try to get resolved so that that constituent could remain in Little City, which is a facility for the disabled and the handicapped in suburban Cook County. In the Committee on Human Services, when this Bill was debated, I agreed to try to convene a meeting of various group... interest groups and agencies that would resolve a problem with this Bill in a concensual fashion. That... Those meetings occurred. And we now have an Amendment to that Bill that is opposed by nobody and that will result in that Bill being opposed by nobody and will, indeed, resolve the problem that my constituent faces. I would ask for your support..."

Speaker Braun: "The Gentleman has moved..."

Vinson: "... For an Amendment that makes this Bill, a Bill that nobody will oppose and that will solve a problem of my constituent and will help Little City. I think it's a good idea, and I would ask the Body to approve Floor Amendment #1 to House Bill 3213."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1 to House Bill 3213. On that, is there any discussion? There being none, all in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

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Speaker Braun: "Third Reading. House Bill 3231, Representative Greiman. Mr. Clerk, read the Bill."

Clerk Leone: "On page ten, House Bill 3231, a Bill for an Act to amend the Nursing Home Care Reform Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor... Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, offered by Representative Ryder."

Speaker Braun: "The Chair recognizes the Gentleman from Morgan, Representative Ryder, on Amendment 1."

Ryder: "Thank you. The... The Amendment makes only technical changes. It adds the director who serves as an ex officio chairman."

Speaker Braun: "The Gentleman..."

Ryder: "It's not a substantive change, but only technical."

Speaker Braun: "The Gentleman moves the adoption of Amendment 1 to House Bill 3231. On that, is there any discussion? There being none, all in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 3332, Representative Preston. Mr. Clerk, read the Bill."

Clerk Leone: "On page 11, House Bill 3332, a Bill for an Act to amend the Physical Fitness Service Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Preston."

Speaker Braun: "Gentleman from Cook, Representative Preston."

Preston: "Thank you, Madam Speaker. Amendment #2 just makes a

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technical grammatical correction by deleting the word 'or' on line ten, on page one of the Bill. It was inserted in error, and it should be deleted."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #2. Is there any discussion? There being none, all in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #3, offered by Representative McCracken."

Speaker Braun: "The Gentleman from DuPage, on Amendment #3."

McCracken: "Withdraw Amendment #3 please."

Speaker Braun: "Amendment #3 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Representative McCracken."

Speaker Braun: "The Gentleman from DuPage, on Amendment 4."

McCracken: "Amendment #4 would raise the amount of money which has to be paid monthly and makes the bonding requirements of the Bill applicable to any particular fitness center from 50 dollars a month to 75 dollars a month. I move its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #4. On that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Preston."

Preston: "Would the Gentleman yield for a question?"

Speaker Braun: "He indicates he will."

Preston: "Representative McCracken, was this change discussed with the Attorney General's Office and have they signed off on it?"

McCracken: "No, not to my knowledge. I don't think it's been discussed, and I don't think they've agreed."

Preston: "Well, may I address this Amendment, Madam Speaker? The

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Gentleman, who I respect greatly, has unfortunately, on this one occasion, not taken the time or the opportunity to discuss this Amendment with me, as the Sponsor of the Bill, or with the Attorney General's Office, who are the prime proponents of this needed consumer legislation. And my understanding is that they do not approve of it. I have not approved of it, and I would certainly ask this Body to reject Amendment #4."

Speaker Braun: "The Gentleman has moved for the passage of House... of the...of Amendment 4 to House Bill 3332. All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question the 'ayes' are 49, the 'nays' are 63. The Amendment is lost. Further Amendments?"

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

Speaker Braun: "The Gentleman from DuPage, on Amendment 5."

McCracken: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #5 would delete the immediate effective date, thereby making the Bill effective January 1, 1987, if passed."

Speaker Braun: "The Gentleman has moved for the adoption of Floor Amendment 5. On that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Preston."

Preston: "Thank you, Madam Speaker. Would the Gentleman yield for a question?"

Speaker Braun: "He indicates he will."

Preston: "Representative McCracken, have you discussed this Amendment with the Attorney General's Office or with any of the consumer groups that are proponents of this legislation?"

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McCracken: "No."

Speaker Braun: "The Gentleman has moved for the adoption... I'm sorry. Representative Preston, you..."

Preston: "Yes, Madam Speaker. I would just ask that this Amendment be rejected as well."

Speaker Braun: "Gentleman has moved for the adoption of Amendment #5 to House Bill 3332. All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question the 'ayes' are 50, the 'nos' are 59. The Amendment is lost. Further Amendments?"

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

Speaker Braun: "Gentleman from Cook, on Amendment 6."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #6 addresses some of the concerns of health clubs who have been in operation for a number of years and have had no problem and have shown some satisfactory performance of services. So, what Amendment #6 does is in essence it deletes from the requirements of bonding health clubs that have been in existence and operating for three or more years. And I'd ask for its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Floor Amendment #6. All in favor... On that, is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. I'm in favor of this Amendment, but I wonder, has the Attorney General approved this?"

Preston: "No, he's against this, Representative."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #6. All in favor say 'aye', opposed say 'nay'. In the

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opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. House... House Bill 3346, Representative Currie. Mr. Clerk, read the Bill."

Clerk Leone: "On page 12 of the Calendar, House Bill 3346, a Bill for an Act to establish the Rheumatic Diseases Treatment Authority. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "The Chair recogni..."

Clerk Leone: "Floor Amendment #1 is offered by Representative Braun - Currie."

Speaker Braun: "The Lady from Cook, on Amendment 1."

Currie: "Thank you, Madam Speaker, Members of the House. The underlying Bill creates an Authority to advise the Department of Public Aid on the need for services and planning and distribution of services under... for individuals who suffer from rheumatic diseases, specifically children. The Amendment clears up a flaw in the original Bill by expressly authorizing the Authority to recommend grants to institutions that provide that kind of service and authorizes the Director, if it is so recommended by the Authority, to enter into contracts for those grants. I would appreciate your support, and I'm happy to answer any questions."

Speaker Braun: "The Lady has moved the adoption of Floor Amendment #1. On that, is there any discussion? There being none, all in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 3521, Representative Friedrich. Mr. Clerk, read the Bill. Sorry."

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Representative Friedrich."

Friedrich: "I believe we moved that earlier today, Madam Speaker."

Speaker Braun: "Yes, you are correct, Sir. House Bill 3530, Representative Currie. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3530, a Bill for an Act to amend the Critical Health Problems and Comprehensive Health Education Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "The Lady from Cook, Representative Currie."

Clerk Leone: "Floor Amendment #1, offered by Representative Johnson - Currie."

Currie: "Leave to withdraw Amendment 1."

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

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. House Bill 3531, Representative Johnson. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3531, a Bill for an Act in relationship to anatomical gifts. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Johnson - Currie."

Speaker Braun: "Representative Johnson, on Amendment 2."

Johnson: "Leave to withdraw Amendment #2 and Amendment #3."

Speaker Braun: "Amendments 1... Amendments 2 and 3 are withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Representative Currie and Johnson."

Speaker Braun: "Representative Currie on Amendment 4."

Currie: "Thank you, Madam Speaker, Members of the House."

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Amendment 4 clarifies the...the underlying Bill deals with issues of organ donation. This Bill clarifies what counts as a willingness to donate an organ and establishes broader liability provisions for recipients thereof. I'm happy to answer questions and move for the adoption of the Amendment."

Speaker Braun: "The Lady has moved for the adoption of Floor Amendment... of Amendment #4. On that, is there any discussion? Gentleman from Champaign, Representative Johnson. There being none, all in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #5, offered by Representative Currie and Johnson."

Speaker Braun: "Lady from Cook, on Amendment 5."

Currie: "Leave to withdraw Amendment 5."

Speaker Braun: "Amendment 5 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #6, offered by Currie and Johnson."

Speaker Braun: "Lady from Cook, on Amendment 6."

Currie: "Thank you, Madam Speaker, Members of the House. The Bill clarifies the circumstances under which a donee may not accept and anatomical gift. Be happy to answer questions and move for adoption of the Amendment."

Speaker Braun: "The Lady has moved the adoption of Floor... of Amendment #6. On that, is there any discussion? There being none, all in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 3536, Representative Currie."

Currie: "Don't you want to read the Bill? Clerk, read the Bill?"

Clerk Leone: "On page number 13, House Bill 3536, a Bill for an

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Act in relationship to sale and use of human body parts.
Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, offered by Representative
Currie and Johnson."

Speaker Braun: "Lady from Cook, on Amendment 1."

Currie: "Thank you, Madam Speaker, Members of the House, the
Bill... the Amendment does not change the underlying
purpose of the Bill, but it does clean it up. There were
several technical errors in the Bill, and I move for
adoption of the Amendment."

Speaker Braun: "The Lady has moved the adoption of Amendment #1.
On that, is there any discussion? The Chair recognizes the
Gentleman from Cook, Representative Cullerton."

Cullerton: "Does this add criminal penalties for selling body
parts?"

Currie: "Yes, it..."

Cullerton: "Human body parts?"

Currie: "Yes, it does, Representative."

Cullerton: "Is that what you call a cleanup?"

Currie: "I believe that that was in the original Bill."

Cullerton: "This doesn't add a Section to the Criminal Code?"

Currie: "My recollection was that that was part of the original
Bill and that this Amendment made some technical changes."

Cullerton: "Fine, thank you."

Currie: "It could be that you are right."

Speaker Braun: "Further discussion? The Chair recognizes the
Gentleman from DuPage, Representative McCracken."

McCracken: "Is the illegal sale of body parts still a Class 4
felony?"

Currie: "Yes, it is, Representative, and that was... for a second
offense and that was part of the Bill as originally
drafted."

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McCracken: "Oh, a second offense"

Currie: "Second offense. For a first offense, it is merely a
Class A misdemeanor..."

McCracken: "Do you mind if I ask what parts are covered? Thank
you. Nothing further."

Speaker Braun: "Is there further discussion? The Gentleman from
Champaign, Representative Johnson."

Johnson: "No, I... just if there was any question about it, I
wanted to indicate my support and reasons for that. But
I'll withhold that, because I don't think there's any
serious opposition."

Speaker Braun: "Is further discussion? The Gentleman from Cook,
Representative Preston."

Preston: "Thank you, Madam Speaker. Would Representative
McCracken indicate which body parts he's interested in
purchasing?"

Speaker Braun: "The Lady has moved the adoption of Amendment #1.
No you may not. The Lady has moved the adoption of
Amendment #1. All in favor say 'aye', opposed say 'nay'.
In the opinion of the Chair, the 'ayes' have it. All in
favor vote 'aye', opposed vote 'no'. Have all voted who
wish? Have all voted who wish? The Clerk will take the
record. For what reason does the Gentleman from DuPage,
Representative McCracken, rise?"

McCracken: "Someone turn my light..."

Speaker Braun: "On this question the 'ayes' are 78, the 'nos' are
23, 2 voting 'present'. The Floor Amendment #1 is adopted.
Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. For what reason does the
Gentleman from DeWitt, rise?"

Vinson: "Madam Speaker, I noticed in the Calendar today on page
29 that a Rules Committee is scdeduled for 8:00 tomorrow.

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And I noticed that in the rules, that it specifies two days notice at this time in the Session for a Rules Committee hearing. And I noticed that when you filed with the Clerk the notice of the Rules hearing, that you filed it at 10:30 on Monday and you called it for 8:00... I'm sorry, 8:05 on Wednesday. That is not two days notice. And in order to have that Rules Committee meeting, you have to suspend the rules. And I wonder what you plan on doing in regard to that?"

Speaker Braun: "Thank you, Representative Vinson. The Chair recognizes Representative... The Parliamentarian... The Parliamentarian will respond in one second. Thank you. Representative Vinson, in response to your question, pursuant to Rule 20(c), a half day... or 20(b), a half day... if it had been done in the afternoon, after 12:00 noon, then you would be correct. However, in light of the fact the posting took place before noon, pursuant to Rule 20, the notice is proper and the Rules Committee scheduled falls within the requirements of our rules. Yes, Sir? Yes, Sir. Representative Vinson."

Vinson: "The point is not that it violates the two and a half day notice. It violates a two day notice. And you filed the notice at 10:30 on Monday for Rules Committee at 8:05 on Wednesday. That is less than two days."

Speaker Braun: "No, Sir, because under the rules, under Rule 20(b) that I just referred you to, that half day... since it was filed before 12:00 in the day, that half day is counted as a day under our rules. You can check it if you want to. Is there fur... Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Thank you, Madam Speaker, I would move that we continue the Special Order of Business Labor and Employment Benefits until Wednesday, May 21 at the hour of 9:30."

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Speaker Braun: "Does the Gentleman have leave? Leave is granted.
The Gentleman from Lake, Representative Matijevich."

Matijevich: "Since everybody has their attention on rules, I'd like to announce that the Rules Committee has got to meet in Room 118, rather than 114. I know everybody wants us to finish that insurance liability and I understand they're using the Room 114. So, the announcement, we will be in Room 118 for Rules tomorrow at 8:00 a.m."

Speaker Braun: "Thank you. Representative Vinson."

Vinson: "Yes, in regard to your ruling on 20(b), Madam Speaker, I would like to ask you to reconsider because it says that for purposes of this rule only that that is the case. We're not dealing with this rule only. We're dealing with a different rule."

Speaker Braun: "Gentleman from Cook, Representative Cullerton. Representative Vinson... Representative Vinson, I appreciate your innovative reading of the rules; however, we don't agree. So, we will move on. Representative Cullerton, for an Adjournment Resolution."

Cullerton: "Yes. I move that the House stand adjourned until the hour of 9:30 tomorrow morning. 9:30."

Speaker Braun: "Allowing for five minutes..."

Cullerton: "And if the Clerk needs time for perfunct."

Speaker Braun: "Thank you. Allowing... allowing five minutes for Perfunctory Session, the House is adjourned until the hour of 9:30 a.m. tomorrow."

Clerk Leone: "Introduction of Senate Bills. Senate Bill 1320, Slater, creates... a Bill for an Act to create the General Not-for-Profit Corporation Act. First Reading of the Bill. Senate Bill 1783, offered by Representative Ropp, a Bill for an Act to amend the Beef Market Development Act. First Reading of the Bill. Senate Bill 1805, offered by Representative Shaw, a Bill for an Act to amend an Act in

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relationship to the management of low level radioactive waste. First Reading of the Bill. Senate Bill 1944, offered by Representative Giorgi, a Bill for an Act to amend the Illinois Horse Racing Act. First Reading of the Bill. Senate Bill 2129, offered by Representative O'Connell, a Bill for an Act to amend the Code of Criminal Procedure. First Reading of the Bill. Being no further business, the House will now stand adjourned till 9:30 a.m. tomorrow morning."

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