

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

45th Legislative Day

May 22, 1985

Speaker Giorgi: "The House will be in order. Members will be in their chairs. The Chaplain for today will be Pastor Tom Suey, Pastor First Apostolic Church of Herrick. Pastor Suey is a guest of Representative Mike Tate. Will the guests in the galleries please rise and join us in invocation? Pastor."

Pastor Suey: "Now unto You, O Lord, who is the true standard of justice and righteousness, inspire and impart to these Legislators discernment, wisdom and knowledge that righteousness may be enacted in these halls and executed throughout this great State of Illinois, in the Name of our Lord and Savior, Jesus Christ. Amen."

Speaker Giorgi: "Thank you, Pastor. We'll be led in Pledge of Allegiance by Representative Gordy Ropp."

Ropp: "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 Giorgi: "Roll Call for Attendance. Have all... Have all recorded themselves who wish? 119 answering the Call, a quorum is present. Reading of the Journal"

Clerk O'Brien: "Journal for April 23..."

Speaker Giorgi: "Representative Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House, I move that we dispense with the reading of the Journal and that the following Journals be approved. Journal #23 of April 11, Journal #24 of April 12, Journal #25 of April 16, #26 of April 17 and Journal #27 of April 18, 1985."

Speaker Giorgi: "The Gentleman has moved to dispense with the reading of the House Journals of the following dates and asks that they be approved as read. Is there any objections? Hearing no objection, all in favor say 'aye', all opposed say 'nay'. Motion carries. Journals are

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adopted. Senate Bills First Reading."

Clark O'Brien: "Senate Bill 119, Terzich, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 120, Terzich - Capparelli and McAuliffe, a Bill for an Act making the birthday of Casimir Pulaski a banking holiday and school holiday. First Reading of the Bill. Senate Bill 140, Homer, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 202, Ronan, a Bill for an Act in relation to alcoholism and substance abuse. First Reading of the Bill. Senate Bill 204, Ronan, a Bill for an Act to amend the Juvenile Court Act. First Reading of the Bill. Senate Bill 207, Ronan, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 208, Ronan, a Bill for an Act in relation to sale or delivery of firearms, cannabis or controlled substances while on school premises. First Reading of the Bill. Senate Bill 249, Giorgi and Keane, a Bill for an Act to amend the Illinois Income Tax Act. First Reading of the Bill. Senate Bill 253, W. Peterson, a Bill for an Act concerning transfers to and distribution from the Common School Fund. First Reading of the Bill. Senate Bill 258, Keane and Woodyard, a Bill for an Act to amend the Senior Citizens' and Disabled Persons' Property Tax Relief and Pharmaceutical Assistance Act. First Reading of the Bill. Senate Bill 260, Giorgi and Keane, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 298, Wojcik, a Bill for an Act to amend the Liquor Control Act. First Reading of the Bill. Senate Bill 1264, Hallock, a Bill for an Act to amend an Act concerning certain funds of the Department of Commerce and Community Affairs. First Reading of the Bill. Senate Bill 1448, Nautino, a Bill for an Act to amend the Fish Code. First

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Reading of the Bill. Senate Bill 1450, Mautino, a Bill for an Act to amend the Wildlife Code. First Reading of the Bill."

Speaker Giorgi: "Agreed Resolutions."

Clerk O'Brien: "House Resolution 417, offered by Representative Richmond; 418, by Representative Hawkinson; 419, by Representative Flowers. House Joint Resolution 54, by Representative Giglio and Piel. Senate Joint Resolution 57, by Representative Stange. And Senate Joint Resolution 60, by Representative Hensel."

Speaker Giorgi: "Representative Matijevich, on the Agreed Resolutions."

Matijevich: "Speaker, Ladies and Gentlemen of the House, House Resolution 417, Richmond, endorses a strong farm policy. House Resolution 418, Hawkinson, commends Ordell Peterson. House Resolution 419, Flowers, congratulates Marlo Kemp. House Joint 54, Giglio, commends Norman MacKay. House... Senate Joint 57, Stange, recognizes Henry Abellar and Senate Joint #60, Hensel, honors the St. Charles Swim Team. I move the adoption of the Agreed Resolutions."

Speaker Giorgi: "The Gentleman moves for the adoption of the Agreed Resolutions. Any discussion? All those in favor signify by saying 'aye', all those opposed 'nays'. The 'ayes' have it, and the Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 415, offered by Representative Flowers - et al and House Joint Resolution 53, offered by Representative Pangle and Christensen."

Speaker Giorgi: "Committee on Assignment. We'll just be at ease for a few minutes. We have one more Agreed Resolution. Clerk, read the Resolution."

Clerk O'Brien: "Senate Joint Resolution 58, offered by Representative Oblinger".

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Speaker Giorgi: "Representative Matijevich, on the..."

Matijevich: "Mr. Speaker, Senate Joint Resolution 58, Oblinger, congratulates the St. John's School of Nursing. I move for the adoption of that Resolution."

Speaker Giorgi: "The Gentleman moves for the adoption of the Agreed Resolution. All in favor signify by saying 'aye', those opposed 'nay', and the 'ayes' have it. The Agreed Resolution is adopted. We shall proceed to page 55, the Consent Calendar. Clerk, read the Bills."

Clerk O'Brien: "Consent Calendar Third Reading, Second Day. House Bill 1165, a Bill for an Act to amend Sections of the Illinois Insurance Code. Third Reading of the Bill."

Speaker Giorgi: "Question is, 'Shall this Bill pass?' Representative Hallock, on House Bill 1165. It's on the agreed list. Okay. The question is... All in favor signify by voting 'aye', those opposed by voting 'no'. Page 55. Have all voted who wish? Have all voted who wish? On House Bill 1165 there are 113 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is declared passed. Representative Hallock, for what reason do you rise?"

Hallock: "I'd just like to say that was an outstanding Consent Calendar."

Speaker Giorgi: "I would agree. Members of the House, it should be noted there are over a hundred Senate Bills on First Readings, and maybe the Members can peruse the Calendar to see if maybe they've been asked to pick up some of the Senate Bills by their counterparts in the Senate. Senate Bills First Reading."

Clerk O'Brien: "Senate Bill 128, Anthony Young, a Bill for an Act to amend the State Employees' Group Insurance Act. First Reading of the Bill. Senate Bill 753, Kulas, a Bill for an Act to regulate the transportation of hazardous nuclear

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materials in the State of Illinois. First Reading of the Bill. Senate Bill 237, Daniels, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 179, McCracken and Ryder, a Bill for an Act to amend the Code of Criminal Procedure. First Reading of the Bill."

Speaker Breslin: "Representative Breslin in the Chair. Ladies and Gentlemen, we are going to start this morning on House Bills Third Reading - Education Reform. The first Bill appearing on page 25 on your Calendar is House Bill 1038, Representative Satterthwaite. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1038, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House, this Bill was discussed rather thoroughly on Second Reading. It includes a number of recommendations that came to us through the Commission on the Improvement of Elementary and Secondary Education. It departs from the Commission's recommendation in that we provide only for the first step of the salary increase for teachers that was a part of that Commission's recommendation. It also includes portions that provide additional programs for women in minorities in administrative fields and for scholarships for teachers in areas of shortage. I'd be happy to respond to questions or, otherwise, ask for your favorable vote."

Speaker Breslin: "The Lady has moved for the passage of House Bill 1038. And on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill 1038 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 117 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having

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received the Constitutional Majority, is hereby declared passed. House Bill 1039, Representative Mulcahey. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1039, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Mulcahey."

Mulcahey: "Thank you, Madam Speaker. House Bill 1039... under current law, the State Board of Education is required to report annually to the Governor on the condition of the schools in the State of Illinois, things such as reports of the State Teachers' Certification Board, reports on driver education and special education transportation and actually hundreds of categories. This Bill does two things. Number one, it requires the State Board of Education to submit that very same report not only to the Governor, but it also adds the General Assembly. Number two, the report must also contain a separate section which provides a critique and analysis of the status of education in the State of Illinois. And finally, it requires the State Board of Education to identify the specific problems in education and to recommend solutions to these particular problems. That's all the Bill does. I ask for your approval."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1039. And on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill 1039 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Hastert would like to be voted 'aye'. Have all voted who wish? The Clerk will take the record. On this question there are 117 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1072, Representative Oblinger. Clerk, read the Bill."

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Clark O'Brien: "House Bill 1072, a Bill for an Act providing for the establishment of the Illinois Language and International Studies Academy. Third Reading of the Bill."

Speaker Breslin: "Representative Oblinger."

Oblinger: "Madam Speaker and Members of the House, this creates the Foreign Language Academy. I noted on a number of the analysis that there is a wrong information. I have filed an appropriation Bill for 42,000 dollars only in order to make the plans for the Academy. Also, it says we're looking at developing a building. That is not true. It will be housed at one of our state universities. The idea is to have the universities give proposals and what kinds of ... kind services they could provide such as space or housing. The reason for the grant is so that we could work with the businesses that said they were going to support this concept because it will help their business. If you've been reading what the Governor said about going to Japan, that he thought it was necessary that we have people who could speak the foreign language, if you look at what they said about China and then if you had read the paper when we went to Russia and Tip O'Neil had a conversation with 'Gorbichov' and there was nobody in the whole United States delegation that could speak Russian and they had to get a KGB man to do the interpreting. If you read the paper this morning, one of our United States Senators from Illinois, Senator Paul Simon, argues that linguistic illiteracy is costing the United States jobs, business deals in its edge in the international market. He said if you're going to deal with a customer, you should be able to speak the customer's language. He has seen our Bill and likes it and is introducing a similar Bill in the United States Senate. I think this is an excellent idea and one that's time has come. And I would appreciate your 'aye'

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vote."

Speaker Breslin: "The Lady has moved for the passage of House Bill 1072. And on that question, the Lady from Cook, Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. I certainly applaud the Sponsor's intention to make foreign language training a more important part of the education we offer the children in Illinois. I'm less enthusiastic about the Academy approach, but the basic point that we need to do more with foreign language training is certainly one whose goal I share and support. But I have one question of the Sponsor. You specify not only an Academy, but you specify the placement of the Academy. Your Bill, as I read it, calls for an Academy in central Illinois. Why did you choose central Illinois as against northern Illinois, southern Illinois, eastern, western Illinois? Would the Sponsor yield for this question?"

Speaker Breslin: "The Lady will yield for a question."

Oblinger: "Representative Currie, I've already spoken to the person who will have it in the Senate if we pass it and have asked him to change that because we're accepting proposals from throughout the state. We're hoping to have more than one center. We're hoping for at least one in Chicago area and one downstate, not particularly in central Illinois."

Currie: "So, your intent when the Bill is in the Senate is to take out language that specifies where in the State of Illinois any kind of Academy would be."

Oblinger: "We certainly do. Yes."

Currie: "Thank you very much."

Speaker Breslin: "The Lady from Cook, Representative Didrickson. Representative Didrickson."

Didrickson: "Will the Sponsor yield for a question, please?"

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Speaker Breslin: "She will yield for a question."

Dirrickson: "Representative Oblinger, is this at all tied in connection to a Math Science Academy or a Biology Academy or an Agriculture Academy?"

Oblinger: "No, it is not. We're..."

Dirrickson: "... concept?"

Oblinger: "The people I've talked with at the State Board and from the various universities, all of whom are supporting this, told me that what we would do is have a regular course of study but an accent on a major and two minors in foreign language at which time the children will be able to proceed at their own rate of speed."

Dirrickson: "Further question. What is the core curriculum minimum requirement that we here in the state have regarding foreign language?"

Oblinger: "At this time, as far as I know, there is no requirement for foreign language, not even in our universities for a doctorate."

Dirrickson: "Would it not be a better approach, with regards to the core curriculum, with regards to funding, to each of the schools throughout the State of Illinois?"

Oblinger: "I expected that question, and I have to answer no. I've gone to all the high schools in my own district. They're so small that they are not able to have one, single class in a foreign language. Maybe four want Spanish, three want French, two want Latin, and they have not been able to provide it, so they've dropped foreign language entirely. If we gave them more money, that's not going to get the students in there. It's because of the small school, and this way those few students who want to go ahead in language would have that opportunity."

Dirrickson: "Thank you. To the Bill, Madam Speaker."

Speaker Breslin: "Proceed."

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Dilrickson: "I am a strong supporter of foreign language. I would prefer to have had the foreign language requirement specifically stated in the core curriculum a little more strongly that we passed last Session. The Commission on Improvement of Schools report was silent in spite of the fact that we had many foreign language students, parents and teachers throughout this state address and speak to the issue of including foreign language in our programs at both the elementary and secondary level. I think we get down to the fact of funding. I would much prefer to have this in the State Board of Education's budget with regards to funding foreign language, and I would must prefer to have foreign language requirements sitting in our School Code. And for those reasons, because I would like to reach all of the students in the State of Illinois, I unfortunately have to oppose this Bill"

Speaker Breslin: "The Gentleman from Jackson, Representative Richmond."

Richmond: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise in strong support of this idea and certainly applaud the Sponsor for the... for the idea. As our world seems to shrink in size with all of the communications and sophistication of our techniques and so forth, I think it's incumbent upon us to... to be sure that we are turning out students who can react properly in the world market. And since Illinois is one of the major exporting states, I think... and we're trying to expand our markets, I think this is a very timely and important Bill, and I urge its support."

Speaker Breslin: "The Gentleman from Will, Representative Davis."

Davis: "Thank you, Madam Speaker and Members of the House. I, too, rise in strong support of this concept. I think that, as the Chinese say, which is appropriate here I suppose,

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because we're going to be doing a lot of business with China, the journey of a thousand miles begins with but a single step. And despite the arguments to the contrary on where things should be or should not be, I commend the Sponsor for her attitudes towards this subject. She's absolutely right, and I think this is a good first step. And I think we should support this concept."

Speaker Breslin: "The Gentleman from Madison, Representative Wolf."

Wolf: "Madam Speaker, I move the previous question."

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the main question is put. Representative Oblinger, to close."

Oblinger: "I just would like to make one statement. This is for the planning area. If we find out, as Representative Didrickson has said, that the way to go is through a core curriculum, we certainly would recommend this. This is for the planning and for the appropriateness of this type of an Academy. And I would appreciate your support."

Speaker Breslin: "The question is, 'Shall House Bill 1072 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House, although the concept may be good, we should not be so hasty in plunging into projects of this sort. We do not need additional funds for a study. The State Board can do the study without any additional funds and then come back to us with a plan. Unfortunately, I see that the Body is not with me, but I think it is not a wise action at this time to support this legislation."

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

Soliz: "Thank you, Madam Chairman, Ladies and Gentlemen, Members of the House. I'd also like to applaud the Sponsor for bringing this piece of legislation. It's a very important piece of legislation for all citizens in the State of Illinois. I've practiced immigration law in the past, and I've had occasion to represent many clients from many countries, including western Europe. And I always feel deprived when I see citizens from France, Italy and other countries that speak two or three languages. And I think this is a small but important first step in trying to bring our country and our state into the... into the reality of world perspectives. So, I'd like to applaud again and thank the Spea... the Sponsor of this Bill for this very good Bill."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 97 voting 'aye', 22 voting 'no' and 6 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1086, Representative Mulcahey. Clerk, read the Bill."

Clerk Leone: "House Bill 1086, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Mulcahey."

Mulcahey: "Thank you, Madam Speaker and Members of the House. House Bill 1086 concerns itself with transportation, supervisors' salaries and building and maintenance costs in the area of transportation for the public schools. As it is today, all reimbursable costs for transportation for regular education, vocational education and special education are listed in the School Code. There are 14 in all, including such items as drivers' salaries, maintenance, personnel insurance, equipment and so on and

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so forth. This Bill would add supervisors' salaries and building and maintenance costs to that list of 14 allowable direct costs for which schools... school districts may be reimbursed. And I would move for the passage of House Bill 1086."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1086. And on that question, the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand in support of the Gentleman's Bill, because it is a matter of equity. Those public school districts in Illinois which contract out for pupil transportation are already paying, in those contractual costs, all of the so-called overhead such as the costs for the personnel who administer those contractual bus services. However, those school districts which own their own bus fleet are, under present provisions, not permitted to include those costs to indicate what, in fact, the total costs for their bus transportation program is. Under this law, those things would be equitable throughout all Illinois school districts. This Bill deserves to be passed. Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 1086 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 116 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1117, Representative Keane. Clerk, read the Bill."

Clerk Leone: "House Bill 1117, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. House Bill 1117 amends the

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School Code to allow the Board of Education of Chicago and the Chicago Teachers' Union to enter into multi-year contracts. When this Bill was before the Elementary and Secondary Education Committee, it received, if not a unanimous vote, I remember a very, very outstanding vote. The problem that Chicago is facing right now, with the one... being limited to a one year contracts is that it creates a tremendous amount of disruption in the school year. This... What we've had for the last two years is school starting in the end of September. Because of that, we've had loss of students. We've had a tremendous amount of family disruption. This Bill would allow the... both the Board and the union, who have both supported this Bill, to enter into a multi-year contract. I'd be happy to answer any questions and ask for your favorable vote."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1117. And on that question, is there any discussion? There being no discussion, the question is, 'Shall 1117 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 101 voting 'aye', 12 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Major... Representative Harris wishes to be recorded as voting 'aye'. There are, therefore, 102 voting 'aye', 12 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1166, Representative Satterthwaite. Clerk, read the Bill."

Clerk Leone: "House Bill 1166, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House, this Bill

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requires the IHSA to submit a report to the State Board of Education on an annual basis documenting the female participation in athletic competitions. The Association already provides such a report but has not officially been required to submit it to the State Board. It's our feeling that with this legislation, the school districts will feel more compelled to respond to the Association with the statistics that are required. And I would ask for your favorable vote."

Speaker Breslin: "The Lady has moved for the passage of House Bill 1166. And on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, I wonder if the Sponsor might yield for a question?"

Speaker Breslin: "She will yield for a question."

Vinson: "Representative, did I correctly understand your explanation that this report is already being prepared?"

Satterthwaite: "There is a report prepared, yes, but not one that is required and not one that all school districts feel they have to respond to when the questionnaire goes out to them."

Vinson: "Okay. To the Bill, Madam Speaker."

Speaker Breslin: "Proceed."

Vinson: "I'm going to vote against the Bill just as a matter of conscience, not as a matter of party position or anything. Seems to me that if we go around cluttering up the statutes with requirements that every report that is currently prepared has to be prepared, that that's the height of foolishness. So I would urge a 'no' vote."

Speaker Breslin: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. I think the point here is that as the report is not required many schools do not provide information to make the report a valuable resource to the State Board of Education. There

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are questions about how the Illinois High School Association programs affect women who choose to participate in sports and it seems to me it's up to us to ensure that information about that participation is available to the State Board and available to us. Although the report is presently filed without this legislation, the report is incomplete and has very little value either to the State Board or to the Members of the General Assembly. This is a good Bill and deserves support."

Speaker Breslin: "There being no further discussion, the Lady from Champaign, to close."

Satterthwaite: "Madam Speaker and Members of the House, according to our survey, at least a hundred schools in the state have chosen not to respond to the High School Association in regard to the questions relative to the female participants in their athletic programs. In order to direct those schools to comply with the request for information and have that included in the report, I move for passage of House Bill 1166."

Speaker Breslin: "The question is, 'Shall House Bill 1166 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 86 voting... Representative McCracken wishes to be voted 'aye'. Representative Mulcahey wishes to be voted 'aye', and Representative Mautino wishes to be voted 'aye'. And Representative Tate wishes to be voted 'aye'. There are, therefore, 90 voting 'aye', 20 voting 'no' and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1206, Representative Pangle. Clerk, read the Bill."

Clerk Leone: "House Bill 1206, a Bill for an Act to amend an Act to provide funding for higher educational assistance.

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Third Reading of the Bill."

Speaker Breslin: "Representative Pangle."

Pangle: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The House Bill 1206 is a Bill that I think is needed in the higher education, especially in the scholarship area. We're aware of the fact that there's been a lot of cutbacks in the Federal Government on state scholarships. It's another checkoff for your state income tax that would go into the area of scholarship. It would go into the Scholarship Commission for scholarships throughout the state. And I would be happy to answer any questions."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1206. And on that question, is there any discussion? The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker. Will the Sponsor yield for a question?"

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

Cowlshaw: "Could you tell me, please, whether in this Bill you have provided any guidelines for awarding these scholarships?"

Pangle: "The scholarships will go through the State Scholarship Commission and will follow the same guidelines that they have followed with the other scholarships that... in their Commission."

Cowlshaw: "Alright. Is there any possibility that approval of this Bill might result in reduced funding for the State Scholarship Commission's Monetary Award Program?"

Pangle: "The understanding is that there would be no... no decrease in the regular state funding for scholarships. This would be an additional funding for scholarships."

Cowlshaw: "Thank you."

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Speaker Breslin: "There.. The Gentleman from Marion, Representative Friedrich."

Friedrich: "Would the Sponsor yield?"

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

Friedrich: "Are you aware the we already have five funds that you can check off, we've got a real smorgasbord already and that you're going to add one more?"

Pangle: "Well, I think that if we can check off to take care of the conservation and the animal people in the State of Illinois, we certainly ought to be able to make one more little checkoff for higher education."

Friedrich: "I understand it, but I think we shouldn't have had those either."

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

Pangle: "I think this is an important issue. We have a lot of people that are trying to get through college these days, and we're aware of the fact that the scholarship funding has certainly decreased in the last couple of years. And I would sincerely appreciate an 'aye' vote."

Speaker Breslin: "The question is, 'Shall House Bill 1206 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Homer. The Lady from Champaign, Representative Satterthwaite, one minute to explain your vote? No need. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 88 voting 'aye', 28 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1232, Representative Younge. Clerk, read the Bill."

Clerk Leone: "House Bill 1232, a Bill for an Act to create the Enterprise High School Laboratory. Third Reading of the Bill."

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Speaker Breslin: "Representative Younge."

Younge: "Thank you very much, Madam Speaker and Members of the House. House Bill 1232 would establish the Enterprise High School in conjunction with an incubator at the State Community College in East St. Louis. The curriculum basically would be that one half of the day academic subjects would be taught and then the other half of the day entrepreneur skills and how to set up a business would be taught to high school dropouts. The Bill is supported by the State Superintendent of Schools, by Oscar Wilde. The Bill got out of the Committee by a vote of 13 to 0 and the State Superintendent of Schools has indicated that this fits right into his education for employment program. And I ask for your support in reference to this matter."

Speaker Breslin: "The Lady has moved for the passage of House Bill 1232. And on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill 1232 pass?' Representative Hoffman, for what reason do you rise?"

Hoffman: "Like to ask the Sponsor questions, please."

Speaker Breslin: "Proceed."

Hoffman: "What is the estimated cost of this program?"

Younge: "The estimated costs in reference to the Enterprise High School would be a half million dollars for the high school's first year's operations. The State Superintendent of Schools has... is endorsing that the state, out of its budget, give him the authority and the money to set up the high school for one year. After that, it will be paid for by the Joint Partnership Training Act funds. The estimated costs for the incubator at the... at the State Community College would be one million dollars for the establishment of an incubator that will incubate the businesses where the young people will be starting the businesses."

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Hoffman: "Are there any... Are there any buildings involved in this?"

Younge: "The buildings in reference to the Enterprise High School would be one of the vacant high school buildings. The buildings in reference to the incubator would be a multi-story, unoccupied, vacant building that is renovated for an incubator."

Hoffman: "Who owns the building?"

Younge: "The building would be owned, after it has been identified as a result of a feasibility analysis, would be owned by the State Community College."

Hoffman: "Who owns it now?"

Younge: "The buildings are unidentified now."

Hoffman: "You said that the cost was a million dollars to... to operate it and that the initial cost was 500,000 and the State Superintendent said that he will take that out of their budget?"

Younge: "The State Superintendent is recommending that the first year's budget of 500,000 dollars for the Enterprise High School be made available from the state in order to set the Enterprise High School program up. In the future years the money can come from the Joint Partnership Training Act funds."

Hoffman: "You have a commitment for that from them?"

Younge: "Well, the state already receives millions of dollars under the Joint Partnership Training Act for various types of programs. Forty percent of that money is set aside for dropout out-of-school youth; and, in order to establish the program after the first year, the recommendation is that there be a budget for the Enterprise High School."

Hoffman: "Do you have a commitment from the Joint Training Partnership Council to do this?"

Younge: "I have one member of the task force putting the

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Enterprise High School program together is a member of the PIC, local PIC committee, and he has favorably endorsed this program. The participants of the task force plus the State Superintendent of Schools is very enthusiastic about the Enterprise High School program."

Hoffman: "The fact that a single member on a local PIC is a long way away from any kind of a commitment from the Joint... the committee on the JTPA program. Thank you very much. Madam Speaker, to the Bill."

Speaker Breslin: "Proceed."

Hoffman: "I trust by this time people have had an opportunity to look at the proposal of the Lady. I also hope that on the basis of the discussion you have some idea of where she is in the development of this idea. The Lady, as those of us know who have been here any period of time, is probably the most ingenious Member of this Body. And I give her a great deal of credit for that. I think that this particular program, since there is no direct appropriation for it, it ill behoves us to pass this kind of a program with the idea that somehow this is going to be one paid for the first year out of a budget of the State Board of Education and then, from that point on, go to the JTPA funds without any kind of a... of a commitment from them. With that as a basis for my remarks, I must respectfully rise in opposition to this program and would ask the rest of the Body to look at it carefully for fear of being embarrassed. Thank you."

Speaker Breslin: "The Gentleman from St. Clair, Representative Flinn. Representative Flinn."

Flinn: "I move the previous question, Madam Speaker."

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In

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the opinion of the Chair, the 'ayes' have it. And the main question is put. Representative Younge, 'to close"

Younge: "I simply want to say that the State Superintendent of School endorses this Enterprise High School program. The superintendent of 189 and 188 wants this program. State Community College wants this program. The Regional Superintendent of Schools wants this program. The local business community has endorsed this program. In our area we have out of two people who go into the educational system, 1.3 persons drops out of school. This is a program, once set up, that can be funded out of the Joint Partnership Training Act, and it fits right into the education for employment theory that is now a part of the educational reform package. The incubator will be self-sustaining after two years, and I think that this is a program that the state ought to make an investment in. And I ask for your support in reference to the Enterprise High School program."

Speaker Breslin: "The question is, 'Shall House Bill 1232 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Gentleman from McLean... the Gentleman from McLean, one minute to explain your vote."

Ropp: "Thank you, Madam Speaker. I think it's interesting to note that in our state we have public education and we have private education and in-home school education, and we're spending a lot of money for public education. And it appears that we are now in the process of attempting to set up a dual kind of a system to allow for some students to say, 'I don't want to go to those regular schools, but I might go to some other kind of a vocational school'. And I'm not opposed to vocational schools, but it sure seems to me that I... we're spending an awful lot of money for public education now and are not interested in making sure

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those kids stay in school. But we're going to start a new approach here, and there are a number of Bills coming down the pike here to fund additional programs outside, above and beyond, the current educational system. And I think we're really in for a new spending whirl if we begin to support these kinds of programs."

Speaker Breslin: "The Lady from Cook, Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I believe Representative Younge has given us a real opportunity here. The fact of the matter is, as Representative Huff has been saying over the last few days, what we're addressing is an education industry in Illinois, in this nation, indeed, which, in many regards, does not touch those students who don't fit into the mold. For those students who are now dropouts, for those students who are now illiterate, for those students who now don't fit in the mold and are not able to function, if we don't provide alternatives so that these people can become gainfully employed, can become educated so they will have a skill, a trade or some abilities to bring into the open market, those students will be lost forever, and we will wind up paying the costs. The only question is when do we pay. Either we provide training for those young people now, or we'll wind up pay for them later. Representative Younge has suggested a way that we can educate and train simultaneously through this proposition, and I think it is a very good proposal that will, in the long run, benefit not just the students, but all the people of the State of Illinois."

Speaker Breslin: "The Gentleman from Cook, Representative Piel, one minute to explain your vote."

Piel: "Just to ask for a verification should this receive the required amount."

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Speaker Breslin: "Have all voted who wish? The Gentleman from Cook, Representative Huff."

Huff: "Yes, Madam Speaker, I just wanted to say that my hat is off to the Sponsor of this fine piece of legislation without qualification. All she has done, Ladies and Gentlemen, is used her imagination and existing monies that's already in the pipeline to help support children to a qualified education and hopefully meaningful participants in a larger society."

Speaker Breslin: "The Gentleman from Marion, Representative Friedrich, one minute to explain your vote."

Friedrich: "I don't know whether all of you are aware of it or not, but East St. Louis has the only community college in this state which pays no local taxes. It's all totally state funded. And up till now, it's been a disaster. There's been times when they couldn't tell you how many teachers they had much less how many students or typewriters or anything else. We're trying to get that straightened out, but, I'll tell you, East St. Louis Community College has the same opportunity as any other one to provide programs and adult education, GED and all those things. And now we're going to put another layer on that to blow some more money, and I hope... and be run by the same people. And I think this is a disaster and a waste of state money."

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

Satterthwaite: "Mr. Speaker and Members of the House, the package of legislation that we have put out from the Committee indeed stresses the fact that we need to have alternative kinds of programs to address the dropout problem. I commend the Lady for finding an alternative program that she feels will work and be successful in her Legislative

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District, and I think that we are really being... not being fair to her if we say that we will support alternative programs and, yet, reject the very program that has a possibility of success in her district. And I would urge Members to look upon this not as a special program but one that fits into the very recommendations that our Committee has made for providing alternatives for those who do not succeed within the system as it currently exists."

Speaker Breslin: "The Lady from DuPage, Representative Cowlshaw, one minute."

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I reluctantly rise to explain my 'no' vote because I am not in accord with the remarks of the prior speaker. I do not believe that this program fits in with the overall education reform projects we have undertaken here. I believe it is a fragmented approach, and I certainly feel that every Member of this House is very industrious and imaginative, and every one of us could up with a half a million dollar project for our own district that would be very educationally sound, but that is a fragmented way to go about it."

Speaker Breslin: "The Gentleman from Cook, Representative Shaw, one minute to explain your vote."

Shaw: "Yes, I rise in support of House Bill 1232, because I think it's a good piece of legislation, and, as some of the previous speakers have said, it's an alternative program. A few months ago when the Chicago Sun-Times had bold headlines talking about 53 percent of the school population were dropouts, no one came up with any ideas but this Lady from East St. Louis. And she's come up with a program to combat what the Sun-Times reported as 53 percent of the population... school population were dropouts. Why don't the other side of the aisle... what Bill have they come up

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with? What program have they came up with to address the dropout situation? But now that this young Lady has come up with an idea to address this situation, they want to be against it because it's not their own idea. They should join in support for this good piece of legislation. I don't understand. Every good piece of legislation that comes down the pike here the other side of the aisle is opposed to it."

Speaker Breslin: "Representative Shaw, your time is up. Have all voted who wish? The Clerk will take the record. On this question there are 65 voting 'aye', 50 voting 'no' and 1 voting 'present'. And this Bill, having received the necessary... Representative Piel, for what reason do you rise?"

Piel: "I asked for a verification, Madam Speaker."

Speaker Breslin: "The Gentleman asks for a Verification of the Affirmative Roll Call. The Lady asks for a Poll of the Absentees. Representative Nash and Representative Ellis Levin ask for leave to be verified. Representative Flinn and Representative Curran ask leave to be verified. Poll the absentees, please."

Clerk Leone: "Poll of the Absentees. Dunn."

Speaker Breslin: "Representative Dunn votes 'aye'."

Clerk Leone: "Leverenz. No further."

Speaker Breslin: "Proceed with the... Proceed with the poll of the affirmative, please. It would help greatly if Members would be in their seat and rise or recognize Representative Piel as the verification proceeds. This will make things go faster. Proceed, Mr. Clerk."

Clerk Leone: "Poll of the affirmative. Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Bullock. Capparelli. Christensen. Cullerton. Curran. Currie. DeJaegher. DeLeo. Deuchler. John Dunn. Farley. Flinn.

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Flowers. Giglio. Giorgi. Greiman. Hannig. Hartke.
Hicks. Homer. Huff. Keane. Krska. Kulas. Laurino.
LeFlore. Levin. Matijevich. McGann. McNamara. McPike.
Mulcahey. Nash. Oblinger. Panayotovich. Pangle.
Phelps. Preston. Rea. Rice. Richmond. Ronan.
Saltsman. Satterthwaite. Shaw. Soliz. Steczo. Stern.
Sutker. Terzich. Turner. Van Duyn. Vitek. Washington.
White. Wolf. Anthony Young. Wyvetter Young. And Mr.
Speaker."

Speaker Breslin: "Representative Piel, do you have any questions of the Affirmative Roll? Representative Piel? Would somebody turn on Representative Piel?"

Piel: "Thank you, Madam Speaker. Could I ask the Chair what we're starting with, please?"

Speaker Breslin: "There are 66 voting 'aye'."

Piel: "Thank you. Representative Berrios?"

Speaker Breslin: "The Gentleman is in his chair."

Piel: "Representative Bowman?"

Speaker Breslin: "Representative Bowman is in the chamber. Representative Steczo asks leave to be verified, Mr. Piel."

Piel: "Fine. Representative DeJaegh... I'm sorry. Representative Farley?"

Speaker Breslin: "Representative Farley. Is the Gentleman in the chamber? He is not. Remove him."

Piel: "Representative Giorgi?"

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

Piel: "Representative Greiman?"

Speaker Breslin: "Representative Greiman. Representative Greiman. The Gentleman is not in the chamber. Remove him."

Piel: "Representative Hartke."

Speaker Breslin: "Representative Hartke?"

Piel: "I see him."

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

Piel: "Representative Laurino?"

Speaker Breslin: "Representative Laurino. Is the Gentleman in the chamber? Remove him."

Piel: "Representative Mautino?"

Speaker Breslin: "Representative Mautino is voting 'no'."

Piel: "Representative McNamara?"

Speaker Breslin: "Representative McNamara. Is the Gentleman in the chamber? Remove him."

Piel: "Did Representative... Okay. Representative Phelps?"

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

Piel: "Representative Ronan?"

Speaker Breslin: "Representative Ronan? Representative Ronan? The Gentleman is not in the chamber. Remove him."

Piel: "Representative Wolf?"

Speaker Breslin: "Representative Wolf. Representative Ronan has return to the chamber. And Representative Wolf is in the back of the chamber."

Piel: "Representative White?"

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

Piel: "Representative Flinn?"

Speaker Breslin: "Representative Flinn? Representative Flinn was already verified, Representative Piel."

Piel: "Okay, I'm sorry. Representative Rea?"

Speaker Breslin: "Representative Rea. Is the Gentleman in the chamber? Remove him. Representative Greiman has returned to the floor. Add him to the Roll Call."

Piel: "No further questions."

Speaker Breslin: "Representative Piel, what did you request? Representative Rea has returned to the chamber. Add him to the Roll Call."

Piel: "No further questions."

Speaker Breslin: "Mr. Clerk, can you give us the count? On this

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Bill there are 63 voting 'aye', 50 voting 'no' and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1252, Representative Greiman - Madigan - Currie. Clerk, read the Bill."

Clerk Leone: "House Bill 1252, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. House Bill 1252 started life as a technical change in the School Code, transferring a designated cooperating group as the Department of Education rather than the Department of Health Education and Welfare. The analysis and the Digest is wrong. That's all the underlying Bill does. As amended by this House, the Bill then now provides, first of all, for the establishment of a Governor's educating... Education Coordinating Council to look at issues affecting all levels of public education; secondly, authorizes the State Board of Education to establish five pilot projects to look at planning for career ladder programs for teachers; and finally, an Amendment offered by Representative Preston requiring school officials who suspect a pupil may have been abducted from the student's lawful custodian to report that suspicion."

Speaker Breslin: "The Lady has moved for the passage of House Bill 1252. And on that question, the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Unlike Representative Currie, it was my impression that when this began it, in fact, had wheels. It has moved along very smoothly on those wheels. It now is, I guess, what you might call the combination Bakalis-Preston package. And knowing that that's what it is, that it costs

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practically no money at all and in respect to former State Superintendent Bakalis and my honored colleague, Lee Preston, I suggest we vote for this Bill."

Speaker Breslin: "The honored colleague, Representative Preston, does not wish to speak on this Bill. The Gentleman from Macon, Representative Dunn."

Dunn: "Sponsor yield?"

Speaker Breslin: "She will yield for a question."

Dunn: "Are there any Amendments on this Bill now?"

Currie: "Three Amendments were adopted to the Bill, Representative."

Dunn: "What do they do?"

Currie: "One creating a coordinating council... Governor's Coordinating Council to look at education issues. That was a proposal from the Bakalis school reform group; secondly, an authorization to the State Board of Education to establish five pilot programs to consider the issue of career latter..."

Dunn: "I can't hear you."

Currie: "... for teachers."

Dunn: "I can't hear you."

Currie: "A Governor's Coordinating Council at the State Board of Education; secondly, authorization for the State Board to establish five pilot programs in career latter planning for teachers; finally, the Preston Amendment requiring school authorities to notify other authorities in the event they suspect that a child is the victim of abduction."

Speaker Breslin: "There being no further discussion, the question is, 'Shall House Bill 1252 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', 1 voting 'no' and 2 voting 'present'. This

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Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1289, Representative Keane. Clerk, read the Bill."

Clerk Leone: "House Bill 1289, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Keane."

Keane: "Thank you. Thank you, Mad... Thank you, Madam Speaker. House Bill 1289 was on Short Debate. It came out unanimously from Elementary and Secondary. All it does is it switches from the State Board of Education to the Department of Rehabilitation the power to enter into contracts with public or private agencies for the establishment of Scandinavian Lekotek Libraries. I'd be happy to answer any questions..."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1289. And on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill 1289 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 106 voting 'aye', 7 voting 'no' and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1373, Representative Cowlshaw. Clerk, read the Bill."

Clerk Leone: "House Bill 1373, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1373, which emerged from the Elementary and Secondary Education Committee on a vote of 15 to 0 requires the State Board of Education to study alternatives

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to the present state transportation reimbursement formula and to have a result of that study to the General Assembly by October 1, 1986. The study is intended to propose to us a way to change the state reimbursement system for pupil transportation which would encourage school districts to make those systems more efficient. The cost of the Bill would be minimal because of the fact that the State Board says its current staff can carry out this study very easily and can then suggest to us a way that we can be more efficient in our school transportation systems. It is a very simple Bill, and that is all it does. I move for its adoption."

Speaker Breslin: "The Lady has moved for the passage of House Bill 1373. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Breslin: "She will yield for a question."

Cullerton: "Could you define minimal for me, please?"

Cowlshaw: "I beg your pardon?"

Cullerton: "Could you please define minimal?"

Cowlshaw: "No additional."

Cullerton: "That's none. That's not minimal."

Cowlshaw: "Alright. Then let me change the word minimal in my opening remarks to none"

Cullerton: "And why does it cost nothing?"

Cowlshaw: "The State Board of Education assures us, as I mentioned in my opening remarks, that they have sufficient staff now to undertake and complete this project without hiring anymore people."

Cullerton: "Now that's interesting. We haven't told them to do the study yet. Does that mean they're just sitting up there in their offices waiting for this Bill to pass?"

Cowlshaw: "I certainly trust not, Representative Cullerton."

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Cullerton: "Well then, what are they doing now that they won't be doing when they get the assignment to do what this Bill requires them to do?"

Cowlshaw: "I would suggest, Sir, that that's not a question which rightfully should be directed to me. Perhaps the State Superintendent of Education could answer that question. I do believe they have something like 900 employees."

Cullerton: "Maybe we should lay some of them off until this Bill is signed into law."

Speaker Breslin: "There being no further discussion, the question is, 'Shall House Bill 1373 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 116 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1458, Representative Hannig. Clerk, read the Bill."

Clerk Leone: "House Bill 1458, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Hannig."

Hannig: "Yes, thank you, Madam Speaker and Members of the House. House Bill 1458 came out of the House Elementary and Secondary Education Committee unanimously and was on Short Debate. It attempts to address a problem with alternative schools. Alternative schools is a method of trying to help dropouts and problem students have an education, and it was a Bill that we passed last year. In that Bill, we provided a funding mechanism which allowed the schools to be funded along a mathematical calculation which would allow the difference between what the school system would have received had this student been in school and what they're

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receiving with the student not being in school. In other words, the alternative school gets the money for the dropout, as opposed to no one getting anything. Well, the way the thing was calculated originally, the Bill was set up last year, unfortunately, that provided that the three best months would be used in calculating not only the school district's state aid formula but the alternative school. The problem with that is that the three best months for the school district is probably the three worst months for the alternative school. That is, when everyone's in school, no one's in the alternative school. So this simply says that the three best month calculation does not wed the alternative schools to that same three months. They can pick their own three months. It should have no fiscal impact on the state, and it will help the alternative schools. And I would move for its adoption."

Speaker Breslin: "The Gentleman from has moved for the passage of House Bill 1458. And on that question, is there any discussion? The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Would the Sponsor yield to a question?"

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

Hoffman: "In terms of the choice of three months, does the Bill... does the Bill state that they will use another three months?"

Hannig: "It gives the alternative school the option. They will no longer be wed to the same three month period that the school districts are wed... are using. So that if a school district, for example, in my district, say, in Carlinville wants to use the first or second or third month because that's when their attendance is the best, the alternative school may want to use three other months in the calculation. The reason for this is the three best

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months of your normal school..."

Hoffman: "I understand."

Hannig: "Okay."

Hoffman: "I understand that; however, when I look at the Bill, all I see is the deletion of 'without regard to the best three months', and I don't ... I don't see the other three month choice."

Hannig: "Basically, it's my understanding that we're simply..."

Hoffman: "I would suggest to the Sponsor of this Bill, if I may, that you take a look at that; and, as we get over to the Senate, you may... you may want to clarify that to make sure that everyone knows what they're doing."

Hannig: "Certainly."

Hoffman: "If it's already taken care of and I can't find it, then I'm in error."

Hannig: "I will do that. I thank you, Gene."

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

Ropp: "Thank you, Madam Speaker. Would the Sponsor yield?"

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

Ropp: "I think I understand what you're attempting to do here. But would you explain to me a little more clearly why the state would want to fund schools, for example, where there would be no attendance or low attendance? Why would'nt we want to just pay for the days that the people are in school?"

Hannig: "Well, I'm not sure I understand your question, Gordy? Could you..."

Ropp: "You want to pick the top three months with the highest attendance to get state aid."

Hannig: "We want to allow the alternative school to take their best three month; that is, when they have the most students in their school. Okay? Now, that's the not the same as

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when the school district where these kids drop out of or are kicked out of, when they have their best three months. There's differences."

Ropp: "Why wouldn't you just... Why shouldn't we just have a philosophy of paying for those who are present versus paying for the high months which would assume you would be paying then, correspondingly, for times when attendance would be low or absent?"

Hannig: "Well, the present law allows your school district, for example, to take their best three months when they apply for their state aid. Now, during that same period, there may not be any children in the alternative school because it's the first month of the school year. They may not have any students until maybe the third or fourth or fifth month which may not be the same three months that the alternative schools would like to use. So all we're doing is letting the alternative schools select their own three month period and not be wed to or tied to that same three month period calculation that the normal schools use when they apply for state aid."

Ropp: "Okay. Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall House Bill 1458 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', 2 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1491, Representative Pangle. Clerk, read the Bill."

Clerk Leone: "House Bill 1491, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Pangle."

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Pangle: "Thank you, Madam Speaker. A couple of years ago, when we were all very, very concerned about school consolidation and saving money in the educational field, I had two schools in my district that were told that if they would consolidate there would be three Bills that were in the House, in fact, signed by the Governor, that would reimburse them for consolidation. The day before it, in fact, about 18 hours prior to the Governor signing those three Bills, those two schools consolidated and, at that point, of course, lost the money that they would receive from those three pieces of legislation. Since that time, the school, Iroquois West, in fact, has spent over 400,000 dollars less. Their per pupil expenditures went from 2,936 to 2,371. They've also had a tax hike of .80, and they're still in the red over 201,000 dollars. What this Bill would do in this one instance only would make it retroactive for a short period of time for this consolidated school district to get approximately 60,000 dollars for consolidation. I'll be happy to answer any questions."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1491. And on that question, the Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you very much, Madam Speaker. Will the Sponsor yield to a question?"

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

Pangle: "Yes, I will."

Hoffman: "Did I understand you correctly... at what point in time did these school districts effectuate the consolidation?"

Pangle: "It was about two years ago, the day before the Governor signed the legislation. They were informed by the superintendent of that area that if they consolidated, in fact, they would be able to get this 60,000 dollars."

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Hoffman: "When was the election held?"

Pangle: "I'm not quite sure of the exact date."

Hoffman: "Alright. It would seem to me that that would be an important bit of information. The purpose of the legislation which was passed in 1983 and which I was involved in the sponsorship here in the House was to encourage school district consolidation. If, in fact, there was some reliance on this on their part to do so, I think that's one point. If they weren't, I think that... that is another point. However, I think that this is one of the things, as we move this Bill across to the Senate, that we need to ascertain to make certain that they were, in fact, relying on this and there was some logic in terms of the timing. For that... For that reason, I stand in support... or I should say with those provisos, I stand in support of the legislation."

Speaker Breslin: "The question is, 'Shall House Bill 1491 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 116 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1714, Representative White. Clerk, read the Bill."

Clerk Leone: "House Bill 1714, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative White."

White: "Madam Chairman... Madam Speaker, House Bill 1714 will allow the Chicago Board of Education to purchase perishable foods without having to enter into the bidding process. In the beginning the Bill had food or food stuffs, and Representative Cowlshaw asked that I change food and food stuffs to perishable foods. I've done that. I think I

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have met all of her concerns, and I ask for favorable consideration of this... my piece of legislation."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 1714. And on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill 1714 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', 1 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1741, Representative Satterthwaite. Clerk, read the Bill."

Clerk Leone: "House Bill 1741, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Satterthwaite."

Satterthwaite: "Madam Speaker, I ask leave to return this Bill to the Interim Study Calendar of Elementary and Secondary Education"

Speaker Breslin: "The Lady asks leave to return this Bill to the Order of Interim Study in Elementary and Secondary Education. That is your right, Madam. This will go the Order of Interim Study. House Bill 2003, Representative Dunn. Clerk, read the Bill."

Clerk Leone: "House Bill 2003, a Bill for an Act to amend an Act relating to the Board of Higher Education. Third Reading of the Bill."

Speaker Breslin: "Representative Dunn."

Dunn: "House Bill 2003 would establish an inventor in residence program in the higher educational institutions in our state, both public and private. It would provide for a matching grant program, the purpose of which is to encourage those who have inventive talent to take up

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residence in our institutions of higher education. The state would pay half the costs. The college or university pay half the cost. And this would be an incentive to bring these people into our area to help them use their talents for application in our state to foster and promote new business in our state, and I urge an 'aye' vote."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2003. And on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill 2003 pass?' All those 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 115 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2062, Representative Hastert. Clerk, read the Bill."

Clark Leone: "House Bill 2062, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Hastert."

Hastert: "Ladies and Gentlemen of the House, what House Bill 2062 does is simply put into statute that the vice president of a school board shall be appointed the president pro temp of that board. What... We had some problems in my district that sometimes even though the person was vice president, because of politics on the board, they bypassed that person for president pro temp. This puts into statute what is usually practice."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2062. And on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill 2062 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have

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all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 115 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2115, Representative Ropp. Clerk, read the Bill."

Clerk Leone: "House Bill 2115, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Ropp."

Ropp: "Thank you, Madam Speaker, Members of the House. House Bill 2115 merely states that American patriotism and use of the... proper use of the American flag shall be taught in all private and public schools in which receive public funds. I welcome your support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2115. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Would the Sponsor yield?"

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

Cullerton: "I didn't hear what he... I didn't hear his explanation. If he could give it again, please."

Ropp: "Be more than happy to. It states that American patriotism and the use and proper use of our American flag shall be taught in all public schools and parochial schools that receive state funds."

Cullerton: "Okay. What's the current law with regard to this issue?"

Ropp: "The current law is silent on private and public schools. It is the current law that public schools now shall teach American patriotism and proper use of the American flag."

Cullerton: "Say that again."

Ropp: "The current law states that American patriotism and the proper use of our American flag shall be taught in public

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schools now. We're just saying that private and parochial schools that receive state monies shall comply with the same law that we now have dealing with public schools."

Cullerton: "Alright. Well, let me just read to you the current law; that American patriotism and the principles of representative government and the proper use and the display of the American flag shall be taught in all public schools and other educational institutions supported or maintained in full or in part by public funds. And all you've done is, after the words 'educational institutions', you said including private and parochial schools. Well, of course, they already are other educational institutions."

Ropp: "Well, this just more clearly identifies the current law."

Cullerton: "Well, I hope you got a good press release out on this one because this codifies current law."

Speaker Breslin: "The Gentleman from..."

Ropp: "I really didn't even send out a press release."

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

Dunn: "Thank you, Madam Speaker. Just to rise in wonderment about the need for this legislation. I think all the parochial schools I'm aware of have proper respect for the American flag and paid due respect to the Constitution of the United States of America, teach it, as a matter of fact. And I don't know why we need this Bill. So I would suggest we just not clutter up our statute books."

Speaker Breslin: "There being no further... There being no further discussion, the question is, 'Shall House Bill 2115 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 95 voting 'aye', 7 voting 'no' and 23 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The

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hour of 10:30 having arrived, we will return to the Order of State and Local Government Administration. That begins on page 20 on your Calendar. The first Bill is House Bill 604, Representative Ropp. Representative Ropp."

Clerk Leone: "House Bill 604, a Bill for an Act to amend the Lobbyist Registration Act. Third Reading of the Bill."

Speaker Breslin: "Representative Ropp."

Ropp: "I would like to take this out of the record, please."

Speaker Breslin: "Out of the record. House Bill 1246, Representative Steczo. Clerk, read the Bill"

Clerk Leone: "House Bill 1246, a Bill for an Act to require prompt payments by the State of Illinois for goods and services. Third Reading of the Bill."

Speaker Breslin: "Representative Steczo."

Steczko: "Madam Speaker, the Bill has now been read a third time?"

Speaker Breslin: "It has."

Steczko: "I would... Do I need leave of the House to have the Bill heard immediately, or can I proceed at this time, Madam Speaker."

Speaker Breslin: "Proceed at this time."

Steczko: "Thank you, Madam Speaker, Members of the House. House Bill 1246 is a Bill that was proposed by the National Federation of Independent Business and it simply requires payment within 30 calendar days by the appropriate state official or agency. The original law currently provides for 30 days. So it was thought by the business people that this small change would help. It clarifies, I believe... there was an Amendment that clarified the intent of the original Bill, and it provides that written notice of disapproval of bills and invoices, goods and services also must be provided within 30 days. And I would ask the House for their approval of House Bill 1246."

Speaker Breslin: "The Gentleman has moved for the passage of

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House Bill 1246. And on that question, the Gentleman from DeWitt, Representative Vinson."

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

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

Vinson: "Does this concept apply to welfare payments?"

Staczo: "Representative Vinson, this Bill specifies goods or services that are in the vender type of... type of domain. Welfare payments would not be."

Vinson: "We're not... So..."

Staczo: "We are just amending the current..."

Vinson: "... we are covering, for instance, doctors who provide services to public aid, but not welfare recipients. Is that correct?"

Staczo: "We are providing a clarification of the current prompt pay law."

Vinson: "I just want to understand. But while we're applying this concept to doctors who are paid for by public aid, we're not applying the concept to public aid recipients."

Staczo: "Representative Vinson, I am not certain that that is the case. I would presume that it would be. And my... the thinking here is that persons who provide goods or services to the State of Illinois need to... or would like to be paid in a more prompt fashion. The state, years ago, passed the prompt pay Bill. This just clarifies the days. So I would... I would assume your assumption is correct."

Vinson: "And you think it's appropriate that we deal with vendors differently than welfare recipients."

Staczo: "Representative Vinson, it's the policy of the State of Illinois that we deal with vendors in that manner at the present time. This Bill changes nothing but the time frame in which we're dealing with."

Vinson: "But you... You think that's a good policy?"

Staczo: "Representative Vinson, it's been the will of the General

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Assembly and the State of Illinois for many... a year now to do that. I think we all supported that policy. I think the arguments made in favor of that policy are very cogent ones and something we all supported at the time and still do, I hope."

Vinson: "And you still do support that policy?"

Steczko: "And I still support that policy, Representative Vinson? I don't think I would be the Sponsor of this Bill had I... if I didn't support that policy."

Vinson: "I rise in support of the Gentleman's initiative which puts vendors ahead of welfare recipients."

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

Brookins: "Will the Sponsor yield to a question?"

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

Brookins: "Did I understand you clearly to say that this would pay providers within a 30 day period?"

Steczko: "Representative Brookins, the law says that we currently shall do that. All this Bill does is makes a change that says instead of 30 days, it will be 30 calendar days. That's all the Bill does."

Brookins: "Will there be any interest paid to these providers if the state does not live to that agreement?"

Steczko: "Two percent interest penalty as the current law provides."

Brookins: "To the Bill. To the Bill."

Speaker Breslin: "Proceed."

Brookins: "I think this is a good Bill. I know that the small entrepreneurs that do business with the state suffer when they are not paid on time. They end up going out of business and the state owing them large sums of money that they have to litigate to get. So, I rise in support of this Bill. It's a good Bill."

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Speaker Breslin: "The Gentleman from Madison, Representative Wolf."

Wolf: "Madam Speaker, I move the previous question."

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?'. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Steczko, to close."

Steczko: "Thank you, Madam Speaker. House Bill 1246 simply amends the current 'Prompt Payment Act' that we have lived with in the State of Illinois for quite a long time."

Speaker Breslin: "The question is, 'Shall House Bill 1246 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 107 voting 'aye'. Representative Brookins wishes to be recorded as voting 'aye'. There are... Representative Bullock. Excuse me. 108 voting 'aye', 5 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1413, Representative Homer. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1413, a Bill for an Act to amend Sections of the Illinois Criminal Justice Information Act. Third Reading of the Bill."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker. May I have leave of the Assembly to return the Bill to the Order of Second Reading for the purpose of an Amendment?"

Speaker Breslin: "Representative Homer."

Homer: "Leave to return to Second Reading for Amendment."

Speaker Breslin: "The Gentleman requests leave to return this Bill to the Order of Second Reading for the purposes of an

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Amendment. Is there any objection? Hearing no objection, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Amendment #1, offered by Representative Homer, amends House Bill 1413 on page one by deleting line 1, 2 and 3 and so forth."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker. Amendment #1 to House Bill 1413 is a Bill that actually passed out of Judiciary II Committee without opposition. It simply includes firefighters' magazines and magazines for which a certificate of qualification from the Attorney General is required. It deals with a problem that's been... that has come about regarding unapproved solicitation for firefighters and police magazines for advertising. And I would... I'd be happy to answer any questions about the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 1413. And on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Madam Speaker, I would rise to question the germaneness of Amendment #1 to House Bill 1413. The Bill simply provides for the Attorney General who is a busy man to have a designee serve in his place in the Illinois Criminal Justice Information Authority. The Amendment requires that one who wishes to solicit advertisements in firefighting publications must attain a certification from the Attorney General. The... two different Acts. Two different ideas, and I would submit that the Amendment is not germane."

Speaker Breslin: "Representative Vinson, your point is well taken. Representative Homer, your Amendment is not germane. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Breslin: "Third Reading. Representative Homer, what is your pleasure?"

Homer: "Ask... ask leave to proceed to Third Reading on House Bill 1413."

Speaker Breslin: "Very good. The Bill is... will be read a third... has been read a third time. Mr. Clerk."

Clerk O'Brien: "The Bill has been read a third time previously."

Speaker Breslin: "Okay. Representative Homer."

Homer: "Thank you, Madam Speaker and Ladies and Gentlemen. House Bill 1413 amends the Criminal Justice Information Act to permit the Attorney General to designate a person to serve in his... in his place on the Criminal Justice Information Authority. I would, again, entertain any questions."

Speaker Breslin: "The question is... The Gentleman has moved for the passage of House Bill 1413. And on that question, is there any discussion? There being no discussion. The question is, 'Shall House Bill 1413 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', 2 voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1440, Representative Satterthwaite. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1440, a Bill for an Act to amend an Act in relation to fire fund. Third Reading of the Bill."

Speaker Breslin: "Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House. This Bill provides a mechanism for the Illinois Fire Service Institute to construct buildings and reserve the money that they... part of the money that they currently get to pay off those bonds. I'd be happy to respond to any questions, otherwise ask for a favorable Roll Call. It does not cost

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the state any more money than is currently being sent to the institute."

Speaker Breslin: "The Lady has moved for the passage of House Bill 1440. And on that question, is there any discussion? There being no discussion. The question is, 'Shall House Bill 1440 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 116 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1455. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1455, a Bill for an Act to add Sections to an Act in relation to state revenue sharing of local entities. Third Reading of the Bill."

Speaker Breslin: "Representative Kirkland."

Kirkland: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill provides that state revenue sharing distributed to local governments shall be deposited directly into a designated escrow account established by the local government to repay specific bond in debt... in accordance with the authorization of the local government. This an Illinois Municipal League Bill - part of a package that I have been sponsoring. We have had contact with the Treasurer's Office regarding this Bill. They indicate that we also need to... that they have no problem with the Bill as long as we have some companion legislation worked out with the Department of Revenue, which we intend to do if we run into problems there, then we will not go further with the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1455. And on that question, is there any discussion? There being no discussion. The question is,

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'Shall House Bill 1455 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1467. Clerk, read the Bill."

Clark O'Brien: "House Bill 1467, a Bill for an Act to amend an Act in relation to county boards. Third Reading of the Bill."

Speaker Breslin: "Representative Hensel."

Hensel: "Thank you, Madam Speaker and Members of the House. House Bill 1467 provides that when a city which is coterminous with its township wishes to annex vacant, industrial, commercial or residential territory in an adjacent township, they must so notify the Board of Trustees of the adjacent township. Within 45 days such Board of Trustees may object to the annexation and cause a referendum to be held in the township to be annexed. Right now the current law is that coterminous cities can annex city territory in adjacent townships without referendum. I ask for a favorable vote."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1467. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, could you tell me the position of the Municipal League on this particular Bill?"

Hensel: "Some of the cities are against it, but I'm not sure if the Municipal League totally is in favor of it."

Cullerton: "Why would any city be against it? Maybe you could give us the arguments of the... the opponents to this Bill, and then you can..."

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Hensel: "Well, I'm in favor of the Bill. So, I'm not going to speak against it."

Cullerton: "No, but this will work this way. You tell me why someone would be against your Bill then you can rebut it yourself."

Hensel: "Well, apparently the municipalities that are coterminous are taking away the territory in the adjacent townships that have a favorable taxation, and what they are doing is taking away that taxing property and putting it into the coterminous township municipalities. And what it's doing is dwindling away the township based, tax based, and we would like to see that stopped."

Cullerton: "Okay, thank you."

Speaker Breslin: "The Gentleman from Cook, Representative O'Connell."

O'Connell: "Question of the Sponsor."

Speaker Breslin: "Proceed."

O'Connell: "Does this include incorporated municipalities, or are you just talking about unincorporated areas that are being annexed into a city?"

Hensel: "This is unincorporated areas in the townships that are being annexed into the coterminous township municipality type."

O'Connell: "Okay. So, that if you have a municipality that wishes... a portion of a municipality that seeks to be annexed and be annexed into another municipality, this would not apply to it?"

Hensel: "No."

O'Connell: "Okay, thank you."

Speaker Breslin: "There being no further discussion. The question is, 'Shall House Bill 1467 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. ...all voted who wish? Have all voted who wish?"

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The Clerk will take the record. On this question there are 110 voting 'aye', 3 voting 'no', and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1496, Representative Keane. Representative Keane. Representative Friedrich, for what reason do you rise?"

Friedrich: "I'm a hyphenated Cosponsor. These are Audit Commission Bills. I'd be glad to handle it."

Speaker Breslin: "Proceed. Mr. Clerk, read the Bill."

Clark O'Brien: "House Bill 1496, a Bill for an Act to amend Sections of an Act in relation to uncollected claims and accounts receivable of state agencies. Third Reading of the Bill."

Speaker Breslin: "Representative Friedrich."

Friedrich: "This, Madam Speaker and Members of the House, this sets up a uniform method of charging off accounts and uncollectible between departments. For example, the Scholarship Commission may run out of money and owe a university... university has one system of handling it - the DCMS has another and that just makes a uniform method so it'll be... can be standardized throughout the state. I move..."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1496. And that question, is there any discussion? There being no discussion. The question is, 'Shall House Bill 1496 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? The Clerk will take the record. On this question there are 116 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1500, Keane - Friedrich. Clerk, read the Bill."

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Clark O'Brien: "House Bill 1500, a Bill for an Act to amend the Illinois State Auditing Act. Third Reading of the Bill."

Speaker Breslin: "Representative Friedrich."

Friedrich: "Madam Speaker, Members of the House, this is another Audit Commission Bill. We get involved in a lot of audits where the Federal Government is involved, and this makes... simplifies that to determine the approval of it where the state does the audits. And if there is any discrepancy in the payments for the cost, then the Audit Commission is the one that monitors the difference, but a lot of the audits are required by the Federal Government, the state does them, and this just sets up a procedure for..."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1500. And on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill 1500 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 117 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1523, Representative Terzich. Clerk, read the Bill."

Clark O'Brien: "House Bill 1523, a Bill for an Act to amend an Act to create sanitary districts. Third Reading of the Bill."

Speaker Breslin: "Representative Terzich."

Terzich: "Madam Speaker, Members of the House, the district has a three member Civil Service Board, and this Bill increases the members and the chairman of the Civil Service to 12,000 and 15,000 respectively. The Chairmans current salary was established in 1979, and the member salary has not been changed since 1951. The Bill will now require reimbursement under the State Mandate Act. The Bill

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contains the appropriate legislative finding to relieve the state of any reimbursement liability and the letter is on file with the Department from the district stating that this change is being sought at their request. And I would urge your support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1523. And on that question, the Gentlemen from Cook, Representative Piel."

Piel: "Will the Gentleman yield?"

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

Piel: "Good morning. Bob, just a couple of questions. What are we talking about, the grand total here, on the cost?"

Terzich: "\$22,500."

Piel: "No, wait a minute. We're talk..."

Terzich: "There are three members - that's \$7500 each for \$22,500."

Piel: "So, we're talking about, you know, a... as far as the State Mandates Act, are they... are we required to reimburse under the State Mandates Act?"

Terzich: "No, I mentioned to you that the Bill contains appropriate legislative finding to relieve the state of reimbursement liability and also letters on file with DCCA stating that the municipality requested a change."

Piel: "Just out of curiosity. Approximately, maybe, whether it be on a week or a month basis whichever is easy to ascertain. How many hours a week, or a month do these board members put in?"

Terzich: "I have no knowledge. They are member and they consist of approximately 2500 employees in the district."

Piel: "Just... I wouldn't hold you to it but; I mean, on a ball park figure. Are we talking about, you know, two hours a week or ten hours a month or..."

Terzich: "I have no knowledge. It would depend... a number of

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the... no, opening... a number of hearings that they have for disciplinary actions. I really don't know. I couldn't tell you."

Piel: "Thank you. No further questions, Madam Speaker."

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

DeLeo: "Thank you, Madam Speaker. Would the Sponsor yield?"

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

DeLeo: "Representative Terzich, when was the last time these people got a raise?"

Terzich: "Six years before the staff person from my left here was born."

DeLeo: "Six years before the staff person on your left was born. 1981?"

Terzich: "1951."

DeLeo: "1951. It's over 30 years they have not had a raise."

Terzich: "That's correct."

DeLeo: "I stand in full support of this."

Speaker Breslin: "The question is, 'Shall House Bill 1523 pass?'

All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 56 voting 'aye', 52 voting 'no', and 8 voting 'present'. Representative Terzich."

Terzich: "I'd like the Poll of the Absentees and also the... yes, Poll of the Absentees."

Speaker Breslin: "Okay. Representative Flowers asks to be voted 'aye'. Mr. Clerk, would you poll the absentees. Representative Flowers."

Clerk O'Brien: "Poll of the Absentees. Leverenz and Tuerk. No further."

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

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Wolf: "Madam Speaker, change my vote to 'aye'."

Speaker Breslin: "The Gentleman changes his vote to 'aye'. There are 58 voting 'aye', and 52 voting 'no'. Representative Terzich."

Terzich: "Do you have anybody else who wants to give me a vote or what? How many do I have?"

Speaker Breslin: "You have 58..."

Terzich: "58? I have..."

Speaker Breslin: "58 voting 'aye', 52 voting 'no', and 8 voting 'present'. Representative Tate change... Representative Tate, for what reason do you rise?"

Tate: "Madam Speaker, how am I recorded?"

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

Tate: "I'd like to vote 'aye'."

Speaker Breslin: "The Gentleman changes his vote to 'aye'. Representative Slater votes 'aye', and Representative Parke votes 'aye', and Representative Shaw votes 'aye'. There are, therefore, 62 voting 'aye', and 52 voting 'no'... 49 voting 'no'. Mr. Clerk, what count do you have? 62 voting 'aye', 49 voting 'no', and 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1535, Representative Hastert. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1535, a Bill for an Act in relation to the reporting of abused and neglected children. Third Reading of the Bill."

Speaker Breslin: "Representative Hastert."

Hastert: "Thank you, Madam Speaker. May I ask for the leave to bring this back to Second Reading, please?"

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Are there any objections? Hearing no objection, the Gentleman has leave. Read the Clerk... read

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the Bill, Mr. Clerk."

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

Hastert: "Madam Speaker."

Speaker Breslin: "Representative Hastert."

Hastert: "Yes, I move to table Amendment #1."

Speaker Breslin: "The Gentleman moves to table Amendment #1 which is offered by Representative Cullerton. Is that correct? Amendment #1 was in Committee. Okay. The Gentleman moves to table Amendment #1 to House Bill 1535. And on that question, is there any discussion? There being no discussion? The question is, 'Shall Amendment #1 to House Bill 1535 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 #1 is tabled. 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. Amendment #2 provides any physician willfully fails to report child abuse will be reported to the Medical Disciplinary Board. I move for the adoption of Amendment #2."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #2 to House Bill 1535. And on that question, is there any discussion? There being no discussion. The question is, 'Shall Amendment #2 to House Bill 1535 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 is adopted. Are there any further Amendments?"

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

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Hastert."

Speaker Breslin: "Representative Hastert."

Hastert: "I move to withdraw Amendment #3."

Speaker Breslin: "The Gentleman withdraws Amendment #3. Are there any further Amendments?"

Clark O'Brien: "Floor Amendment #4, offered by Representative Hastert."

Hastert: "Representative Hastert."

Hastert: "Thank you, Madam Chairman. Amendment #4 is a technical Amendment. It cleans up the language and it takes out some technical problem."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #4 to House Bill 1535. And on that question, is there any discussion? There being no discussion. The question is, 'Shall Amendment #4 to House Bill 1535 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. Amendment is adopted. Are there any further Amendments?"

Clark O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. The Gentleman now asks leave for immediate consideration of House Bill 1535 as amended. Is there any objection? Hearing no objection, the Bill will be read immediately. Read the Bill, Mr. Clerk."

Clark O'Brien: "House Bill 1535, a Bill for an Act in relation to the reporting of abused and neglected children. Third Reading of the Bill."

Speaker Breslin: "Representative Hastert."

Hastert: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1535 is a Bill that allows in the area of Department of Child and... DCFS, allows coroners and medical examiners access to reports under appropriate circumstances. The appropriate circumstances are that if a

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coroner or medical examiner who has reason to believe a child died as a result of abuse or neglect and in the case the director of a state operated facility, when an employee of a... facility is the subject of an indicated report, a child abuse report. Also, the Amendment takes away part of the Bill, and I should explain that because it's probably in everybody's analysis. It's limited to priorly... the Bill limited abuse or neglect reporting to a six months period. That part of the Bill was taken out. It also provides some technical language and codifies some procedures. Provides that reports of abused children shall include certain language and repeals provisions requiring the child protective service unit to report no later than 14 days after a case. I ask for a favorable..."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1535. And on that question, the Gentleman from Cook, Representative Young."

Young: "Would the Sponsor yield?"

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

Young: "Does this Bill make it a misdemeanor to... for failure to report a Class A misdemeanor?"

Hastert: "Well, in some cases, it already is a misdemeanor. In other cases, it does provide that stipulation, yes."

Young: "What new cases become misdemeanors for failure to report under this Bill that aren't already so under current law?"

Hastert: "This would include all child abuse cases with the exception of the Amendment that we just passed of Representative Cullerton."

Speaker Breslin: "The question... Are you finished?"

Young: "No. I don't understand what... what is the addition now? What is new in this law as far as the failure to report that is not already contained in current law?"

Hastert: "There is no penalty except the ability to revoke

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licenses. This puts a misdemeanor penalty on failure to report those people who are required to report now."

Speaker Breslin: "There being no further discussion. The question is, 'Shall House Bill 1535 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', none voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1545, Representative Alexander. Clerk, read the Bill."

Clark O'Brien: "House Bill 1545, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of the Bill."

Speaker Breslin: "Representative Alexander."

Alexander: "Thank you, Madam Chairman (sic - Speaker) this Bill amends the Civil Administrative Code of Illinois and it corrects an internal reference to Sections which governs the annual salaries payable to state offices. It is a Bill that is merely technical in correcting a drafting error that..."

Speaker Breslin: "The Lady moves for the passage of House Bill 1545. And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Ethel, do you have reason to believe it'll come back here in the same form?"

Alexander: "I believe it will. I'm hoping it will."

McCracken: "Okay."

Speaker Breslin: "The question is, 'Shall House Bill 1545 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? The Clerk will take the record. On this question there are 108 voting 'aye', none voting 'no', and 1 voting

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'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1548, Representative Alexander. Clerk, read the Bill."

Clark O'Brien: "House Bill 1548, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Alexander."

Alexander: "Thank you. This Bill corrects and adds to the statute that a municipality may, and this is permissive, designate a bond trustee to receive from the county collector amounts payable to the municipality as taxes levied pursuant to a bond issue. It also provides that the designee must be made by ordinance for this is something that's an automate and it is permissive and it is sorely needed where there is a lag time between the monies being given to the treasurers of the various municipality and the actual floating of bonds. This would eliminate some of the time element."

Speaker Breslin: "The Lady has moved for the passage of House Bill 1548. And on that question, the Gentleman from DuPage, Representative McCracken."

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

Speaker Breslin: "The Lady will yield for a question."

McCracken: "Representative Alexander, do you have such a bond trustee for the City of Chicago now?"

Alexander: "At present, we do not. This Bill would permit us to make such a designee by ordinance."

McCracken: "Okay. But bonds have been issued. So, there have been proceeds from the bonds handled by the city in the past. In the past, who has been the repository for those bond proceed?"

Alexander: "The Treasurer."

McCracken: "Pardon me?"

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Alexander: "The Treasurer."

McCracken: "Is that Treasurer, 'Rosewell'?"

Alexander: "No. It has been Cecil A. Partee who is Treasurer of the city."

McCracken: "Oh, for the city. I'm sorry. Right."

Alexander: "That is correct."

McCracken: "And does he have a position on this Bill?"

Alexander: "He is my immediate sponsor and I've addressed this Bill with him, and we are in accord."

McCracken: "Okay. What is the purpose of the Bill? Has the Treasurer run into some problem with handling these proceeds?"

Alexander: "No. It's a matter of lag time. With the bond trustee, they can process the bonds in a shorter length of time than allowing them to go through the Treasurer's Office and be processed in and out. This way as a bond trustee who would have something almost quasi rights or privileges, inspections of books, keeping the documents, the bonds would be able to be floater in a much speedier fashion and what not. And it would be... have to be approved, let's say, by your city ordinances, or your trustees or whatever you have in your various municipalities."

McCracken: "I don't understand. I'm sorry. Could you repeat the answer? I don't... I don't understand the efficiency which this would create."

Alexander: "If this Bill passes, and is going to pass, I hope, the money would flow from the county collector to a bond trustee permissively. That... if that is the desire municipality makes such an appointment."

McCracken: "Right, okay."

Alexander: "In that fashion, the bonds could be... the money could be turned around and be activated to float in various

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municipal bonds or whatever bonding that would be needed in the various orderly and a more timely fashion than going from the county collector through the process of the Treasurer's Office and then being processed."

McCracken: "So, you want to take the county collector out of the process?"

Alexander: "No, the county collector is the person who would be receiving the money. The money is received from the county collector payable to a municipality. Normally, the money then flows into your treasury or wherever your person who handles your money. This Bill would put a person as a bond trustee between the county... the county collector, the trustee by ordinance, then to whatever bonding mechanism that would be needed. It does not mean that the money would never go to the treasurer. It's just that municipalities could have that option if they felt they needed it in order to float something very speedily."

McCracken: "I'm not opposed to the Bill, but I don't understand the Bill and I'm... I'm... I am just asking. What function does the bond trustee serve that the treasurer does not serve? I mean, couldn't the function of the bond trustee be fulfilled by an employee of the city treasurer? I don't understand how it makes for greater efficiency."

Alexander: "I am being advised that they cannot have a city employee designated for that particular person. It must be someone who is known as a bond trustee, who has been selected by ordinances to perform in that particular capacity."

McCracken: "Alright."

Alexander: "It must be an approval."

McCracken: "Okay."

Alexander: "They are from your city council members and what not."

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McCracken: "Alright. Now, how would the bond trustee be approved?"

Alexander: "By ordinances."

McCracken: "Selected... selected."

Alexander: "He would be selected. He would be brought before your city council for approval by the members of the city council. If he selected, then he is so. If he's not, then this is another subject matter."

McCracken: "And that has to be done by ordinances?"

Alexander: "That is correct."

McCracken: "Okay. Alright. Thank you."

Alexander: "Thank you."

Speaker Breslin: "The Lady has moved for the passage of House Bill 1548 and she is recognized to close."

Alexander: "I... I'm asking that Members of the House vote green on this piece of legislation."

Speaker Breslin: "The question is, 'Shall House Bill 1548 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. ...all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 116 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is here by declared passed. House Bill 1555, Representative Ronan. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1555, a Bill for an Act to create the Illinois Construction Evaluation Act. Third Reading of the Bill."

Speaker Breslin: "Representative Ronan."

Ronan: "Thank you, Madam Speaker and Members of the House. House Bill 1555 is the Construction Evaluation Act. It's a concept that we're trying to get established under the state government operation so that we can achieve some significant cost savings when it... we have construction

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projects performed by either the Capital Development Board or the Illinois Department of Transportation or the other agencies that do capital construction. What it involves is that if recommendations are brought to those agencies, a panel will be created which will review recommendations on cost savings, and if the cost savings entity is established, the individual who's proposed the recommendation will receive a bonus and the state will... obviously gather the cost savings. I think it's a fine concept, and I move for the adoption of... the passage of House Bill 1555."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1555. And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Will the Sponsor yield?"

Speaker Breslin: "He will yield for a question?"

McCracken: "Representative Ronan, who are the three members now?"

Ronan: "The... I amended the Bill, Representative McCracken, so that three members will be the Auditor General or his designee, the Director of the Bureau of the Budget or his designee and the Director of the Department of Central Management Services and his designee. The reason I established that particular three member panel is that I believe that those are three individuals who are really concerned with legitimate cost savings for the State of Illinois. And I feel that it's important that we have budget oriented people forming the panel in order to evaluate proposed construction savings projects."

McCracken: "Are there any public members left on the Board?"

Ronan: "No, this will be a three member Board with just those three individuals."

McCracken: "Alright. And what duties are they charged with to evaluate construction?"

Ronan: "Well, here is what will happen, Representative McCracken,

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we have all these projects that go on in state government to build things. Sometimes people come in with good ideas."

McCracken: "We even want to build this state."

Ronan: "Well, I think that the Governor mentioned something earlier in this Session. I can't remember what topic he called it, but there was something where he talked about spending a couple of billion dollars. But, to look at the issue, there are some people coming with some very legitimate ideas that will produce tremendous cost savings to the state. This one I'll give an incentive for those individuals who have creative ideas to come in with their recommendation so that the state can really save some money. What this is, this is the free market system. We've brought the free enterprise system to the highest point that's ever been established in state government. In the philosophy of Ronald Reagan and Al Ronan, this is the kind of program we need here in the State of Illinois."

McCracken: "I ask questions of the Sponsor at my own peril. Now, who is it that's going to be proposing these ideas that they'll have review over?"

Ronan: "Obviously, we're looking for input and ideas from whoever comes in with those recommendations. Representative McCracken, as far as I'm concerned even if you're able at some point in your career to come in with a good idea, we'll let this panel evaluate it. We're all built up back home."

McCracken: "What oversight or authority do they have? Will this Board have to approve the proposal?"

Ronan: "Right. This Board will have to show that there is a legitimate cost savings to the state. That's why I wanted budget oriented individuals. My first proposal that I proposed... the original Bill called for individuals more

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in the construction and... that area. I felt that if we're really going to get cost savings, I wanted budget oriented people. And there is no greater budget oriented people than Bob Cronson, Bob Mandeville and McClure."

McCracken: "Okay, good point. Let me give you an example and tell me how this would work. What if somebody proposed to build highway 51 between Rockford and Decatur? Now..."

Ronan: "And I... And just to set the record straight, I think that's a great project..."

McCracken: "Now, would highway 51..."

Ronan: "...I want Representative Breslin to understand that I think that's a great concept."

McCracken: "Would highway... Now, that's why I picked it. Would highway 51 be subject to their veto power?"

Ronan: "No, this has nothing to do with veto power. You know, those projects are..."

McCracken: "Alright, what is it... what is it that they would do?"

Ronan: "Suppose that an individual, a contractor who's received the award or someone who is involved with it says, 'Look, we want to build highway 51 from here to there, but we think that the specification can be met by using this particular construction process and that this process will save the state (x) millions of dollars.' I think it makes sense to do that."

McCracken: "Alright. Now, does this..."

Ronan: "What happens is that sometimes you have bureaucrats who don't like creative ideas. And now, what we're saying is that we're going to have a panel under the jurisdiction of primarily the Governor because he appoints the Director of the Bureau of the Budget and he appoints the Director of Central Management Services. And then we as a collective... but we as..."

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McCracken: "But what if the Governor changes?"

Ronan: "No, I thought we were serving under the imperial majesty of Governor Thompson. I mean, he's got, at some point, submit his name back to the voters."

Speaker Breslin: "Representative McCracken."

Ronan: "Hold on, we may have to take this Bill out of the record now that I realized that Jim Thompson may not be Governor someday. Ever since I've been a Legislator... for Governor... it'll still be a problem."

Speaker Breslin: "Representative McCracken, bring your remarks to a close."

McCracken: "It... It hasn't been 10 minutes and, you know, we're having fun, but this is an important Bill. So, let me just ask a couple of more questions. Do all Bills of an appropriation or a construction nature have to go to this Board for consideration?"

Ronan: "No. No."

McCracken: "Alright, what dictates when this Board acts and what dictates its authority to control or have oversight?"

Ronan: "Yes. Representative McCracken, the Bill will kick into effect when somebody has a good idea. You know, in other words I assume..."

McCracken: "No further questions."

Ronan: "...as assumed in the Reagan/Ronan philosophy that I had tune to earlier, I think we got a group of budding..."

McCracken: "No further question."

Ronan: "...geniuses out there that have got great ideas, and the bureaucrats have stifled them. I'd like to bring a little creativity back into state government in the Reagan/Ronan philosophy."

McCracken: "Do we do it by telephone or does it have to be in writing?"

Ronan: "You're... again, very seriously..."

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Speaker Breslin: "Excuse me, Gentlemen."

Ronan: "Very seriously, there is going to have to be..."

Speaker Breslin: "Representative Ronan, the next person to speak is the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

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

Cullerton: "Representative Ronan, I just saw... there might be one possible problem here. What if the person who proposed the specs that's the bureaucrat, what if they had a deal with the contractor and so they intentionally... intentionally propose specifications that were inflated and then the contractor could come in and propose something which was less and then under your Bill, the contractor would get 50% of the savings? How could we avoid that?"

Ronan: "My attitude, Representative Cullerton, in the history of this great state, there have been attempts at corruption in the construction industry. I remember there were grand juries and panels during the '70's and a number of road contractors went to jail. If there is going to be that kind of collusion that goes on in the construction industry, we can't prevent it. But I think we've got diligent U.S. attorneys all over this state who look for those kinds of collusion principles and if they go on, I think people should go to jail. And I wholeheartedly support that concept."

Cullerton: "These gubernatorial appointees would be their to check to see whether or not the original specifications were inflated. Correct?"

Ronan: "Absolutely."

Cullerton: "So they would be the check on this potential fraud that would be..."

Ronan: "Absolutely. This is going to be a panel made up of three legitimate... in state government."

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Cullerton: "Architects"

Ronan: "No. No. No. No. It's not architect. I changed it. I wanted to get it out of the concept of it being the fox watching the chicken coop. That's why I went to the idea of making it the Director of the Bureau of the Budget, the Director of the Central Management Services and the Auditor General."

Cullerton: "Okay. Fine. Alright, thank you. I just thought I'd point that out, and I think you've got... with the Amendment, I think you've got the necessary check or the potential for abuse."

Ronan: "Thank you, Representative Cullerton."

Speaker Breslin: "The Gentleman from Winnebago, Representative Hallock."

Hallock: "Will the Sponsor yield for a question?"

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

Hallock: "What would happen if this Bill were to become law and we had a situation wherein the General Assembly had made one directive through our processes here and the council had made a different suggestion, now what happens in that kind of a conflict?"

Ronan: "Representative Hallock, you're going to have to... I didn't here your question. Could you explain?"

Hallock: "If the General Assembly were to make one decision and appropriate accordingly, and this council were to make a different recommendation, what happens in that situation?"

Ronan: "The council would have the final say on cost savings. Where would we be questioning the decisions of the council? I don't understand your question."

Hallock: "Well, it seems to me that on the appearance of this proposal we may, in fact, be delegating some of our major responsibilities for issue that are probably very close to most of our concern to this council."

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Ronan: "Not at all. We, as the General Assembly, set priorities for building around the State of Illinois. We approve a budget for the Department of Transportation. We approve a budget for the Capital Development Board. We approve budgets for all the various agencies, especially when it comes to capital accounts. All that this council has the authorization to do is after those projects are laid out and the specifications are drawn up, if someone comes in with a good idea that's going to save money on that particular project, this council has the obligation to review these procedures and proposals and to see if there might be an affect of potential cost savings for the taxpayers of the State of Illinois. They don't have the right to veto this project versus that project. All they have the right to do is review projects that we've given them."

Hallock: "Well, we're all for cost savings. Let me ask you a different question, then. Many times since the Department of Transportation, they, of course, have their own ideas as to what should be done in certain regions of the state and when. Sometimes those ideas actually have our input. Sometimes they just kind of go along with what the different cities want to do. How would this impact upon the local decisions from the regional DOT agencies that they may make?"

Ronan: "It doesn't have any impact on those decisions. You know, if you want to address that issue, I think you have to come in with a different piece of legislation. This does not set new priorities for state agencies on where they should be doing their projects. All this says is once those priorities are established, they should be done in the most cost effective measure and that's what the legislation calls for."

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Hallock: "Well, then a last question as regarding to council itself and its structure. Is there any one reason why you didn't put on this council the director of the major state agencies, you know, herein, of course, the biggest state budgets are education, public aid and transportation, is there any reason why you left off the major budget directors on this issue?"

Ronan: "Well, I thought that I wanted to get the three individuals that are most concerned with cost savings in the state of Illinois, and that's why I chose these three particular individuals. I think that these are the kinds of people that can take an objective view of where state project expenditures are going and can also take an objective view on possible cost savings. I mean, I'm not saying that I'm limited to look at only these three, but I think that this is a fair representation of people who are really interested in cost savings for the State of Illinois."

Hallock: "But it would seem to me that if you're interested in cost savings that you might want to have on this council the directors of the largest agencies with the largest budget, which would be those three I enumerated previously."

Ronan: "Well... you know, I mean, that's your view of the world. My attitude is once you have the Director of the Bureau of the Budget on the council, he meets with those directors of those state agencies every year when they put together their budget. So, they have tremendous input... at any time anyway."

Hallock: "Thank you."

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

Vinson: "Thank you, Madam Speaker. Will the Sponsor yield for a

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question?"

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

Vinson: "Did I understand you to say, Mr. Ronan, that the purpose of this council will be to meet and consider good ideas?"

Ronan: "Yes, Representative Vinson. It's very similar to the Democratic Caucus of the House. We meet and discuss good ideas and now we've got another agency that's going to do that?"

Vinson: "As I thought. Is Woody Bowman a chartered member of this group?"

Ronan: "Representative Vinson, under our next Governor, Woody Bowman may, indeed, be appointed as either Director of the Bureau of the Budget or Director of Central Management Services. The position of Auditor General is filled for the next eight years so that... we've got Bob Cronson, who will do an admirable job for the next decade."

Vinson: "Let me get this straight. You're suggesting that Hartigan would appoint Woody Bowman as Director of the Bureau of the Budget?"

Ronan: "If you're suggesting that... that your Chairman of Republican for Hartigan, I think anything's possible on his cabinet."

Vinson: "Ladies and Gentlemen of the Assembly, to the Bill. I would urge a 'no' vote on this council for good ideas. After all, that's what the General Assembly is."

Speaker Breslin: "Is there any further discussion? The Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Madam Speaker. Will the Sponsor yield?"

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

Ryder: "Representative, it's my understanding that this council of good ideas people will only review construction cost and/or cost savings. They will not assign projects or determine which projects should be accomplished?"

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Ronan: "Absolutely. Your analysis is absolutely correct. This council will not establish priorities for construction in the State of Illinois. Those determinations will be made the same way they've always been made. State agencies will come in with their priorities present them to the Governor. The Governor will then submit a budget to the General Assembly. We, in the General Assembly, review those budgets. We'll set our priorities and a final document will come out. Once the traditional decision making process is completed and there is no change in that decision making process, then there will be an opportunity for a council to review projects as they've been determined by the agencies with the General Assembly's overview and then if there is a potential for cost savings, this council can recommend and put into place those cost savings."

Ryder: "Would there be a potential of abuse of the system in that these reviews could: (a) pick a means that would in essence cost less but may in the long run be wasteful or self-serving or (b) could delay the process to such an extent that even though there would be a savings in cost, there would ultimately be an expense to the state because of the delays in letting bids, et cetera."

Ronan: "No. I... Representative Ryder, I don't think that that would enter into the situation at all. What you've got is that you've got the Director of the Bureau of the Budget, the Director of Central Management Services and the Auditor General, who will be reviewing recommendations for cost savings. I don't think that, at this point, you're going to have any kind of delays because of this process, but you do have a potential for some real cost savings for the taxpayers of the State of Illinois."

Ryder: "Thank you, Representative."

Speaker Breslin: "The Gentleman from Will, Representative Van

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Duyme."

Van Duyme: "Yes, Madam Speaker, I have a fresh innovative idea.

I move the previous question."

Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Ronan, to close."

Ronan: "Thank you, Madam Speaker. Just as a final point. I think it's very important that we, in state government, as we embark upon huge new building programs for the State of Illinois, do everything in our power to make sure that these projects are done in a cost effective efficient manner. I think this is just one more principle that we're putting in place. It doesn't take away any of the authority of the Governor. It doesn't take away any of the authority of the General Assembly. The process will continue as it now exist, but what it does do is it gives an added impetus for saving the taxpayers some dollars. And I think that's one of the most legitimate things we, in the General Assembly, can institute. I move for adoption of House Bill 1555."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1555. And on that, the question is, 'Shall House Bill 1555 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Representative Cullerton wishes to be voted 'aye'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 65 voting 'aye', 50 voting 'no', and none voting 'present'. This Bill... Representative Preston asks to be voted 'no'. There are, therefore, 55... 65 voting 'aye', 51 voting 'no' and none voting 'present'. This Bill, having received the

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Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we are changing the Order of Business to House Bills Third Reading - Education Reform, appearing on page 26 on your Calendar, the next Bill to be called is House Bill 2158, Representative Berrios. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2158, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Berrios."

Berrios: "The next five Bills I have on this Order of Business basically deal with the Hispanic dropout task force recommendations that came out of the report. 2158 merely provides that the Auditor General report to the Governor and the General Assembly as to the dropout statistics and it defines 'dropout'. I would ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2158. And on that question, is there any discussion? There being no discussion. The question is, 'Shall House Bill 2158 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2160, Representative Berrios. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2160, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Berrios."

Berrios: "House Bill 2160 merely provides that... informed advisory councils should be put in the districts in the City of Chicago with direct input into the school decision

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making process. Ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2160. And on that question, is there any discussion? There being no discussion. The question is, 'Shall House Bill 2160 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 109 voting 'aye', none voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2160... House Bill 2165, Representative Berrios. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2165, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Berrios."

Berrios: "This Bill simply provides for counsels on a 250 to 1 ratio by 1990 and special career counseling agencies of Chicago. I would ask your favorable Roll Call."

Speaker Breslin: "The question is, 'Shall House Bill... The Gentleman has moved for the passage of House Bill 2165. And on that... this question, the Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Representative Berrios, as I recall this is one that has now been amended to require a certain ratio of staff to students for counseling that's still part of the Bill. What do you provide as a mechanism for funding for the additional staff?"

Berrios: "It's not until 1990. So, they've got time to put the process in order."

Satterthwaite: "But, are you saying that these funds would have to come from either the tax or the Chicago district's portion of the state aid formula? You're not asking for a

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grant line item to fund this."

Berrios: "Correct."

Satterthwaite: "Thank you."

Speaker Breslin: "The Gentleman... The question is, 'Shall House Bill 2165 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 74... 72 voting 'aye', 37 voting 'no', and 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2166. Representative Mulcahey, for what reason do you rise?"

Mulcahey: "Mr... Madam Speaker, on a point of personal privilege. I have been receiving so far this morning literally dozens of notices for me to go out and talk to the doctors out there, and I would just like to make the announcement that if they do not have an appointment with me, I would suggest they take two aspirins and call my answering service in the morning. And if they do have an appointment, it'll be anywhere for hour and hour and 45 minute wait before I can get out there. So, I just want to make that announcement"

Speaker Breslin: "Members should be advised that we are going to be on Third Reading all day and you cannot be added to the Roll Call, so you should instruct your visitors as today, House Bill 2166, Representative Berrios. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2166, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Berrios."

Berrios: "This simply authorizes the Board of Education to provide night school, summer school and after school activities within the City of Chicago. I would ask for a favorable Roll Call."

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Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2166. And on that question, the Gentleman from Winnebago, Representative Hallock."

Hallock: "Will the Sponsor yield for a question?"

Speaker Breslin: "The Gentleman will yield for a question."

Hallock: "Why is it necessary to authorize this to be done? It seems to me that if we're only going to authorize it, they can probably do it now. And those who do... who want to do it, do it. And those who don't want to, don't. Now, why is it necessary to authorize this?"

Berrios: "They basically can do it now. What we've put into... what we've added is that the school board can charge for the summer school if the student isn't... is able to pay. If he's indigent, then the school board pays for it. We put in a couple of more provisions that the task force had asked for."

Hallock: "Is this a cost to the state, or does this apply to Chicago only... with Chicago reimbursement, or how does it work?"

Berrios: "Chicago only."

Hallock: "Chicago... Is it... Is it a cost to the state, though?"

Berrios: "No. No."

Hallock: "Thank you."

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

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

Speaker Breslin: "He will."

Satterthwaite: "Representative Berrios, I am confused by your last answer. I thought that the Bill required that there be state funding provided for these programs, and you might want to look at the last part of the new language."

Berrios: "Okay. It's subject to appropriation."

Satterthwaite: "Okay. So that, in fact, although it seems to be

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permissive on the part of the school district as to whether or not the programs would be provided, there is a mandate for state funding for the programs."

Berrios: "I guess you're correct, but it's subject to appropriations by the State Board."

Satterthwaite: "Well, as are all grant line items, but I think that we should not confuse the Members that, in fact, there would be a mechanism provided under this Bill for state grant monies to go to these programs that are optional on the part of the school district."

Berrios: "I stand corrected, thank you."

Speaker Breslin: "There being no further discussion. The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you very much, Madam Speaker. Ladies and Gentlemen of the House, following up on the comments of the last speaker. This is put into the power section of the Code that affects the City of Chicago. And in each of the three Sections that are added, it provides the State Board shall provide funds appropriated for such purpose, the school districts, for conducting programs under this Section. Now, this... if you were a school board and this was passed, you certainly would turn around and say the Legislature has said the State Board shall provide the funds, and they are the ones who appropriate the funds for this purpose, therefore, you have mandated that we... you have provided that we do this and you now have to fund it. You know, part of the whole reform package which has yet to really be addressed is the funding of these programs. Now, it might be able to be argued that we will be able, out current revenues, to fund some kind of reform program this year, but we can't walk away from this legislative Session without also being concerned for the out years because after '86 or after '87, we're going to have to look at '87,

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'88 as these programs phase in. With all due respect to the Sponsor, the fact of the matter is, the Board is doing some of this now. I think it would be propitious for us as Members of the General Assembly to not pass this legislation at this time - see where we are at some other point and time when we see what we've done in other areas, in other areas which deal with the same kinds of problem and then come back to this issue. And it's for that reason, Madam Speaker, Ladies and Gentlemen of the House, I rise in opposition to this Bill."

Speaker Breslin: "Representative Berrios, to close."

Berrios: "What we've found is that a lot of the students in the City of Chicago fall behind. Giving them the opportunity to attend summer school, even if they have to pay for it, should be considered by us. You know, it may cost a little money now, but what's going to happen in the future, these students are not going keep continuing to fall behind and thus, continue their education and graduate and get off the public aid rolls and so forth. I ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved for... The question is, 'Shall House Bill 2166 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Homer. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Flowers, for what reason do you rise?"

Flowers: "Madam Speaker, my light does not work on my desk."

Speaker Breslin: "It does work on the board, however, and you are recorded as voting 'aye'."

Flowers: "Thank you."

Speaker Breslin: "Very good. Representative Van Duyne, for what reason do you rise? The Gentlemen from Cook, Representative Piel, one minute to explain your vote."

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Piel: "Just if this should be the 60 vote figure, I would ask for a verification then."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 57 voting 'aye', 52 voting 'no', and 8 voting 'present'. Representative Berrios asks for a... for Postponed Consideration. Ladies and Gentlemen, an announcement. After we finish this Order on Education Reform, we will go to the Order of Transportation and Motor Vehicles directly. At 1:00 we will then come back to the Order of State Personnel. We are skipping over State Personnel for just an hour or so and going directly to Transportation and Motor Vehicle. Please plan to be on the floor to present your Bills. The next Bill to be heard is House Bill 2167, Representative Berrios. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2167, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Berrios."

Berrios: "This merely requires that local school districts shall administer none discriminatory assessments testing Hispanic students to determine their eligibility to receive special education. What we found is that a lot of the students are being classified in the wrong educational program. What we're trying to do is get them tested, and I ask your favorable Roll Call."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2167. And on that question, is there any discussion? There being no discussion. The question is, 'Shall House Bill 2167 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Phelps, would you vote me, please? The Gentleman from Cook, Representative Huff. The Gentleman is not seeking recognition I understand. Have all voted who

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wish? The Clerk will take the record. On this question... Representative Mulcahey wishes to be recorded as voting 'aye'. There are, therefore, 104 voting 'aye', 11 voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2189, Representative Braun. Clerk, read the Bill."

Clark O'Brien: "House Bill 2189, a Bill for an Act to improve urban schools. Third Reading of the Bill."

Speaker Breslin: "Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'd like to have this Bill returned to the Order of Second Reading for purposes of an Amendment."

Speaker Breslin: "Representative Braun, for what reason did you rise?"

Braun: "To return the Bill to Second Reading for the purpose..."

Speaker Breslin: "The Lady asks to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does the Lady have leave? Hearing no objection, the Lady has leave. Read the Bill a second time, Mr. Clerk."

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

Braun: "What happen to 1? There was an Amendment #1 filed also, which I had wanted to withdraw so that Amendment... I might move for adoption of Amendment 2."

Speaker Breslin: "The Lady withdraws Amendment #1. Proceed with Amendment #2, Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This legislation is the amended version of the Urban School Improvement Act. Essentially, what it does is put into all of our reform proposition some involvement of parents so that parents and teachers can make decisions on the local level about their local school. It applies to the Chicago school districts. It sets up... sets a series

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of councils and it allows for the development of local school improvement plans by those councils. I'd like to entertain any questions you may have."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #2 to House Bill 2188. And on that question, the Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Madam Speaker. Would the Sponsor yield?"

Speaker Breslin: "The Sponsor will yield for a question."

Ropp: "Are parents now prohibited from giving advice and counsel to the school district now in Chicago?"

Braun: "No, Representative, they're not."

Ropp: "Well, didn't you say this Amendment was to encourage involvement with parents?"

Braun: "Yes. One of the problems that we run into is that parents very often don't feel that they have any real input into the development of policies and plans pertaining to their local schools. This will encourage the development of councils set up of structures of those councils - may enter face with the Board and will thereby give those parents a greater voice in what happens at their local school."

Ropp: "I thought we just passed a Bill a little while ago setting up councils throughout the state or at least giving them authority. In fact... downstate, we have those citizens advisory councils now. I'm wondering whether or not you're not taking advantage of that opportunity now. You don't have citizens advisory councils in your school district now?"

Braun: "Representative, this legislation is comprehensive legislation. It has been tried in other states, in other jurisdictions. This sets up a structure that is not... as far as I know, I haven't... I don't know which other Bill you refer to; but, as far as I know, the structure that's

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addressed here has not been previously addressed in our approach to these issues."

Ropp: "Yeah. I'm not opposed to attempting to help kids as much as we possibly can, but I am somewhat concerned about attempting to develop duplicative programs, and this is not a duplicative program?"

Braun: "No, Sir. On the contrary, it builds on what is there already. The Bill is specific in saying that where there is already a PTA, where there is already a local school council, those organizations will become the basic building block. It's not setting up anything new in that regard."

Ropp: "Alright. Very good."

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

Hoffman: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Breslin: "She will yield for a question."

Hoffman: "Is my understanding, correct, Representative, that in light of our discussion we had a couple of days ago that this takes the cost out and provides for the council and that this is built to a great extent on a program that they put in place in California?"

Braun: "Absolutely, Representative."

Hoffman: "Alright. Thank you very much. Ladies and Gentlemen of the House, I think the Sponsor of this legislation has responded to some suggestions in a most proficient manner. I commend her for that and rise in support as Representative Ronan would say, of her fine Bill."

Speaker Breslin: "The Gentlemen from Cook, Representative McGann."

McGann: "Thank you, Madam Speaker and Members of the Assembly. I also rise in support of Amendment #2 to House Bill 2189. I truly believe that of all the educational reform we will be getting into this year, this piece of legislation goes to

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the core of the problem. It involves the parents. It involves those involved in the teaching. I think it's an extension in the present PTA but in a more responsive way, in essence, this strategic plan for education and especially, in the schools of the City of Chicago. I would respectfully ask everyone to put many, many green votes on this Amendment #2 to House Bill 2199 and I applaud the Sponsor, Representative Braun, for her work that she has done. Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 2199 pass?' All those in favor vote 'aye', all those... Oh, excuse me. The question is, 'Shall Amendment #2 to House Bill 2199 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 is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. The Lady now asks leave for immediate consideration of House Bill 2199 as amended. Is there any objection? Hearing no objection, the Lady has leave. Proceed, Mr. Clerk."

Clerk O'Brien: "House Bill 2199, a Bill for an Act to improve urban schools and amend an Act herein named. Third Reading of the Bill."

Speaker Breslin: "Representative Braun."

Braun: "Thank you, Madam Speaker. This legislation has been discussed. The cost element has been taken out of it. I think that it does a yeoman's job in addressing the issue of parent involvement in school decision making, and I would like to now turn the discussion over to Representative Ronan, who will close. Representative Ronan."

Speaker Breslin: "Representative Ronan, to close."

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Roan: "Thank you, Madam Speaker and Members of the House. I think that this piece of legislation that Representative Braun and I have worked on tremendously over the last three months. It's really the kind of legislation that we need to put in place for the residents of the City of Chicago. Having served on the Hispanic Dropout Task Force, one of the questions that was brought to me time and time again by parents, not only from my district, but around the City of Chicago, was that the reason that their kids are dropping out is that the parents and the entire family feel that the schools in many neighborhoods are locking them out that there is not a real rapport that's developed between the parents, between the faculty and between the principal of the school. I believe that if we can get this program started on a model basis where we can go into some of the neighborhoods where there really needs to be an opening of the whole school process where parents can have direct input into curriculum and into special programs to address the issues of dropout and to address the issues of gang violence and to address the issues of where the young people in their communities are going. I think we've done a tremendous service for the residents of the City of Chicago. This plan, this concept has worked fantastically in California. So, we've got a proven model on the Los Angeles school system that shows that when you go to a concept of parental involvement, this system really can work. I know we had to scale back the plan tremendously because the shortage of dollars this year, but I feel that if we can put the vehicle in place, we will have the opportunities during future Session to more fully fund this kind of concept and hopefully come in with the kinds of legislative reforms that we need to really make the Chicago Board of Education be responsive to the parents - be

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responsive to the kids and really get about the business of educating the young people of that area. I wholeheartedly move for the passage of House Bill 2188."

Speaker Breslin: "The question is, 'Shall House Bill 2188 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Gentleman from Cook, one minute... Representative Levin, one minute to explain your vote."

Levin: "I'm voting for this. I think anything that produces more parent involvement in the system is good. And I think this is perfectly consistent with many of the other reforms that we'll be considering, particularly elected school boards for the City of Chicago. I think we can do both and I think that will greatly enhance the quality of education in the city."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 108 voting 'aye', 5 voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we are changing the Order of Business to House Bills Second Reading - Games of Chance, appearing on page 48 on your Calendar. Representative Bullock. Is the Gentleman in the chamber? Representative Bullock is the Gentlemen in the chamber. Representative Giorgi or Representative Nash, are you ready to proceed on Second Reading on Games of Chance? House Bill 175. Clerk, read the Bill."

Clerk O'Brien: "House Bill 175, a Bill for an Act to permit certain home rule municipalities to authorize casino gambling. Second Reading of the Bill."

Speaker Breslin: "Are there any Motions filed on House Bill 175?"

Clerk O'Brien: "A Motion, by Representative Vinson, pursuant to Rule 72(b) - 2, I hereby move to strike the enacting

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clause."

Speaker Breslin: "Representative Vinson."

Vinson: "Madam Speaker, for a moment why don't I yield to the Sponsor?"

Speaker Breslin: "Representative Bullock."

Bullock: "Madam Speaker, I'd like to take this out of the record and come back to it shortly and move to the next Bill."

Speaker Breslin: "Out of the record. House Bill 885, Representative Bullock. Read the Bill."

Clark O'Brien: "House Bill 885, a Bill for an Act to amend Sections of the Illinois Horse Racing Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clark O'Brien: "Floor Amendment #1, offered by Representative Bullock - Panayotovich and Nash."

Speaker Breslin: "Representative Bullock."

Bullock: "Thank you, Madam Speaker and Ladies and Gentleman of the Assembly. I'd like to explain to you Amendment #1 to House Bill 885. Amendment #1 to House Bill 885 essentially does five things. This Amendment is intended to add to the statute under the Horse Racing Act a provision to legalize dog racing in the State of Illinois. This Amendment, in effect, is brought about because of Members of the Committee who express to me genuine concern to try and improve the legislation once it reaches Second Reading. The Amendment, first of all, will allow for two members representing dog racing to be added to the existing Horse Racing Board expanding that Board from 7 to 9. The Amendment also has all of the funds going directly to the common school fund from the states of privilege tax percentage. It has a graduated privilege tax starting at 1.5 up to a max of 7.7. The extrapolated take-out for the state under this tax going into the common school fund

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would be approximately \$55,000,000. In addition to this, the legislation has a 55 mile limit provision which, in effect, would grandfather in existing horse racing track allowing those tracks to also run dogs if it is their desire. The legislation more importantly has a provision which is called the regap provision of Section 8, Subsection 25, essentially this is the retired of Greyhound and Pet Association provision. Any individual desiring a license in Illinois would have to comply with the provision and designate one a date in the racing meet for all funds going into a charitable fund for retired greyhounds and pets. This Amendment was offered and suggested to me by Representative McAuliffe and many Members concerned about the humane society and the humane treatment of animals. Madam Speaker and Ladies and Gentlemen of the Assembly, House Bill 985 as amended with Amendment #1 would, in effect, require that 90% of those individuals employed in this new industry would be Illinois residents. It requires Illinois residents to perform the function in this particular industry. I offer Amendment #1 to this Bill so that we can once and for all create a whole new industry in Illinois, an industry that is Illinois bred, an industry that Illinois can be proud of to generate jobs and employment for our citizens. This Amendment has been worked on by many, many individuals genuinely interested in the subject of greyhound racing in Illinois. Madam Speaker, Ladies and Gentlemen of the House, the greyhound racing Amendment #1 is going to help keep several of our existing harness tracks from possibly closing up for good. In this Amendment, we have very strong policing provisions allowing the Department of Law Enforcement - Illinois would be the only state in the union that would require before an individual can achieve a license that they must, in fact,

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have fingerprints on file and answer very complicated questions, not unlike checks that are run by the FBI on background checks. We also have a very complicated license application - requires full disclosure. The penalty for fraudulent or misrepresentation under this Act is a Class 4 Felony. This law would be the strongest law in the United States in terms of justifying the character and worthiness of individuals desiring to achieve a license in the State of Illinois. The racing of greyhound dogs is the only industry that would require the owner to be fingerprinted, FBI checks would be done, would require them to file an employment and a resident report with the State of Illinois. The State of Illinois will have the greyhound registration papers. The owners state license. The owners fingerprint. The FBI check. The owner of the employment and resident report. Therefore, all of the self serving hot air that we've received from some opponents is incorrect. Common sense tells us that a person who would subject themselves to his personal information, fingerprint and perjure himself in the State of Illinois for a greyhound owners' application and then waltz out through the door and commit a Felony, probably deserves exactly what they get. We have another provision in this Act which I've cited, which is the regap fund for retired Greyhound Association. In closing, Madam Speaker, and I'll avail myself to questions, I have here a letter from Mr. Ron 'Walsky', President of the retired Greyhound Association in St. Petersburg, Florida. This individual represents the retired Greyhounds and Pets Association responding to the... anti-cruelty the society concerns about the treatment of animals and he says, 'Illinois has an opportunity to enact the landmark greyhound welfare legislation, having a significant impact for all time. It

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serves as a role model for all tracks in Illinois. Good luck in your most worthwhile endeavor. Keep us informed of your progress.' Sincerely, Ron 'Walsky', President and the founder of retired Greyhound Association, St. Petersburg, Florida. In closing, Madam Speaker, I would say this is by far the best piece of legislation that has ever been offered to legalize dog racing in Illinois. And I'll be glad to answer questions."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 885. And on that question, the Gentleman from Cook, Representative Kubik."

Kubik: "Madam Speaker, I would just simply like to request a Roll Call on this Amendment."

Speaker Breslin: "Very good. The Gentleman from... Is there any other... Do any other Members wish to speak on this Bill? There being no further discussion. The question is, 'Shall Amendment #1 to House Bill 885 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Representative Preston, one minute to explain your vote."

Preston: "Yes, Madam Speaker, I'm voting in favor of the Representative's Amendment, but I'm particularly interested in the people who are voting here. Specifically, Representative Vinson's vote. It seems he's not as outraged on the fingerprinting of dog handlers and dog owners as he is on people who are given the care and custody of our children. Apparently, the Gentleman is more interested in the care and feeding of dogs than he is the care and teaching of children, and I'm going to follow his 'aye' vote."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 50 voting 'aye', 40 voting 'no', and 8 voting 'present', and the Amendment is

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adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 175, Representative Bullock. Clerk, read the Bill."

Clerk Leone: "House Bill 175, a Bill for an Act to permit certain home rule municipalities to authorize casino gambling. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "I thought there was a Motion filed on this Bill. There is a Motion on the Calendar."

Clerk Leone: "There is a Motion on the Calendar. A Motion. Pursuant to Rule 72(b) - 2, I hereby moved to strike the enacting clause, House Bill 175, by Representative Vinson."

Speaker Breslin: "Representative Vinson, on the Motion."

Vinson: "Madam Speaker, I withdraw the Motion."

Speaker Breslin: "The Gentleman withdraws his Motion. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Bullock - Panayotovich - et al, amends House Bill 175 as amended."

Speaker Breslin: "Change the board so it reads Amendment #2. Proceed, Representative Bullock."

Bullock: "Thank you, Madam Speaker and Ladies and Gentlemen of the Assembly. Amendment #2 to House Bill 175 would, in fact, establish and legalize casino gaming in the City of Chicago and the County of Cook and in the metro east St. Louis area only by a referendum vote of the voters in those particular municipalities. Amendment #2 is modeled after the statute enacted in the State of New Jersey. In this particular Amendment we would, in fact, establish for the state to control and regulate casino gaming in the State of Illinois by creating the Casino Control Act. Under the

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Casino Control Act, we will establish a Casino Control Board Authority of seven members appointed by the Governor. We also would establish under the Casino Control Act an enforcement division within the Illinois Department of Law Enforcement. The Casino Control Division would, in fact, be responsible for establishing and designating the operation and regulating the operation of casino gaming in those municipalities, who by referendum authorize the creation and operation of casinos. In the legislation, we have a very strict provision as to the facility of casino gaming. A facility would have to have a minimum of 15,000 square feet and a minimum of a 1,000 rooms in the casino in order to operate. We also, Madam Speaker, have a very stringent requirement in terms of worthiness and fitness of individuals in Illinois who would apply for the license. We have, in fact, required an investment tax credit of 2% in the legislation. Over 5 years an individual would receive on an annual basis a 2% investment tax credit for investing in the casino operation. It is expected that approximately \$200,000,000 in receipt could come to the State of Illinois should casino gaming be legalized in the state. We also earmark those funds for the common school fund and in the City of Chicago, for example, the expanded economic benefit would be something in the neighborhood of 20 - 30 million dollars. I'll be glad to answer any questions, Madam Speaker. If not, I would urge an 'aye' vote."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 175. And on that question, the Gentleman from McLean, Representative Ropp."

Ropp: "Yeah, would the Sponsor yield?"

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

Ropp: "Can you give me a definite figure on how many casinos

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there might be in the City of Chicago at a thousand rooms per facility?"

Bullock: "Yeah, Representative Ropp, could I ask just a moment? I'd like to make one last statement that I didn't in closing... "

Ropp: "Sure."

Bullock: "Then I'll respond to your question. Madam Speaker and Ladies and Gentlemen of the Asssmbly, it is my intention that after this Bill is, in fact, amended - and there are several other Amendments - that once the Amendment is adopted, I am prepared to make a subsequent Motion that this Bill be assigned to Interim Study. That is my intention."

Speaker Breslin: "Very good. Do you still wish to proceed, Representative Ropp?"

Bullock: "And I'll be glad to respond to his question, if he desires."

Ropp: "I'd like to know how many people... how many facilities we're really talking about right now."

Bullock: "Well, I would estimate conservatively, one in Chicago, one in suburban Cook and one in the metro East St. Louis area."

Ropp: "In other words, just three facilities all over the whole state."

Bullock: "I would estimate that that is a possibility, but unless the voters approve by referendum, we wouldn't have any."

Ropp: "Okay. Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #2 to House Bill 175 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?"

Clark Leone: "Floor Amendment #3, Bullock - et al, amends House

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Bill... "

Speaker Breslin: "Representative Bullock."

Bullock: "Withdraw."

Speaker Breslin: "The Gentleman withdraws Amendment #3. Are there any further Amendments?"

Clark Leone: "Floor Amendment #4, Van Duyne - Bullock, amends House Bill... "

Speaker Breslin: "Representative Van Duyne. Bullock. Representative Bullock on Amendment #... "

Bullock: "Representative Van Duyne."

Speaker Breslin: "He's not in the chamber."

Bullock: "Representative Van Duyne asked me to cosponsor this Amendment. This Amendment merely tracks the language of the Waukegan and Will County Exposition Authority Act which, in effect, would have allowed... and will allow for a possible referendum vote in Will County for the operation of casino gaming."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to House Bill 175. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, I have a parliamentary inquiry."

Speaker Breslin: "State your inquiry."

Cullerton: "Is this Amendment in order, in light of Amendment #2 being adopted?"

Speaker Breslin: "We will look at it. Representative Bullock, your Amendment is not in order. It is improperly drafted since Amendment #2 was adopted. Are there any further Amendments?"

Clark Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Bullock."

Bullock: "Madam Speaker, could I make a Motion at this point?"

Speaker Breslin: "Proceed."

Bullock: "Madam Speaker, I'd like to request leave to have House

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Bill 175 assigned to Interim Study."

Speaker Breslin: "The Gentleman has asked leave that House Bill 175 be assigned to the Interim Study Calendar, and it will so be assigned. Ladies and Gentlemen, we would now like to go back to the Order of Education Reform and try to finish that Order, if we could. We would ask leave, however, at the beginning to add a Bill to that Order of Call, and that is House Bill 1493, sponsored by Representative Wait. This has been cleared by both sides of the aisle, I understand. Is there any objection to hearing that Bill immediately? There being no objection, House Bill 1493 will be added to that Roll Call. House Bill 1493, Representative Wait. Clerk, read the Bill."

Clark Leone: "House Bill 1493, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Wait."

Wait: "Thank you, Madam Speaker, Ladies and Gentlemen of the House, House Bill 1493 basically deals with special educational coops. In our area, we had a situation where the two school districts belong to a coop, and one of the school districts was on strike, and they wanted to send their kids to the school district where the coop was where they were not on strike, and in the current law, it prohibited them from sending them there. This would simply say that the... that we should not place the strikes on the back of the special education students."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1493. And on that question, the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of the Gentleman's Bill. Certainly those students who would be taking part in a special education cooperative are in need of the most

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continuity that can be provided in their educational opportunity. I think this is a very good Bill. It was thoroughly discussed in the Education Committee and came on the vote 14 to 0, and I think it deserves to be passed."

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

Cullerton: "Will the Sponsor yield?"

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

Cullerton: "Let me see if I understand this. If the strike occurs in a district which is part of a special... a joint special education agreement, this Bill would allow the special ed students to go to any other facility within the joint agreement during the strike, and reimbursement shall be provided to their original school as if no strike had been in progress. Is that what the Bill does?"

Wait: "Yes. Actually, what happens is, for example, we had the Belvidere District where the kids went to school. The North Boone was on strike. The problem is, North Boone has to reimburse the Belvidere District, so that was the main reason why North Boone did not want to send the kids there, because they would not be reimbursed for it. But actually, the Belvidere District Coop would end up with the money."

Cullerton: "Well, would this keep part of the system open with substitutes?"

Wait: "No, no it would not. This only applies when the kids are going out of the striking district to the other district. The problem is, the district that was on strike, they would make up the school district... the days at the end of the year. But in the coop district, you see, they would not make up those days so that basically the kids would be caught in a Catch-22. And the special ed kids, if anybody, needs the continuity of education - it's the special ed kids."

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Cullerton: "Right. Would they go to the... they would... this would allow them to go to school in the other... the district that's not on strike."

Wait: "That's right. Where they had been going all year."

Cullerton: "Where they had been going all year?"

Wait: "Yeah. North Boone does not have special ed facilities in their district, so they have always been going to outside of their district to the coop, which is in another district which was not on strike. So this would just allow these kids to go to that district so that they would not be losing out. Because they could not make the days up at the end of the year, because the special ed coop would not stay open just for those 10 kids involved."

Speaker Breslin: "The Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Madam Speaker, I rise in support of this Bill. It's a good piece of legislation. It helps, not necessarily people at the top, but kids at the bottom, and I would urge your support of this Bill."

Speaker Breslin: "The question is, 'Shall House Bill 1493 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 114 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The next Bill on this Order of Call is House Bill 2195, Representative Didrickson. Clerk, read the Bill."

Clerk Leone: "House Bill 2195, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Didrickson."

Didrickson: "Thank you, Madam Speaker, Members of the House. House Bill 2195 - I don't think there is any confusion on

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the Bill - it's the Bill that is circled on the bottom of this list, and it's the only one that didn't make the hit parade and it mentions the fact that House Bill 2195 takes away seniority. What I would really like to say is that House Bill 2195, as it is written, actually continues dismissal by seniority with one exception, that the more qualified teacher who has more time in the grade level and more time in the subject matter shall have preference over another teacher. But it also makes a further provision and it keeps in the fact that the sequence of seniority can also be bargained locally as it is done in many school districts right now. And that provision is maintained in there. Would also like to comment on a couple of legal cases with regards to seniority or riffing in keeping the appropriate teacher in the classroom. We have in Robert versus Auburn community unit school district, the teacher who taught 20 years home economics. The program was reduced and the teacher subsequently claimed right to a full-time position to teach math. Another situation, Newman versus Bluff Community High School. Petitioner had a valid 6 through 12 certificate, taught home economics - was employed by the district from 1964 to 1979, when the load was reduced to part-time. The teacher claimed that she had entitle... full-time position in science because she was legally qualified. Under our present Code right now since 1979, one is legally and professionally qualified if you simply have more time in. That doesn't mean that you are necessary qualified with regards to appropriateness with regards to qualifications, with regards to being able to teach the subject matter or the grade level. You get bumped. We've had a number of Bills that we have dealt with with regards to teacher competency and qualifications. House Bill 62 went out here with a 114 green 'aye' votes.

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I will just simply paraphrase some of the comments that the Representative who sponsored that Bill said - said, 'indeed, subject matter in teacher competency is what's critical' - said, 'indeed, we don't need a lot of... bunch of bodies just standing up in front of the classroom.' And the final closing comment was that children in this state deserves to have the very best. That is all that House Bill 2195 does."

Speaker Breslin: "The Lady has moved for the passage of House Bill 2195. And on that question, the Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House, let me caution the Members of this Body that this is a very complex issue. It is one that was not discussed in Committee. This Bill was amended on the House floor when many of us were not paying much attention to what was happening. The Bill as it originally came out of Committee was a good Bill; but, in the process of Amendment on the House floor, we now have the Bill in a posture where we would be voting on something that has not had appropriate Committee review - has not had the sanction of the Committee on Elementary and Secondary Education for passage. I feel that we should leave this issue as it currently is and as it would continue to be except with a little twist to the bargaining process. Currently, this is an issue that is bargainable and should continue to be bargainable, but by inserting this language here what we are doing I think is, in fact, giving an advantage to this process over any other process that might be bargained at the local level. If you are, in fact, for local control, then we should allow the collective bargaining Bill that we passed last Session to continue to prevail. We should not be interfering at this point with an issue that has not had

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appropriate review by the Committee and has not had the approval of the Committee. As we go through these Bills, it may be confusing for Members who do not serve on the Committee to distinguish between those that were Committee approved Bills and those that were not. And I emphasize that this is not an issue that got the sanction of the Committee. It is something that should be left to the bargaining process, and I urge the Members to reject the Bill."

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

Hoffman: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I think one of the points that the previous speaker brought up is key to this issue for a lot of us. When we passed collective bargaining legislation last... last Session, I think a lot of us have thought that if we do have public employee collective bargaining, then a lot of the issues which come to the General Assembly, pension issues, fringe benefit issues, working condition, those kinds of things should be resolved or would more likely be resolved at the local level where they can look at their local situation. We now, in fact, have collective bargaining in place. This Bill provides that where there is a collective bargaining process in place in the district, the agreement provides that any method can be used, including dismissal by seniority only. So, let's not get confused about what this particular Bill does. I think the Sponsor, of the Bill made, perhaps, the second significant point that I will like to make and that is, if education is for children and if we're going to make an investment in education, if we're going to renew education, then we have to get the best teachers in front of and working with those students. What this does is provide us

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another option to see that that happens. In the school district where I teach, we do not have a dismissal by seniority. We negotiate a dismissal which is done by department, but the reason we've been able to do that is because we were already doing that before the present seniority clause went in. This merely loosens that up, and I would encourage your support of this legislation."

Speaker Breslin: "The Gentleman from St. Clair, Representative Flinn."

Flinn: "Madam Speaker, I move the previous question."

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have and the main question is put. Representative Didrickson, to close."

Didrickson: "Yes, thank you, Madam Speaker, Members of the House. I would just also like to clear up a couple of points. House Bill 2195 was, indeed, the subject matter of House Bill 1984, which went into the Subcommittee with regards to personnel in the House Elementary and Secondary Education Committee. It didn't receive a vote. It went into Interim Study. This is the topic that ought to be out here in this year of education reform. I would also like to mention the fact that, indeed, it does keep the collective bargaining agreement in shape with this Bill on page two and does not affect that. It continues the sequence of seniority. I would also like to say that this one exception whereby we are looking for the appropriate teacher, the competent teacher, the qualified teacher to be in front of our kids with regards to math classes, with regards to science classes, ought to be there. And my closing comment is that while this Bill should affect Chicago, it doesn't affect Chicago. I ask for your favorable 'aye' vote."

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Speaker Breslin: "The question is, 'Shall House Bill 2195 pass?'

All those in favor vote 'aye', all those opposed vote 'no'.
Voting is open. This is final passage. The Gentleman from
Cook, Representative Preston, one minute to explain your
vote."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of
the House. I think we should have a clear statement of
what this Bill does and how it changes the present system.
What this Bill would do if it becomes law is to say at
schools where there has to for some reason be a reduction
in force - a reduction in the members of one department or
another to look and... where that department has an
outstanding teacher, an outstanding teacher who has taught,
perhaps, for ten years and yet, there is a mediocre teacher
not an incompetent, but someone who's mediocre - but that
person taught at that school system for ten years in one
day. That school system is faced with having to get rid of
that extremely competent, qualified, unique, extraordinary
teacher because someone who is far less so has one day
longer on the job. And that means the loser has nothing to
do again with the teachers. The loser in that situation
would be the students. The students would be deprived and
denied the competence and the gift, the art of the teaching
ability of that very qualified individual. So, I hope
you'll vote 'aye'."

Speaker Breslin: "Your one minute is up, Representative Preston.
The Gentleman from Coles, Representative Weaver, one minute
to explain your vote."

Weaver: "Thank you, Madam Speaker. Members of this House, I want
you to understand also that this is the teachers' Bill.
This Bill prohibits teachers from being placed in a
situation for which they were not trained. This allows
them to teach in their areas of specialty. We all want to

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make sure that our kids are educated in areas where the teachers have some background. This Bill will help that occur, and I vote 'aye'."

Speaker Breslin: "Representative Cowlshaw, one minute to explain your vote."

Cowlshaw: "Thank you, Madam Speaker. Never has public scrutiny of the issue of education been greater in this state than it is today. When I go home to my district and speak to the excellent teachers, the taxpayers and the parents, who are so concerned about education reform and point to my vote today, I will point to it with pride. Thank you."

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

Ropp: "Thank you, Madam Speaker. If there is ever a time that we should be considering what is good for education, then we ought to be supporting this Bill because it says, we want good outstanding, qualified teachers to teach and this Bill allows that particular school district to select the very best. We should not accept or want anything less than the best for our kids in Illinois."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 44 voting 'aye', 63 voting 'no', and 7 voting 'present'. Representative Didrickson, this Bill fails. House Bill 2219, Representative Flowers. Clerk, read the Bill."

Clerk Leone: "House Bill 2219, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Flowers."

Flowers: "Madam Speaker, may I have leave of the House to bring this Bill back to Second Reading for purpose of an Amendment?"

Speaker Breslin: "The Lady asks leave to return this Bill to the Order of Second Reading. Are there any objections?"

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Hearing no objections, the Lady has leave. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2219, Second Reading of the Bill. Amendment #1, Flowers, amends House Bill 2219."

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

Clerk Leone: "Amendment #1, Flowers, amends House Bill 2219."

Speaker Breslin: "Representative Flowers."

Flowers: "The Amendment #1 is so that the provision of the Bill would only apply to the City of Chicago."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #1 to House Bill 2219. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 to House Bill 2219 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. Representative Flowers now asks leave for this Bill to be heard immediately on the Order of Second Reading... Third Reading, rather, as amended. Are there any objections? Hearing no objections, the Lady has leave. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2219, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Flowers."

Flowers: "This Bill would merely require the school board to maintain and publish records of statistics as to the students' and teachers' absenteeisms and turnover."

Speaker Breslin: "The Lady has moved for the passage of House Bill 2219. And on that question, the Gentleman from Cook... Excuse me. The Lady from DuPage, Representative

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Cowlishaw."

Cowlishaw: "Would the Sponsor yield to a question?"

Speaker Breslin: "She will yield for a question."

Cowlishaw: "Representative, does this Bill apply to all school districts throughout the entire State of Illinois or only to the City of Chicago?"

Flowers: "Only the City of Chicago, Representative Cowlishaw. If you recalled in Committee, you asked that I amend the Bill, and I have done so."

Cowlishaw: "Very good. I just wanted to make sure that was clear to everyone. Thank you very much."

Flowers: "Yes."

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

Hoffman: "Thank you very much. Will the Sponsor yield to a question?"

Speaker Breslin: "She will yield for a question."

Hoffman: "Is it my understanding that this information will be required to be published in a local newspaper?"

Flowers: "You're correct."

Hoffman: "As that applies to Chicago, what constitutes 'local'? How would... How would you define 'local'?"

Flowers: "Local neighborhood newspapers."

Hoffman: "Local neighborhood newspapers and all... forgive me for my ignorance, but... all neighborhoods have a local newspaper?"

Flowers: "Any neighborhood that has a newspaper or any newspaper that wishes to publish it, Sir."

Hoffman: "Does this require the Chicago Board of Education to pay for that publishing? I mean, will they have... Like, we have to publish legal pads? Will they have to pay for this?"

Flowers: "There's a fiscal note filed, Sir, and it won't cost

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that much."

Hoffman: "It won't cost that much. Is it my understanding that the Chicago Board of Education is in support of this?"

Flowers: "I haven't heard anything negative or positive about it, Sir."

Hoffman: "So... So they do not have a position."

Flowers: "No, Sir."

Hoffman: "Thank you. Thank you very much."

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

Cullerton: "Will the Sponsor yield?"

Speaker Breslin: "She will yield for a question."

Cullerton: "Representative Flowers, is this your first Bill?"

Flowers: "Yes, Representative Cullerton."

Cullerton: "I think it should be treated accordingly."

Speaker Breslin: "The question is, 'Shall House Bill 2219 pass?'"

All those in favor vote 'aye', all those opposed vote 'no'. Voting is open on the Lady's first Bill. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 106 voting 'aye', 10 voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2226, Representative Turner. Clerk, read the Bill."

Clerk Leone: "House Bill 2226, a Bill for an Act relating to state-wide program for drop-out youth. Third Reading of the Bill."

Speaker Breslin: "Representative Turner."

Turner: "Thank you, Madam Chair (sic - Speaker). I'd like to have leave to bring this Bill back to Second Reading for purposes of an Amendment."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of an

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Amendment. Are there any objections? Hearing none, this Bill is on Second Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2226, Order of Second Reading, Amendment #1, Turner - LeFlore, amends House Bill 2226."

Speaker Breslin: "Representative Turner. This Bill is House Bill 2226. We are on Amendment #1. Proceed, Mr. Turner."

Turner: "Amendment #1 deletes everything in the Bill, and it adds a new Section under the Adult Education Act. This new Section allows local boards of education and community college districts to establish programs directed at providing academic and employability skills for individuals between the ages of 16 and 23 who are no longer enrolled in school. Fundings for these programs will be set annually by the Legislature, and House Bill 1070... 1070 currently contains an appropriation of 9 million dollars, of which 4.5 million would be directed towards the drop-out population. Furthermore, the Amendment requires that these programs be outlined within the area of adult education plans currently required by law. This will ensure that these programs will be coordinated closely with all other adult education programs within each region of the State."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 2226. And on that question, the Gentleman from DuPage, Representative Hoffman."

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

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

Hoffman: "My under... My understanding of... of the Amendment is, then, that you have changed the thrust of the Bill and directing... directing the added article to the Adult Ed Act which authorizes them to establish programs to train a particular kind of drop-out. Do they not have the authority to do that now?"

Turner: "Yes, they currently do."

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Hoffman: "Then, what is the purpose, Representative, for adding this specific language. Maybe we should just funnel more money to them."

Turner: "Well, this particular program allows it to be ran through community college districts, and this was an Amendment, so this is the addition or the change to it, is the fact that... "

Hoffman: "They... They have adult education in community colleges now."

Turner: "But the Amendment also allows them to contract out with non-for-profit... the non-for-profit groups regarding these particular programs. And this allows some flexibility in the... with the ability to do so."

Hoffman: "School boards... Is this the thrust of this, then, to make it possible for agencies which have not had access to public money in the past to have access to it now?"

Turner: "Only at the discretion of the local school boards and community college boards is that possible."

Hoffman: "Alright. Is that... "

Turner: "Their discretion to determine who would participate in the program."

Hoffman: "Is there an appropriation included in the education budget now in this... for this program?"

Turner: "Yes, there is, for 9 million dollars."

Hoffman: "Alright, fine. Thank you very much."

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

Vinson: "Yes, Madam Speaker. Will the Sponsor yield for a... "

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

Vinson: "Representative, is this a... Has the Speaker ever been a Sponsor or Cosponsor of this Bill?"

Turner: "Could you repeat the question? I... "

Vinson: "Has the Speaker been a Sponsor of this Bill in the

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past?"

Turner: "I don't think... Not this... I'm not certain. I don't know."

Vinson: "Okay. Is this... Has this Bill, at any point, been funded? Is the mechanism for funding in this Bill now or in the past, out of funds that would otherwise go to the State Pension Funds?"

Turner: "I don't think so. To the best of my... "

Vinson: "This would be a general revenue funded program?"

Turner: "Yes, it would be."

Vinson: "Okay. Thank you."

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

Ropp: "Thank you, Madam Speaker. Would the Sponsor yield?"

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

Ropp: "I certainly want to applaud you in attempting to get people back into some kind of a vocational program, but these dropouts... how are you going to insist that they stay there or become interested in the program? Does the Bill address how we do that?"

Turner: "No, it does not. What it does - it's two components to the Bill - first of all in terms of how are they going to attract the students. In the City of Chicago, there are close to 20,000 kids who have dropped out of high school, currently. I think that once the drop-out kids are out in the regular world and they find out how hard it is to find employment in others, that there is a demand, and there's a waiting list right now for alternative schools in the City of Chicago for those kids who want to pursue their education further. The way this program is designed, administered through the community colleges, it would set up guidelines whereby an agency who would render it would not be funded... the funding is based upon the attendance of

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the student, their academic performance, so there are built-in... built-in variables to weigh the quality of the program."

Speaker Breslin: "The question is, 'Shall Amendment #1 to House Bill 2226 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?"

Clark Leone: "No further Amendments."

Speaker Breslin: "Third Reading. The Gentleman now asks leave for immediate consideration of House Bill 2226 as amended. Is there any objection? Hearing no objection, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clark Leone: "House Bill 2226, a Bill for an Act relating to state-wide program for drop-out youth. Third Reading of the Bill."

Speaker Breslin: "Representative Turner."

Turner: "Thank you again, Madam Chairman. I think we've discussed the merits of the particular piece of legislation, and I only ask for a favorable Roll Call on this Bill, reminding you that it's cheaper to fund these kids in a program such as this than paying for them while they're incarcerated in a prison."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2226. And on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill 2226 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 101 voting 'aye', 12 voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Matijevich in the

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Chair."

Speaker Matijevich: "House Bill 2252, Parke. The Clerk will read the Bill. 2232, rather."

Clerk Leone: "House Bill 2232, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Matijevich: "Representative Terry Parke on House Bill 2232."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 2232 requires the regional superintendent to publish an annual accounting of receipts and distributions from the institution fund... institute fund."

Speaker Matijevich: "Representative Parke has moved for the passage of House Bill 2232. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield for a question?"

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

Cullerton: "What would happen if we didn't pass this Bill?"

Parke: "I beg your pardon?"

Cullerton: "What would happen if we didn't pass this Bill?"

Parke: "I think the House would continue on."

Cullerton: "Okay. And we don't have to pass this because this is your first Bill, do we?"

Parke: "That is correct. I would hope that you would offer me the same courtesy as you offered Representative Flowers."

Cullerton: "I mean, this. You've already passed a Bill, haven't you?"

Parke: "No, not one that I'm the Primary Sponsor on?"

Cullerton: "I'm sorry. You picked a bad Bill to be your first Bill"

Parke: "Well, we'll see."

Cullerton: "Thank you."

Speaker Matijevich: "The Lady from DuPage, Representative Cowlshaw."

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

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

Cowlshaw: "Representative Parke, let me see if I understand the reason for your suggested legislation. Is it so that every year, teachers pay a registration fee that, I believe, is required by the regional superintendent, into something called an institute fund? Now, the fees that the teachers pay into this institute fund are meant to be used to put on teacher institutes and other educational programs for teachers. Currently, there is no provision to show what becomes of that money that the teachers are required to put into that fund. Now, this legislation would, hereafter, require that teachers are accounted to for what happens to the monies that they are required to pay. Now, is that the basis for this Bill?"

Parke: "I couldn't have said it better. That is correct."

Cowlshaw: "Thank you very much. I think you should be proud of your first Bill."

Parke: "Thank you."

Speaker Matijevich: "Representative Terry Parke to close."

Parke: "I have no close. I'd appreciate a 'yes' vote on this."

Speaker Matijevich: "The question is, 'Shall House Bill 2232 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 110 'ayes', 3 'nays', 1 answering 'present'. House Bill 2232, having received the Constitutional Majority, is hereby declared passed. House Bill 2275, Weaver. The Clerk will read the Bill."

Clerk Leone: "House Bill 2275, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Matijevich: "Representative Weaver on House Bill 2230... 2275."

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Weaver: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 2275 authorizes the Secretary of State to create a Literacy Advisory Board. We have seen estimates that there are close to a million functionally illiterate citizens in Illinois, many of whom are unable even to fill out a job application. Our help to them will be a benefit to Illinois. There are nearly 90 literacy programs now currently being coordinated through local library systems and by community groups. However, there's currently very little funding that goes towards operating these programs, and that's what the purpose of this Bill establishes. This Bill as amended will provide up to two million dollars for administrative grants through the state library systems to help these programs continue. I would be available for questions, if... "

Speaker Matijeich: "Representative Weaver has moved for the passage of House Bill 2275. On that, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Sponsor yield for a question?"

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

Cullerton: "Is this the Bill that... where you caved in to the Secretary of State?"

Weaver: "Excuse me?"

Cullerton: "Is this the Bill that you caved in to the Secretary of State on?"

Weaver: "No, as a matter of fact, the Amendment was actually asked for by the State Board of Education."

Cullerton: "Well, the Bill was changed by Amendment #1. Is that correct?"

Weaver: "That's correct."

Cullerton: "And the Bill... Amendment #1 is to come into conformity with the Governor's program. Right?"

Weaver: "Yes, Sir. That's correct."

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Cullerton: "And that is to spend two million dollars."

Weaver: "That's correct."

Cullerton: "So this Bill will authorize the expenditure of two million dollars?"

Weaver: "Well, this... this Bill actually authorizes the program to be administered by the Secretary of State, who is our State Librarian, and the money will be included in his budget."

Cullerton: "Could you just explain to me one more time why you changed the original Bill to be Amendment #1?"

Weaver: "Okay. The reason for the change in the original Bill was that, of the some 90 literacy programs that are being currently run by local community groups, nearly all of them are being run through the local library systems. So it follows logically that if they're already being run through the libraries, that it should be administered by the State Librarian."

Cullerton: "And who explained those issues to you?"

Weaver: "Excuse me?"

Cullerton: "Who explained those issues to you?"

Weaver: "Oh, a whole host of people, from the State Librarian to the State Board of Education to a number of people."

Cullerton: "And don't tell me that this is your first Bill, is it?"

Weaver: "I'm afraid it is."

Cullerton: "We're on the Order of First Bills, apparently, Mr. Speaker. I think we should change the order."

Speaker Matijevich: "The Lady from DuPage, Representative Cowlshaw."

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

Speaker Matijevich: "Yes, proceed."

Cowlshaw: "Representative Weaver, I recalled when this Bill was

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heard in Committee, that I made several remarks about the literacy programs with which I am familiar, in which I have taken part, as a teacher. It is my understanding that most of those programs have excellent training that is required of the people who do the teaching before they may, in fact, be teachers in those literacy programs, even though they are volunteers, and for the most part, they do it at no salary whatever. Is that correct?"

Weaver: "That's correct. The basic funding for this program is for administrative costs. It's not for materials or anything else."

Cowlshaw: "Alright. I thought it was important to make that point. Most of the teaching that goes forward in these literacy programs is done by people who receive no salary whatsoever, but who are very well trained, and the training programs have been in place and been refined until they are really now, I think, very excellent. We, just a moment ago, agreed to spend 9 million dollars for a drop-out program which was needed and was necessary. There are approximately 18 to 20,000 students who drop out of school each year in Illinois. My figures show me that we presently have more than 1 million and perhaps as many as 2 million people - adults - in Illinois today who are functionally illiterate, and the Sponsor is proposing that we spend merely 2 million dollars for administrative costs only to set up a program to enable those people to learn to read. I think this is an excellent Bill, and I endorse it."

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

Satterthwaite: "Mr. Speaker and Members of the House, I don't want to take long but simply want to add my voice of support for this program. Many of our communities are

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already doing a fine job of putting volunteers to work to help the regular classroom teachers to provide additional support for helping those who cannot read the English language. We are also working through the libraries to provide additional reading materials and support. It's a marvelous program, and a very enthusiastic crew of volunteers has been established, and I would urge your support for the Bill, even though it is the Gentleman's first Bill."

Speaker Matijevich: "The question is, 'Shall House Bill 2275 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 118 'ayes'... 118 'ayes', no 'nays'. On his first Bill, he got a perfect score, and House Bill 2275, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen of the House, we will now turn to page 27 of the Calendar on the Order of House Bills Third Reading - Transportation and Motor Vehicles appears House Bill 44, David Harris. The Clerk will read the Bill."

Clerk Leone: "House Bill 44, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Matijevich: "He's here. The Gentleman from Cook, Representative David Harris, on House Bill 44. David Harris."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 44 is a relatively simple Bill which provides that, instead of having the Secretary of State dictate exactly what our license plates are going to look like, we would open up this license plate design to a contest eligible or open to all Illinois residents. It would be a relatively simple contest open to any resident

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of the State of Illinois. The design would be judged by rules and regulations set up by the Secretary of State. The winning design would receive a simple monetary award of only 300 dollars. And the intention here is simply to bring our citizens or involve our citizens in an aspect of State Government which really touches their everyday life, in other words, the license plate which goes on our car. I would certainly welcome any questions and ask for your favorable support of the Bill."

Speaker Matijevich: "Representative Harris has moved for the passage of House Bill 44. The Gentleman from Cook, Representative Nash."

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to House Bill 44. I think the Secretary of State, even though he's not my political party, should have the right to hold his own contest for designs, and he does that with school children at the present time. And since we are... with the multiple year license plates, it will be very difficult to implement such legislation. So, I urge all my colleagues on this side of the aisle to vote 'no' on this piece of legislation."

Speaker Matijevich: "Representative Jeff Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Will the Gentleman yield for a question?"

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

Mays: "At any time in recent history, has this state entered into a license plate contest of the nature that you describe in your Bill?"

Harris: "It's my understanding that in 1976, in the... to honor the bicentennial, the Secretary of State, at that time, held a license plate contest to determine the design of the plate."

Mays: "Did the... Did that cost the state a lot of money in

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running that contest and..."

Harris: "Well, it certainly cost the state some money. It wasn't a lot of money. At that time, I understand the contest was 120... roughly 120... a thousand dollars a year."

Mays: "Not to belabor the point. I know the Gentleman from Cook has tried to accommodate the Secretary of State's Office in many, many ways, but the Secretary of State's Office is still opposed to this measure. He does believe that it should rightfully be within his discretion and I concur with that. So not to belabor the point, I would also urge a 'no' vote on this measure."

Speaker Matijeovich: "Gentleman from Cook, Representative Leverenz."

Leverenz: "Will the Sponsor yield? He indicates he will. Is this your first Bill?"

Harris: "I'd like to answer that yes, but, no, it's not."

Leverenz: "Now when we kill this Bill then, it won't hurt you personally?"

Harris: "I never take anything personally, Ted."

Leverenz: "Have you talked to the Secretary on this, the Secretary of State?"

Harris: "Yes, I have."

Leverenz: "What does he tell you?"

Harris: "Well, I've modified the Bill or amended the Bill along the lines of exactly the way he would like it with... with exception to only... well, except for one provision. The one provision is the Secretary of State wants the Bill to read 'may'. My Bill states 'shall'. So, in other words, permissive versus... versus mandatory."

Leverenz: "So you still won't make your Bill the way the Secretary of State wants it, will you?"

Harris: "Well, I didn't realize there was a requirement that our legislation agree with what any constitutional officer

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specifically wants; otherwise, we would be unnecessary in this chamber, wouldn't we?"

Leverenz: "Well, on the contrary. I do everything the Comptroller asks me to do when he wants a Bill introduced for his office. I would certainly do the same for Mr. Edgar, our Secretary of State, because I have a great deal of respect for him. And we are necessary inasmuch as they can't come up here and vote our switch. However, are you aware of the amount of costs that was entailed with the bicentennial contest?"

Harris: "I was informed that the cost was 125,000 dollars."

Leverenz: "That's what it cost to run the contest?"

Harris: "That's what I was informed by the Secretary of State's Office."

Leverenz: "Did you know that the cost of each individual license plate virtually doubled because of the graphic design of the plate for that particular year?"

Harris: "No, I was unaware of that."

Leverenz: "That's the case. To the Bill, Mr. Speaker."

Speaker Matijevich: "Proceed."

Leverenz: "The Secretary of State can, at his will, run a contest to do what the Gentleman indicates his Bill will do. He makes it mandatory on the Secretary of State and, therefore, would incur costs whether the Secretary wanted it or not. The Secretary of State has indicated that he does not desire to have this Bill passed. The graphic design of the bicentennial plate caused the cost of each individual license plate literally to double. So, there are a number of things that could be uncalculable in terms of producing license plates if the Bill passed. With our new multi-year license plates, we don't even know perhaps who the Secretary of State would be that would run the contest. Unfortunately, I would encourage your red vote on

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the Bill."

Speaker Matijevich: "The Gentleman from St. Clair, Representative Flinn."

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

Speaker Matijevich: "Representative Flinn has moved the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', opposed 'nay'. And the main question is put. Representative David Harris, to close."

Harris: "Mr. Speaker, I won't belabor or take up much time of the House here. I think most of the Members probably know how they're going to vote on this Bill. I would simply say though that the staggered license plate or the timing of the license plate really has no affect on whether or not a contest could or should be held by the Secretary of State. He has the power now to determine what the license plates should look like. He can do it on a staggered basis. The contest doesn't change that. It seems to me though that it would be more appropriate to have a citizen of the State of Illinois design the license plate rather than to have a graphic artist from 3-M who's going to get far more than 300 dollars to design our plates. And I would ask for a favorable vote."

Speaker Matijevich: "Representative Harris has moved for the passage of House Bill 44. Those in favor signify by voting 'aye', those opposed by voting 'no'. The board is open. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 19 'ayes', 82 'nays', and House Bill 44, having failed to receive a Constitutional Majority, is hereby declared lost. House Bill 513, Hicks. Clerk will read the Bill."

Clerk Leone: "House Bill 513, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of

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the Bill."

Speaker Matijevich: "The Gentleman from Jefferson, Representative Hicks, on House Bill 513."

Hicks: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 513 would require the Department of Transportation to install interstate highway signs alerting motorists of facilities that would be available to them in the upcoming communities along the interstate highways. It also would authorize the leasing and purchasing of such signs by those businesses along that route who would like to advertise to tell the consumer what's available for them, and I'd be happy to answer any questions."

Speaker Matijevich: "Representative Hicks has moved for the passage of House Bill 513. On that, Representative Jeff Mays."

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

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

Mays: "Has this idea been tried in states neighboring Illinois? Could you give us the experience of those other states?"

Hicks: "Yes. Recently, I was fortunate enough to go south down through some of the southern states - Kentucky, Tennessee, Alabama - and every one of those states, including Florida had these type of signs along the routes which I went. Every single exit had these type of signs, and it appears to me that it was doing quite well."

Mays: "Mr. Speaker, could we have some order in the chamber? So your..."

Speaker Matijevich: "Give the Gentleman some order."

Mays: "Your response was that Kentucky and Tennessee have it. Is that correct?"

Hicks: "Yes, Sir. That's correct."

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Mays: "And there... "

Hicks: "Also other states. Alabama, Florida."

Mays: "And what kind of success have they had with it?"

Hicks: "Well, it appeared to me as, when I was driving down through some of those states, that it must be doing quite well, because they appeared to have lots of advertising on those signs as far as letting the motorists know what facilities and restaurants and the service stations - all that type of things that were available to the tourist who was traveling through that didn't happen to know the area, and I thought with us promoting tourism in Illinois, it seemed like an awfully good thing we ought to be doing."

Mays: "Was there a study that the Illinois Department of Transportation did on this topic several years ago?"

Hicks: "Yes, I believe there was."

Mays: "Are you aware what the... of the results?"

Hicks: "Not completely aware of the results, no, and you might inform us."

Mays: "It's my understanding - and correct me if I'm wrong - that less than 50 percent, I think the number was around 20 percent of those companies surveyed for this type of an idea responded favorably with no response or negative response from the remainder. Does this cost... Would this cost any money?"

Hicks: "It wouldn't cost the state any money."

Mays: "Not even start up?"

Hicks: "Start up, of course there would be start up costs, but in the analysis and the fiscal note that's on file, IDOT said they would regain all of their money back over a period of time."

Mays: "Okay. To the Bill, Mr. Speaker."

Speaker Matijevich: "Proceed."

Mays: "This is not a new topic. I think this has been one that's

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been under study by IDOT several years ago at the urging of this General Assembly. The results of that study were negative. So far, we've had mixed results in terms of the experience from other states that have tried this type of thing, and I would urge a 'no' vote."

Speaker Matijevich: "Could I interrupt the proceedings? It has come to my attention that there... We welcome all the physicians that are here, and by the way, Dr. Bruce Douglas, our former Member, is on the House floor, and we welcome Dr. Douglas, Bruce Douglas. Having welcomed him, however, I want to admonish other physicians who, I understand, are on the floor of the House and lobbying. That is contrary to our rules. We'll have none of it, and will the doorman please excuse promptly anybody who is unauthorized from the floor of this House. The Gentleman from Franklin, Representative Rea."

Rea: "Thank you, Mr. Speaker and Members of the House. This legislation is long overdue. We've had many people traveling through the State of Illinois that have made complaints because we do not have the signs along the interstate. We have had this in neighboring states. We also had a meeting just this past Monday of many people that represented economic development groups including tourism, and within the tourism groups that were... are trying to promote tourism here in the State of Illinois, this was one of the topics that they brought up that is very badly needed here in the State of Illinois. This would not cost money, and actually what it will do is bring more money into our state. I think this is a very good Bill and would certainly ask for an 'aye' vote."

Speaker Matijevich: "The Gentleman from Lake, Representative Churchill."

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

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Speaker Matijevich: "Yes. Proceed."

Churchill: "Representative Hicks, can you tell me what kind of signs are going to be placed along the highway? What type of signs are going to be placed along the highway?"

Hicks: "Yes, Sir. We're talking about the current state highway type of sign. We're not talking about big billboards or anything like that. We're talking about then placing a very small, logo type sign that would be placed upon a state highway type of sign such as a blue sign you might see on the highway right now that's telling you of the upcoming things that they currently have. That's the type of sign we're talking about, not big billboard type sign."

Churchill: "Okay, and when you say 'logos', are you talking about like McDonald's? If McDonald's want to put their logo on, then they could do that?"

Hicks: "Certainly."

Churchill: "What about local churches in a community? Can they put some sort of a symbol on their about the local churches?"

Hicks: "I suppose if they want to advertise, that's up to them."

Speaker Matijevich: "Could I interrupt you? I don't want to make this announcement one more time. There are doctors on the floor of this House, and I don't care who they're with, please remove yourself immediately. I should be able to make that announcement once, and surely, Members who are aware of that ought not to be visiting with doctors on the floor of this House. They know the issue at hand, and they... We all have friends. That doesn't make any difference. They're not authorized."

Hicks: "Certainly, Sir... "

Speaker Matijevich: "The Chair is sorry for that interruption. Proceed."

Hicks: "I suppose, if churches would like to advertise, but I

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have no problem with that. I don't know if the department does or not. I'd have to ask that question."

Churchill: "Representative, this is your Bill, and if I remember the wording in the Bill correctly, it says 'facilities' is the term it uses, but that doesn't say that it's restricted to restaurant facilities or church facilities or any type of facility. What is your intent on this Bill? Who are you including and who are you not going to include?"

Hicks: "There is a... Under the regulation, the proposed regulation that I saw that would go along with this type of thing, we're talking about a mile limitation on those businesses within a certain mile category, like a mile and a half or two miles away from the exit area, that those would be the ones who would be authorized to purchase or lease."

Churchill: "Okay. So, if you're going down highway 55 and you come up to a very small community, then you may have a small sign. What happens if you come up to the Springfield area, then? Will every restaurant in Springfield have a right to get on the sign?"

Hicks: "Only those that were within the regulations, as I stated before."

Churchill: "And what happens when the restaurants change? What happens if McDonald's doesn't want to be in next year, and then wants to be in the following year, and they have to go and change all these signs? Who pays for the changes?"

Hicks: "Certainly, in the lease costs that they would have would be the cost used in utilizing or changing or doing anything differently with the sign. We're talking about probably a yearly lease fee for the signs. We're talking about probably several thousand dollars for that lease for a year's time."

Churchill: "And what did you say the initial start up cost on

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this was?"

Hicks: "Start up cost, as I understand, in the non-urban areas, is 4.8 million dollars. If you include all of the urban areas with that, then you're talking about a start up cost of 8 million dollars. With that money, though, as IDOT states, would all be recouped, and there would be no cost to the state."

Churchill: "Okay, but... So you're talking about a... What did you say? 15 million? I'm not sure I heard."

Hicks: "No, I said 4.8 million."

Churchill: "Plus the urban areas?"

Hicks: "If you included that, the total cost would be 8 million."

Churchill: "So a total cost of 8 million dollars to start it up, then. How many years will that dollar figure be paid back?"

Hicks: "As I understood, it was over a 15 year period in the life expectancy of the sign."

Churchill: "So, in other words, you do have an initial start up cost, and that's something that the state is going to have as a burden. You're looking for payment back, but in a sense we're bankrolling all of these McDonald's and Wendy's and people that want to put their name on these signs."

Hicks: "No, under current regulations, they aren't allowed to put signs up, as you might be aware, Sir, if you have any problem with any communities of trying to attract tourism in your part of the state. In my part of the state, we want to attract tourism to come in and benefit our businesses. This is a good business Bill. This is one that you ought to be talking about. You ought to be telling your people back home, this is what you're down here doing for them, trying to help promote their business. That's the type of thing we're trying to do with this. We're not trying to spend state money. We're not trying to

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make a burden on the state. We're trying to help promote the economy of our state. All the other states seem fit to do this in our areas, in my travels. I see it all the time, and I certainly think it's something that we in Illinois are falling behind and we're lacking on. I think it's something we ought to talk about doing."

Churchill: "Mr. Speaker, to the Bill. I certainly appreciate the Representative's intent to try to encourage our business relations in this state. I just think that when we do that, we ought to encourage business to be up front in the payment for it. In this case, we're financing something for business, and then we're hoping that we will recoup it over a period of time. And I would stand in opposition to the Bill."

Speaker Matijevich: "The Gentleman from Madison, Representative Wolf."

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

Speaker Matijevich: "Mr. Wolf has moved the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', opposed 'nay', and the main question is put. The Gentleman from Jefferson, Representative Hicks, to close."

Hicks: "Thank you, Mr. Speaker. I have something to say that I think that this is a Bill that is past due in the State of Illinois. It's something we talk about tourism, we talk about helping the economy. It's something we talk about - helping the business communities where we live at, and I would ask for your 'aye' vote."

Speaker Matijevich: "Representative Hicks has moved for the passage of House Bill 513. The question is, 'Shall House Bill 513 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Representative Woodyard, one minute to explain his vote."

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Woodyard: "Yes, thank you, Mr. Speaker. I rise in support for Representative Hicks' Bill. As a matter of fact, I wish I were a Sponsor with you, Representative I tried to get the Department of Transportation to look at this program three years ago, after driving through Georgia, in which they have experienced tremendous success with this. It has generated several million dollars a year. They actively go out and solicit and sell advertising to the Travel Lodges, Holiday Inns, motels, gas stations, whatever it may be."

Speaker Matijevich: "Bring your remarks to a close."

Woodyard: "Thank you. So anyway, I think it's a real good Bill and urge your support."

Speaker Matijevich: "Representative Tate, one minute to explain his vote."

Tate: "Yeah, Mr. Speaker, on a point of order. You have admonished the Members of the House for having doctors on the floor. I'd just like to bring to your attention that on a regular basis.. "

Speaker Matijevich: "We're on a Roll Call. You're out of order."

Tate: "... Members of this chamber have constituents..."

Speaker Matijevich: "Have all voted? Turn him off."

Tate: "We have the... "

Speaker Matijevich: "Have all voted who wish? The Clerk will take the record. On this question, there are 100... 100 'ayes', 16 'nos', and House Bill 513, having received the Constitutional Majority, is hereby declared passed. You are in order now. Representative Tate, for what purpose do you rise? You're in order now, but you were out of order."

Tate: "Thank you, Mr. Speaker. Just to make my point. I certainly agree with the Chair that we have to have some order to conduct business in an orderly fashion on this chamber floor. However, we have the AFL-CIO on a regular basis that is on the floor. We all have... As Members,

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we've all had constituents that serve on this floor and I take exception to your admonishment when we single out doctors that happen to be our constituents that are... with everyone else, they have constituents on the floor, and I hope that you will sympathize with that ruling. If you want to clear the entire floor, that's fine."

Speaker Matijevich: "The Chair's response to that is that any Member is negligent... any Member is negligent if that Member does not inform the Chair that any unauthorized personnel is in this chamber, no matter who that person might be, and there are times when the chamber gets clogged up, and it is the intention of the Chair to always, when that happens, to have decorum, and that was the purpose of what I did. I was called to my attention to that. By the way, some of you may know, because of my operation, my eyes aren't what they should be, and so let me tell you, I did not see those persons - unauthorized persons. So that was told to me. And any of you out there have the authority, as you know, under the rules, to inform the Chair of unauthorized persons, and I appreciate your cooperation. Representative Hastert?"

Hastert: "Well, Mr. Speaker, I just go along with the... my colleague here. You know, to me, it seems like you're being a little bit vindictive. You know, right now, I can look around the floor and look over on the other side of the aisle and see lobbyists for the City of Chicago or Telecommunications or a number of things, on the floor right now. You know, and I think that issue was a vindictive issue. I take exception, and I very, very rarely ever take exception with your rulings, Sir. And I think we have a double standard, and I don't appreciate it."

Speaker Matijevich: "Representative Ewing?"

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Ewing: "Mr. Speaker, I know that you're trying to run this House in an orderly way. I do believe that the tone of voice in which you expelled those doctors who are guests on our side was uncalled for and unduly stern. And I would ask, as a Leader on this side of the aisle, if you want to bring this House to a halt, you insult the people that visit our side of the aisle and let yours do as you want. If you want to move this House and you want to move Bills, we've got a lot more Bills that will die on your side than ours. I think we... you have overdone it, and I think we deserve an apology for the way he was treated."

Speaker Matijeich: "Mr. Ewing, the Chair was just as stern when there were visitors, as you know, on this side of the aisle, and one of my colleagues wasn't too happy that I did that. And if you know, when I've been on this Chair in past years, I have always been stern when there are unauthorized visitors. I've been one who has been very, very firm on that, and I will continue to be. Let's go on with the business. We've got about 700 Bills, and that's more important right now. Representative Vitek, for what purpose do you rise?"

Vitek: "A quick personal privilege."

Speaker Matijeich: "Proceed."

Vitek: "In defense of our Speaker. All you Gentleman over there, and especially Tom, he did the first time announce in a very quiet voice, and then after they refused after three times, then he got disturbed and raised his voice out loud, so in defense of the Speaker, I think he was right the first time. But you folks and our folks over here disregarded it. And I think he's right. Thank you."

Speaker Matijeich: "Thank you. Let us proceed. House Bill 545, Representative Rea, the Gentleman from Franklin. The Clerk will read the Bill."

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Clark Leone: "House Bill 545, a Bill for an Act to amend an Act concerning emergency medical services. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Franklin, Representative Rea."

Rea: "Thank you, Mr. Speaker, Members of the House, House Bill 545 increases the fines imposed for moving traffic violations... "

Speaker Matijevich: "Representative Ewing, for what purpose do you... "

Ewing: "... If there are unauthorized people on your side of the aisle."

Speaker Matijevich: "Alright. Alright. Let me make that announcement once more time. Could the doorman please check, and I don't care what side of the aisle they're on, all unauthorized people off the floor of the House... Representative Rea. Now let's not make that... We don't have to make that announcement any more. Let's go. Proceed with business. Representative Rea."

Rea: "Thank you, Mr. Speaker. As I was saying, House Bill 545 increases the fines imposed for moving traffic violations by five dollars and deposit those revenues into the newly created Emergency Medical Services Operating Fund. This authorizes the Department of Public Health to use the funds as grants to local government to supplement emergency medical services. We have several ambulance programs operating throughout the State of Illinois, and they need help financially, this to replace ambulances, supportive equipment, and this would be very helpful in meeting those needs of caring for emergency services in the State of Illinois. I know that the department has indicated - the Department of Emergency Services have indicated - that they are supportive of this Bill. There are several groups

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throughout the state, and I would certainly ask for an 'aye' vote."

Speaker Matijevich: "Representative Rea has moved for the passage of House Bill 54... Alright. Let's all get our emotions together. Let's all get our emotions together. I think we've made something out of... something... nothing, really. I think we all ought to be aware that the business of the floor is up here. It's neither in the gallery nor on those who might be our friends that are here today. The business is what we're conducting right now, and that should be the subject of what we're at. Representative Flinn, for what purpose do you rise?"

Flinn: "Well, Mr. Speaker, maybe I could solve, probably, part of the dilemma. Representative.. Former Representative Bruce Douglas, who also happens to be a dentist, is on the floor. He has a right, as a former Representative, to be here, as all former Representatives do. The fact that he's a doctor has nothing to do with it."

Speaker Matijevich: "He has the... He has the privilege to be on the floor. I would say, though, if he is in any way doing any lobbying, he surely doesn't have that right. Representative Cullerton, the Gentleman from Cook."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Matijevich: "Proceed."

Cullerton: "How did we let this Bill get out of Committee?"

Rea: "Because it's such a good Bill and because there's such a great need in the state, Representative Cullerton."

Cullerton: "This... Now, Representative Rea, does this mean that every moving violation shall have a five dollar increase in the fine, in the whole state, every moving violation?"

Rea: "This... This would be in the... in the state that each moving violation would have a five dollar fee added to it... "

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Cullerton: "Okay. And how much money will that raise? 3.75 million dollars?"

Rea: "That is the projection that has been made, yes."

Cullerton: "And we're going to buy with that, emergency medical services equipment?"

Rea: "Equipment. That is correct."

Cullerton: "That's a lot of ambulances."

Rea: "Well, we have a very large state, and we have programs that are desperately in need throughout the State of Illinois. This is not just in one portion of the state, but throughout the state, and we have not given the type of support to emergency services over the past, and as a result, we have many of our, for instance, ambulance programs that are in dire need today."

Cullerton: "Okay. Alright. I'm just wondering if... I don't deny that perhaps in certain areas there's a need for emergency equipment, but I'm just wondering how it might affect my own county of Cook. Now, with Amendment #1, you've changed, somehow, the method by which these grants are awarded to any one county."

Rea: "No, Amendment 1 was not adopted."

Cullerton: "Okay, so that the way the money is distributed... Well, you prepared Amendment #1, then chose not to adopt it. Right?"

Rea: "That's correct."

Cullerton: "Okay."

Rea: "I think it would be acceptable to you now."

Cullerton: "Alright now. The pro rata share based on population. Let me ask you this. Couldn't we... Couldn't we allow the counties the option to decide how they wanted to spend the money? Let's say in Chicago, for example, or the County of Cook. You know, we have enough ambulances with the fire department, and we want to use it for some other program,

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victim assistance program, something like that. Would this Bill sort of mandate what has to be spent on emergency medical equipment?"

Rea: "It would have to be on emergency medical equipment."

Cullerton: "Okay. Thank you."

Speaker Matijevich: "Representative Hawkinson. Hawkinson."

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

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

Hawkinson: "Representative, has this Bill been amended since Committee?"

Rea: "No, it has not been amended."

Hawkinson: "Alright. The question I would have - right now when you're stopped for a traffic offense, there's a 50 dollar bond that's put up. Is that not the case?"

Rea: "That's... Either that or the license."

Hawkinson: "If a bond is put up, and the person does not appear in court, that 50 dollar bond is forfeited, and that pays the fine and cost. Is that correct?"

Rea: "Well, of course they've gone to a system now that you can pay by mail, but in terms of the... of the five dollars ... if it's not... if there is a payment, yes, or if there is... if they do not win their case, why... and there has to be a payment, it would be the five dollars in addition, yes."

Hawkinson: "Thank you. To the Bill, Mr. Speaker."

Speaker Matijevich: "Proceed."

Hawkinson: "I'm not against the idea of the program or the additional fine, but I believe that it's inconsistent with our current bond system for traffic offenses, and I think the practical effect of adding this five dollars will be to take more money away from our counties and our municipalities because the extra fee coming out of the 50 dollars is going to have to come out of the money that

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would otherwise go to the municipalities or the counties and therefore, I would urge a 'no' vote."

Speaker Matijevich: "The Gentleman from Will, Representative Van Duynes."

Van Duynes: "Yes, thank you, Mr. Speaker, Members of the House. I'm... I stand in opposition to the Bill. In fact, I stand so much in opposition to the Bill that earlier in the Session, I filed House Bill 423. The Members who sat on the Judiciary Committee will remember that Bill. It didn't get out of the Committee, by the way, but the idea of the Bill was to reduce this. Now, I think that if I could use that in deference to our doctors here today, you know, it's like treating a wart by cutting off your arm. I use the... In Committee, I used the analogy that it was like killing a fly with 105 millimeter howitzer. I think that we are going contrary to the whole idea of penalties for infractions of the driving code. We've already got a 50 dollar fine for even the most miniscule infractions of the law. Let me just enumerate a couple of them. If you're going two to three miles over the speed limit, you get a moving violation that costs you a flat 50 dollar fine if you don't even go into court. If you go... send the money in or just go to the traffic court and pay your fine, it costs you 50 dollars. I even paid a 50 dollar fine here for having my license plates illegally displayed. I had my insignia on the back and the number on the front, and a county policeman arrested me, and he charged me 50 bucks. Don't ask me why that was construed as a moving violation, but nevertheless it was. I think that we're really overreacting. Now, he wants to add another five bucks. I think it's an unnecessary charge to our people. If you're going two or three miles over the speed limit, and you get a ticket for that, even five miles over the speed limit,

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you pay 50 dollars now, and you're going to pay 55 with this. I just want to cite how the surcharges are going to kill us, and he's just adding one more. The counties right now, or the municipalities in which the infraction is done, get 23 dollars out of the 50. The county board gets five dollars. The circuit clerk gets 10 dollars. The circuit clerk also gets one to three dollars for his circuit clerk's automation fund, drivers' ed gets another dollar. Now, it's contrary to law, I think, in the State of Illinois, that you raise revenue through fines, but I don't think that's supposed to be. You're supposed to give people the punishment for it, and the punishment is supposed to fit the crime, and it's not supposed to be for raising money. So I agree with Hawkinson, and I hope that that everybody will join me in turning this Bill down. Thank you."

Speaker Matijevich: "The Gentleman from Winnebago, Representative Mulcahey."

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

Speaker Matijevich: "Representative Mulcahey has moved the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', opposed 'nay', and the main question is put. Representative Rea to close."

Rea: "Thank you, Mr. Speaker and Members of the House. I can't imagine anybody in the State of Illinois that would have to pay a fine that would not be willing to pay the five dollar additional fine for the purpose that this is set up for. And as far as the counties and others losing money, I don't see that. In fact, what will happen is that with the support there, it will cost the counties less money in terms of providing emergency services. I think this is something that is needed throughout this state, and I would

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ask for a favorable Roll Call."

Speaker Matijevich: "Representative Rea has moved for the passage of House Bill 545. Those in favor signify by voting 'aye', opposed by voting 'no'. The Gentleman from Lee, Representative Olson, one minute to explain his vote."

Rea: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm not going to speak at length because I see the vote totals going out... "

Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 13 'ayes', 99 'nays', 11 voting 'present'. House Bill 545, having failed to receive the Constitutional Majority, is hereby declared lost. House Bill 572, John Dunn. The Clerk will read the Bill."

Clerk Leone: "House Bill 572, a Bill for an Act to amend the Local Mass Transit District Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Macon, Representative John Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a non-controversial Bill which is a Bill that would increase the pay to trustee members of local mass transit districts. It was formerly not to exceed 50 dollars. Wait a minute. I think I agreed to... to table this Bill. I think I'll... I'll move to table this Bill."

Speaker Matijevich: "The Gentleman... "

Dunn: "It's in a package, so I would honor my commitments. I agreed to table this Bill. I'll table it."

Speaker Matijevich: "Representative Dunn moves to table House Bill 572. Does he have leave? Leave, and House Bill 572 is tabled. House Bill 575, Dunn. The Clerk will read the Bill."

Clerk Leone: "House Bill 575, a Bill for an Act to amend the

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Illinois Highway Code. Third Reading of the Bill."

Speaker Matijevich: "The Representative from Macon, Representative John Dunn."

Dunn: "I would respectfully urge the Membership not to table this Bill for me, but to... but to pass it. This is a Bill that was suggested by the township officials which provides that when there is a surplus remaining in the hands of a road commissioner after completion of a project, that with the... upon the request of the highway commissioner and the written consent of the county superintendent, that surplus can be returned to the regular road fund of that district, and this is a great advantage to, particularly, downstate road districts, and I would ask for a favorable Roll Call. I know of no opposition."

Speaker Matijevich: "Representative Dunn has moved for the passage of House Bill 575. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield for a technical question?"

Speaker Matijevich: "Proceed."

Cullerton: "The last sentence of the new language on page 2 says, 'Upon such request, no further levy is to be extended by the county clerk without proper authorization of the electors of that township.'"

Dunn: "It means for that purpose. No further levy for the road project which created the surplus."

Cullerton: "Does it mean that they can never extend their levy for construction again if they once underspend?"

Dunn: "No, not... not... It means that a levy may not be extended for the road project which created the surplus. The purpose of that sentence is to... is to prevent a situation which nice people would not take advantage of, but if you could... if you could levy for a project, create a surplus,

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transfer the surplus, then come back and relevel for the project, you'd have a clever way of... of building up your township road fund. What has happened across downstate is that you can't always estimate a project exactly accurately. Sometimes they create a modest surplus, and there is no legal vehicle about what to do with that surplus at this time. This authorization would allow, with the consent of those involved, that the surplus be transferred to the road fund, but the last sentence is a caution that there may not again be a levy for that particular project."

Cullerton: "Now, I assume that 'electors' means 'voters'?"

Dunn: "That would be my understanding."

Cullerton: "Alright. Thank you. No further questions."

Speaker Matijevich: "The Gentleman from Knox, Representative McMaster."

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

Speaker Matijevich: "Yes. Proceed."

McMaster: "John, how would this affect the bridge fund of townships or counties? You know, in order to build bridges with the amount of money that can be levied each year for bridge purposes, the townships or counties have to accumulate a balance in that fund before they can come anywhere near building a bridge. Would this ruin that ability to accumulate in the bridge fund?"

Dunn: "No, the Bill possibly might be a little confusing because it does have the word 'shall', but the 'shall' is connected to 'the surplus shall be turned over at the request of the highway commissioner with the written consent of the county superintendent, so the highway commissioner's not likely to make a request, the county superintendent's not likely to consent in writing to do that."

McMaster: "It says, 'shall be turned over upon the request'."

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Dunn: "That's right. At the request of the highway commissioner, so if they are trying to build a surplus up, as I am well aware, you make a good point, the commissioner would have no reason to want to request that the provisions of this Bill be followed."

McMaster: "Thanks, John. I think that explains that we at least have the legislative intent on the record of what you intend with your Bill, John."

Dunn: "Yes, I think it's a well meaning Bill. Thank you."

Speaker Matijevich: "Representative Dunn to close."

Dunn: "Request a favorable Roll Call."

Speaker Matijevich: "The question is, 'Shall House Bill 575 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 117 'ayes', no 'nays'. House Bill 575, having received a Constitutional Majority, is hereby declared passed. House Bill 592, Dwight Friedrich. The Clerk will read the Bill."

Clark O'Brien: "House Bill 592, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Marion, Representative Dwight Friedrich, on House Bill 592."

Friedrich: "Mr. Speaker and Members of the House, this Bill originated because of a problem that one of my constituents had, and it was brought to my attention by a former state's attorney of Clinton County. The situation was that a fellow was driving a truck, believing all the time, of course, that the employer had insurance. He was involved in a wreck. It developed it didn't have insurance. His employer... the judgment was brought against each... both the employer and the employee, and the employer took bankruptcy and got his driver's license back, and because

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of the financial responsibility law, the driver lost his license and has to comply. This Bill merely says that in a situation of that kind, that he would not lose his license because of it. He would be liable for the judgment. It's a rare case, but it's a situation which certainly isn't fair, and I think this corrects it. It came out of Transportation 17 to 1."

Speaker Matijevich: "Representative Friedrich has moved for the passage of House Bill 592. On that, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Sponsor yield?"

Friedrich: "Yes."

Speaker Matijevich: "Proceed."

Cullerton: "Representative Friedrich, two quick questions. First of all, on Amendment #1, you apply the Bill to accidents which occurred before the effective date of the Bill. Would you make it clear whether or not that means even those already resulting in judgments?"

Friedrich: "The... This does not exclude him from the judgment, just from the financial responsibility filing as a result of this particular situation."

Cullerton: "Okay, and then you know that... "

Friedrich: "He is still liable under the judgment."

Cullerton: "Then you know that on Amendment #2, there's a technical problem. The word 'two' should be struck from the Amendment, on line five of the Amendment. It can probably be done in Enrolling and Engrossing."

Friedrich: "I was not aware that it needed that, but I certainly yield to that."

Cullerton: "Okay. I don't think it makes the Bill defective. I think it's something that could be taken out in Enrolling and Engrossing."

Friedrich: "As a matter of fact, I think you called that to my

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attention. I've talked to the Parliamentarian about it."

Cullerton: "Alright. Thank you."

Speaker Matijevich: "The question is, 'Shall House Bill 592 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. The board is open. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 112 'ayes', no 'nays'. House Bill 592, having received the Constitutional Majority, is hereby declared passed. House Bill 692, Representative Cullerton. Clerk will read the Bill."

Clerk O'Brien: "House Bill 692, a Bill for an..."

Speaker Matijevich: "Phelps 'aye' on that last Bill. Phelps 'aye'. I think Phelps made it just before we announced it. Representative..."

Clerk O'Brien: "House Bill 692, a Bill for an Act to amend Sections of an Act in relation to state police. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative John Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill simply says that the state police shall police the entire interstate highway system located within the borders of the state, and they shall not charge a unit of local government for that service. I'd be happy to answer any questions, and ask for a favorable vote."

Speaker Matijevich: "Representative Cullerton has moved for the passage of House Bill 692. On that, the Gentleman from Cook, Representative Robert Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Gentleman yield for a question, please?"

Speaker Matijevich: "Proceed."

Piel: "Representative Cullerton, you give us an idea that honestly you're putting a larger burden on the state police

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in the Metropolitan Cook area. Could you give us an idea of what you're talking about as far as an increase in cost to the State Police Department?"

Cullerton: "I don't know if I have a... I believe I filed a fiscal note. I don't know if I have a fiscal note with me. Let's see. 'The exact cost cannot be calculated until certain alternative methods of such a take-over are decided', is what the fiscal note says."

Piel: "No, the reason I asked the question is because the figure I got here says based on the possibility this Bill becoming affective immediately. The projections, would... you know they couldn't come up with an exact figure, but for the remainder of 1985 and all of '86 the cost could vary anywhere from 5 to 13 million dollars."

Cullerton: "I'm sorry, I do have a fiscal note here which... signed by James Zagel, the... a complete year, the cost would range from 4 million to 7 million dollars."

Piel: "Okay, for that... So, then this figure would probably be correct when you're talking about the remainder of '85 and all of '86... it could be anywhere from 5 to 13 million."

Cullerton: "No. No, it's from 4 to 7 for a whole year."

Piel: "Per year. So, we're basically talking about a year and a half. So, 5 to 13 would be correct for '85 and '86. To the Bill, Mr. Speaker."

Cullerton: "And every 2 years it would be 9 to 14. And every three years it would be 12 to 21."

Piel: "Okay. So, we're talking in the millions of dollars in the cost to the state a year. To the Bill, Mr. Speaker."

Speaker Matijevich: "Proceed."

Cullerton: "Well, there's an alternative, Representative Piel."

Piel: "To the Bill, Mr. Speaker."

Cullerton: "Mr. Piel would..."

Speaker Matijevich: "Proceed, Mr. Piel."

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Pisal: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I hope you take a very close look at this Bill. We tried putting an Amendment on the Bill, which I felt was a fair Amendment. Obviously, the Sponsor did not. Presently, the City of Chicago does their own policing of the interstates in the city, and they get the revenue derived from them. Without the state police having to police this... these arterial streets on a regular basis, or on these major state highways on a regular basis. What the Sponsor proposes to do with this Bill is throw this back in the state police's hands. I... I laud him. I... It's a windfall for the City of Chicago. They won't have to police these roads, and then they turn around and get all the revenue from them. I think this is a situation where the City of Chicago is, you know, trying to make a windfall from the state... from the state coffers. And as we said, it, you know... this figure... we're talking about millions of dollars. The minimum we're talking about 4. The max we're talking about 13. Whatever the case is, we're talking about millions of dollars in taxpayers money. Just basically going into one area. And before you would vote 'yes' on this Bill, I would ask all the Members of the House to look at this very closely and say, you know, here's money that could be used in the education area, or for handicapped individuals, or one thing, or another. And I think it's something that I... I don't think the time has come for this Bill, and I would ask for a 'no' vote on House Bill 9... or 692."

Speaker Matijevich: "The... The Lady from Lake, Representative Grace Mary Stern."

Stern: "Will the Sponsor yield for a question?"

Speaker Matijevich: "Proceed."

Stern: "Representative Cullerton, I am bewildered. I cannot

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believe that the state police go only to municipal boundaries and then stop at the present time. What is the law right now?"

Cullerton: "Well, apparently they have the authority to police all the interstates, but they have decided not to police certain interstates. And apparently they can do this arbitrarily. In other words, if they decided that they didn't want to police the interstates in Representative Piel's district, they could just stop doing that. And we could save money, and we could put it into the education fund. But nonetheless, there'd be no way in which we can enforce it. I'm told that they do not police certain interstates in DuPage County. I don't know about your county, Lake County. All the Bill says is that the state police shall police the entire interstate system, and they shouldn't charge local government for the cost of policing it. That's all it says. So, it doesn't apply to anyone particular municipality. It applies to the whole state."

Stern: "Well, I am astonished. That's all I can say, and I suspect I shall support the Bill."

Speaker Matijevich: "The Gentleman from Lake, Representative Churchill."

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

Speaker Matijevich: "Proceed."

Churchill: "Representative Cullerton, a few days ago you were talking with Representative Countryman, and you questioned about the fact that he seemed to lower his voice and mumble a little bit about a Bill. And for some reason, I sense that same kind of lowering of the voice and mumbling on this particular Bill. And I... I just thought maybe I ought to ask you a few questions because it... you know, in listening to your clarity and everything on this floor

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you've always been very clear and I..."

Cullerton: "Well, let me explain that. I was under the impression that there was... would be no opposition to this Bill from the Republican side of the aisle because I spoke to the Governor about this Bill, and the Governor told me he supported it. The passage of this Bill out of the House. And so, that's why I thought it was going to be a routine Bill. Now... now I see that's not the case. That you are opposed to the Bill, and so I will raise my voice as loud as you want."

Churchill: "Fine. Let me ask you, do the state police presently patrol in the City of Chicago?"

Cullerton: "Not on the interstates in the City of Chicago, and in some areas I'm told in DuPage County, they do not police the interstate."

Churchill: "And do they patrol on the rest of the interstate highways throughout the State of Illinois?"

Cullerton: "Yes."

Churchill: "And why don't they patrol on interstates in the City of Chicago?"

Cullerton: "I have no idea."

Churchill: "Do you know..."

Cullerton: "I know that the Mayor of the City of Chicago wishes for them to patrol."

Churchill: "Was... was the... did... did the present mayor or perhaps a past mayor ever contact the state police about patrolling in the City of Chicago?"

Cullerton: "I don't know."

Churchill: "And so what you're saying is that at this point, they don't patrol in the City of Chicago, and they do that for some... is there some reason why they don't? Have they made a decision not to patrol in the City of Chicago?"

Cullerton: "No, as a matter of fact in talking to Director

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Ziegal, they have already identified troopers who will move to Chicago, I believe there's about a 100 of them. They've already obtained housing for those troopers to stay over, I believe a year period, when they have a transition so that they can hire troopers who live in the Chicagoland area to take over. So, they're all ready to go ahead and do this."

Churchill: "I see. I have a note here from... in our analysis that indicates that a past city council, Chicago City Council, had decided that the interstates were to be patrolled by Chicago policemen and not by state policemen."

Cullerton: "Okay, I'll make it very clear to you that that's not the position the city takes today."

Churchill: "Okay. And... and where... and you're saying that this housing has already been established for the troopers to move into. Is this state housing or is..."

Cullerton: "No, I mean it went... it went so far to the point where they... they inquired into local I think hotels for the possibility of a long-term contract to have these troopers move in over a years period of time, or 6 months period of time I believe so that they could go to work. So, it's in... it's right in the... it's ready to be operational."

Churchill: "And how many troopers are they going to hire to do this?"

Cullerton: "I think it's about 100. That's why the cost goes... is anywhere from 4 to 7 million dollars."

Churchill: "I see... and where... where are these 100 troopers coming from to go into the City of Chicago?"

Cullerton: "Well, apparently they're coming from outside the Chicagoland area. Some are coming from Chicago and others are coming from outside of the Chicagoland area. The plan is over a period of time to phase in these duties for the Chicagoland area from people who live in the Chicagoland

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area."

Churchill: "Okay. So, I see. You're taking present troopers who live outside the City of Chicago and you're going to put them in there for 6 months or some period of time."

Cullerton: "Yes, and then they're... they're going to hire new ones to patrol in the areas..."

Churchill: "And then they're going to bring another 100 jobs to the City of Chicago, and those people will be in the City of Chicago to do the state job."

Cullerton: "Nice try, but you know better than that. These... these are state employees who are going to be state troopers, and they're going to be hired. The alternative could be to go into, you know, the interstates in your district and pull those state troopers off of the interstate in your district and have them patrol in Chicago. That's... that's not a good alternative. That's why the Bill is drafted, to say the state police shall patrol every interstate in everybody's district throughout the entire state."

Speaker Matijevich: "John, could I interrupt... I... I understand. I'm going to try to do this so we don't ruffle any feathers. There is still a lobbyist on the floor who is a former Member. That former Member being a registered lobbyist is not allowed on the floor. Continue, Representative Cullerton."

Churchill: "No further questions. Thank you."

Speaker Matijevich: "The Gentleman from St. Clair, Representative Flinn."

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

Speaker Matijevich: "Representative Flinn moves the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', opposed 'no', and the main question is put. Representative Cullerton to close."

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Cullerton: "Yes. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think that this Bill is one of just equity. The Bill does not single out any one municipality. It... it just says that we shall not have the state police making an arbitrary decision as to where they're going to patrol. Now, it's clear that right now they don't patrol in the City of Chicago. The police officers in the City of Chicago have certain priorities with regard to their duties and unfortunately we do have a crime rate in the City of Chicago that might be higher than outside of the... of the city. And as a result, the traffic patrol is... is a little lower on the priority. Everyone recognizes the fact that state troopers could do an excellent job and a better job really in patrolling the interstates in Chicago. Occasionally now, when they do come on the interstate and they observe a traffic violation, they do stop and issue tickets. And the person who... who gets that ticket has to go to court way out in the suburbs. What this would contemplate is that they would patrol the entire interstate system in the entire state and a court would be setup in Chicago where it is now not being setup. But keep in mind that by the passage of this Bill, you'll be guaranteeing that the interstates in your district will not be subject to this arbitrary withdrawal of state police protection. And this also makes it clear that municipalities cannot be charged..."

Speaker Matijevich: "Could I interrupt again, John? I'm sorry for this, and I'm sure this is legitimate. The nurse has informed me that Representative Tate is in the nurses quarters and if Doctor Jack 'Spicer'... 'Spicler... 'Spicler' is anywhere in the gallery, or in the Capitol Building, they would like him to go to the nurses quarters. Thank you. Proceed, Representative Cullerton. Proceed."

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Cullerton: "Thank you. Thank you, Mr. Speaker. So, I don't feel this is a... is a Bill that only affects one part of the state. The Bill affects the whole state, and I think it's something that you should definitely support because it will guarantee that the interstates in your district will not be discriminated against. I would ask for a favorable Roll Call."

Speaker Matijevich: "Representative Cullerton has moved for the passage of House Bill 692. The question is, 'Shall House Bill 692 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Representative Countryman, one minute to explain his vote."

Countryman: "Thank you, Mr. Speaker. I was a little concerned that Mr. Cullerton wasn't feeling too well today. His voice wasn't up like he... he usually is, and I thought maybe there was a doctor around that could help him out if he needed it. But I'm opposed to this Bill, and I'm... I would ask everybody to vote 'no'. Representative Cullerton came into my district not too long ago and ran into a very friendly police officer, and he treated him very well. And as a matter of fact, the Representative told me how well he treated him and I was... I was proud of that fact. And I've been treated the same way by Chicago police... policemen, and I think that they ought to continue to do the fine job they're doing in the streets of the expressways, and I'm going to vote 'no'. Thank you."

Speaker Matijevich: "The Gentleman from Cook, Representative McAuliffe, one minute to explain his vote."

McAuliffe: "Well, I just rose in support of this Bill, and I wanted to correct Representative Cullerton, he said the state police could do a better job, and I think he should've said they could do an equally good job. I don't think they could do a better job than the Chicago Police."

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Speaker Matijevich: "Loleta Didrickson, one minute to explain her vote."

Didrickson: "Yes. Thank you, Mr. Speaker. In explanation of my 'aye' vote, as a Cook County Legislator who also drives the Dan Ryan maybe 3 or 4 times a week, I rise in support of this Bill. It's only equitable. It's parity, and I also if my recollection serves me correctly, wasn't this a topic in a recent Chicago newspaper with regards to the Governor's suggestion that indeed he thought the state police ought to be patrolling the Dan Ryan and some of the other interstate highways."

Speaker Matijevich: "Representative Hicks, one minute to explain his vote."

Hicks: "Yes, Mr. Speaker, just to explain my vote. I would like to bring attention to Representative Cullerton's alternative since I do once in a while have a few officers down my way that I run into. I would support sending some of my state troopers to Chicago, if I could please."

Speaker Matijevich: "Representative Bullock, one minute to explain his vote."

Bullock: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, to explain my vote. This Bill I'm sure is supported by both the Mayor of Chicago and the Governor of the State of Illinois. They've had extensive conversation regarding the understaffing of police manpower in the City of Chicago, and the need to expand the state troopers responsibilities on state highways. It's not unusual for the state to provide these services. The City of Chicago needs these services. Representative Cullerton has adequately explained the provision. I urge those of you from the City of Chicago to support this Bill. Support the Mayor of Chicago, and give us some more green votes."

Speaker Matijevich: "Representative Vinson, one minute to explain

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his vote. The Gentleman from DeWitt."

Vinson: "Just to request a verification should it appear to get the request number of votes."

Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 54 'ayes', 64 'nays', none answering 'present'. And this Bill, having failed to receive the Constitutional Majority, is hereby declared lost. One more Bill on this Order. House Bill 740, Breslin. The Clerk will read the Bill."

Clark O'Brien: "House Bill 740, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Matijevich: "The Lady from LaSalle, Representative Breslin, on House Bill 740."

Breslin: "Leave to return..."

Speaker Matijevich: "By the way, I want to make that announcement again, if anybody knows or sees Doctor 'Spicler', that is a very urgent call. Representative Tate does need his attention. He is in the nurses' quarters. Doctor 'Spicler'. Thank you very much."

Breslin: "Leave to return this Bill to the Order of Second Reading."

Speaker Matijevich: "Leave to return House Bill 740 to the Order of Second Reading for the purpose of an Amendment. Leave. The Bill is on Second Reading. Amendments."

Clark O'Brien: "Amendment #1, offered by Representative Breslin, amends House Bill 740 on page 3 by deleting line 18 and so forth."

Speaker Matijevich: "Representative Breslin on Amendment #1."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Amendment is introduced at the request of the Secretary of State's Office. It moves the effective date of this Bill

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from an immediate effective date to the 1986 registration year. They believe that it will make it easier for their office to administer the law if they have extra time and it begins at the beginning of their registration year. I move for the adoption of Amendment #1."

Speaker Matijevich: "Representative Breslin moves for the adoption of Amendment #1, is there any discussion? If not, all in favor say 'aye', opposed 'nay', and Amendment #1 is adopted. Further Amendments?"

Clark O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. The Lady asks leave for the use of the Attendance Roll Call for the immediate consideration of House Bill 740. Is there any objection? Seeing none, the Clerk will read the Bill."

Clark O'Brien: "House Bill 740, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

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

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill that Representative Hastert and I are sponsoring would allow for the quarterly registration of new trucks in the payment of their license plate fees. At the present time, these trucks are the only license plates that you have to purchase for an entire calendar year. We have found that the truck dealers say that as a consequence people in this business will not purchase their new trucks until the end of one calendar year, because they don't want to put it on line. They don't want to have to purchase a very expensive license plate and spend more money for it when they're not going to get the use out of it. So, this Bill would allow them to purchase their license plates on a quarterly basis. I believe it is more fair, and I think it

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will help the trucking industry and the truck dealers. I move for passage of House Bill 740."

Speaker Matijevich: "Representative Breslin moves for the passage of House Bill 740. The Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Lady's Bill, House Bill 740. You cannot raise a fairness argument more righteous than this one. Indeed, she is correct. She's been very helpful in working with Secretary of State's Office to put the Amendment on for administration of the Bill. And it will have a fiscal impact to the Secretary of State's Office of around 3 million as I understand it, but I believe this is a fair and equitable Bill that she has proposed. And I rise in support."

Speaker Matijevich: "The Majority Leader, Representative Jim McPike."

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

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

McPike: "Did Amendment #1 have any impact on the revenue loss to the state?"

Breslin: "If there is any revenue loss, it will be delayed by 1 year because it won't go into affect until the 1986 registration year. This is requested at the request of the Secretary of State's Office because it would make it easier to administer. So, it pushes back the effective date. So, what revenue loss could be realized here is pushed back by 1 year, and that's all."

McPike: "So, there's no revenue loss, or potential revenue loss in fiscal year '86, or in calendar year '85?"

Breslin: "In calendar year '85."

McPike: "So, for the second half of FY '86."

Breslin: "That's correct."

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McPike: "Well, to the Bill."

Speaker Matijevich: "Proceed."

McPike: "Someone said the other night when we were on the... the Order of Revenue... I wonder if there will be any revenue left at the end of the year to fund anything. I think we gave away about 75 million dollars in about an hour, and this Bill gives away another 2 to... somewhere between 2 and 3 million dollars. So, it's another revenue loss for the state."

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

Mautino: "Thank you, Mr. Speaker. Will the Lady or Gentleman either one respond to an inquiry?"

Breslin: "Yes."

Mautino: "Representative Breslin, your legislation as presented provides equity, I think, as it pertains to when an individual purchases their license for a truck, is that not true?"

Breslin: "That's correct."

Mautino: "For example, if a person were to purchase a truck in May and the license was due in July, that person under current law would now have to pay the full year's plate for only one month of service."

Breslin: "That's correct."

Mautino: "To the Bill."

Speaker Matijevich: "Proceed."

Mautino: "Mr. Speaker, this is an excellent piece of legislation that shows equity by the State of Illinois that allows individuals who purchase a vehicle to pay for the months remaining within the calendar year for that vehicle plate. It's a fair Bill. Approximately 4 years ago, the General Assembly eliminated prorated plates. A ridiculous situation that caused many over-the-rode trucking firms to

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basically not be able to afford and to pay up front those licensure provisions. It's a good Bill, and I recommend passage of 740."

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

Hastert: "Close."

Breslin: "The Gentleman will close, Mr. Speaker. Mr. Speaker. Mr. Speaker."

Speaker Matijevich: "Oh, I'm sorry. Hastert is going to close. Representative McGann, the Gentleman from Cook. Representative McGann."

McGann: "Thank you, Mr. Speaker. I had my light on for some time. Members of the Assembly, I'd like to follow-up on our Majority Leader, Representative McPike. Realize that we are going to cut the Secretary of State's revenue to the tune of about 7.2 million annually after 1986 of July 1 of '86. This is very, very unfortunate. I don't think we should have these goodies for just one area. There are many many of our senior citizens that needed a cut in their license fees last year and the year before, and they were ignored by this Assembly except for those that were under the... the limited income. That allowed them to have a break. Take that into consideration when your voting for this piece of legislation. Thank you."

Speaker Matijevich: "The Gentleman from Kendall, Representative Hastert, to close."

Hastert: "Thank you, Mr. Speaker, respectfully. Ladies and Gentlemen of the House, I would like to bring out a couple of points, and to the issue that the Majority Leader of this House raised and Representative McGann just a minute ago. You know, I don't think there's anymore... any other person on this floor that's more conscious of revenue loss in the State of Illinois. What the problem... what arises

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an Amendment and asks for the Attendance Roll Call for that purpose, is there any objections? Seeing none, the Bill is returned to Second Reading."

Terzich: "Alright, Mr. Speaker, now I move to..."

Speaker Matijevich: "Are there any Amendments? Hold on."

Clark O'Brien: "Amendment #2 offered by Representative Terzich."

Speaker Matijevich: "Representative Terzich on Amendment #2."

Terzich: "Well, Mr. Speaker, can I table Amendment #1? So, we can adopt #2."

Speaker Matijevich: "The Gentleman asks leave for the reconsideration of the vote on Amendment #1 and that'd be tabled. Does he have leave? Leave, and Amendment #1 is tabled. Second Amendment, Representative Terzich."

Terzich: "Alright, Amendment #2 rewrites the Bill basically to come into compliance with the request of the state police, and it will be the Bill. And I would move for its adoption."

Speaker Matijevich: "Representative Terzich moves for the adoption of Amendment #2. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, I just don't have a copy of the Amendment. Is it... I have an analysis of it, but not a copy. I assume it's distributed."

Terzich: "You want a... I got a copy if you want a copy."

Speaker Matijevich: "Let us go on to John Dunn while Representative Cullerton is getting a copy. The Gentleman from Macon, Representative John Dunn."

Dunn: "Thank you, Mr. Speaker. The Amendment was in the official file. What does it do?"

Terzich: "Well, what it does is this has to deal with smoked windows or tinted windows, and this simply sets up the standard that was adopted by, you know, federal standards and state standards, which has come in compliance with the

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in the State of Illinois is for instance, a truck buyer goes to a dealer. The license plate may be \$2,000. The prorated period of time might be a month left, and what he has to pay is... money that's not really due to the State of Illinois for use. And he says, okay, I'm not going to buy the truck until July. Now, I've had truck dealer after truck dealer tell me that those guys end up not buying the truck. We don't get the sales tax. So, the State of Illinois doesn't get the revenue. And I appreciate what Representative McGann says, but I think this is a fair Bill. I think it addresses a fair issue, and I ask for your passage."

Speaker Matijevich: "Representatives Breslin and Hastert have moved for the passage of House Bill 740. The question is, 'Shall House Bill 740 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all vote? Have all voted who wish? The Clerk will take the record. On this question, there are 100 'ayes', 8 'nays'. And House Bill 740, having received the Constitutional Majority, is hereby declared passed. Laurino was attempting to get attention to be 'aye' on that while the Bill had not been recorded. So, I think he's within his rights to be... and Vinson also. House Bill 751, Terzich. Clerk, read the Bill."

Clerk O'Brien: "House Bill 751, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Terzich, on House Bill 751."

Terzich: "Mr. Speaker, may I move this Bill back to Second Reading for an Amendment?"

Speaker Matijevich: "The Gentleman asks leave to return House Bill 751 to the Order of Second Reading for the purpose of

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state police requirement."

Dunn: "Well..."

Terzich: "In other words, it has to... it has to set-up a remittance of 35 percent light reflection."

Dunn: "Are you saying that... that some tinted windows will now be permitted again?"

Terzich: "Well, they are right now, but the present law is ambiguous. And so, what this does, it will set-up the standard. Basically, the Amendment provides that no person shall operate a 1983 or later model motor vehicle with the front windshield and front windows that do not meet the requirements of the Vehicle Equipment Safety Commission Regulation 20, and provides that light transmittance, shall not be reduced by more than 35 percent, and that a label listing the manufacturers name and statement that the material complies with the standards imposed by VSCA 20. It's placed on the driver's window, and further provides that after the effective date..."

Dunn: "Are the... to shorten this up, are the law enforcement agencies in support of this Amendment?"

Terzich: "Yes, this is where I got the Amendment."

Dunn: "State police..."

Terzich: "State police."

Dunn: "... Department of Law Enforcement are in support of this?"

Terzich: "Yes."

Dunn: "Thank you."

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

Leverenz: "Pass."

Speaker Matijevich: "The Gentleman from Adams, Representative Jeff Mays."

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

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Speaker Matijevich: "Proceed."

Mays: "You changed the standard by which we are going to be measuring the tint... tinted windows, is that not correct?"

Terzich: "Correct."

Mays: "Is it a more astringent standard, or a less astringent standard, or what?"

Terzich: "It clarifies the standard. Right now, it's ambiguous."

Mays: "Okay. So, you went from the motor vehicle safety standard to the Vehicle Equipment Safety Commission Regulation #20, is that not correct?"

Terzich: "Yes, that's correct."

Mays: "And it clarifies it doesn't make it more astringent, or less astringent. It just clarifies."

Terzich: "It clarifies. For example, this is a standard right here."

Mays: "Okay."

Terzich: "Fine."

Mays: "And the Department of Law Enforcement suggested this Amendment?"

Terzich: "That's correct. This was at the... the request of the state police."

Mays: "Thank you very much."

Speaker Matijevich: "Representative Bruce Richmond."

Richmond: "Would the Sponsor yield for a question, please?"

Terzich: "Yes."

Richmond: "Did I understand you to say that this applied to models '83 and later?"

Terzich: "That's correct."

Richmond: "What... what is the situation if someone has an '83 and has the windows slightly darker than those standards, does that mean they have to be corrected?"

Terzich: "If... if they're darker than these standards right now, they're illegal. They're already illegal."

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Richmond: "They're already illegal?"

Terzich: "Correct."

Richmond: "Thank you."

Speaker Matijevich: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed 'nay', and Amendment #2 is adopted. Further Amendments?"

Clark O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. And Representative Terzich asks leave in the use of the Attendance Roll Call for the immediate consideration... Third Reading. Read the Bill."

Clark O'Brien: "House Bill 751, a Bill for an Act to amend Sections of the Vehicle Code. Third Reading of the Bill."

Speaker Matijevich: "I.. Representative Leverenz."

Leverenz: "An inquiry of the Chair. If I object, it can't be heard, is that correct?"

Speaker Matijevich: "That's correct. Unless he moves. He can move to..."

Leverenz: "Well, I would prefer to see this die."

Speaker Matijevich: "He's going to ask leave for the immediate consideration, does he have leave? Representative..."

Leverenz: "I would object."

Speaker Matijevich: "Alright. Representative Terzich..."

Leverenz: "... to the Amendment."

Speaker Matijevich: "... do you want to move for the immediate consideration?"

Terzich: "Yes, I do."

Speaker Matijevich: "The Gentleman moves for the immediate consideration of House Bill 751. Those in favor vote 'aye', those opposed vote 'no'. This will take 71 votes. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 92 'ayes', 12... Hastert, are you alright? Okay. 94 'ayes', 12 'nays', 3 answering 'present', and the Motion prevails.

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Third Reading, and the Clerk will read the Bill."

Clerk O'Brien: "House Bill 751, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

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

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, the current state law provides that it is illegal to operate a vehicle manufactured after December 31, '81 with window application, reflective or nonreflective material, which materially obstructs, obscures, or impairs the view from both within and without the vehicle. This problem with this language is that... subjective nature, and this Amendment would substitute the subjective language with the federal and industry standards that are currently imposed upon auto manufactures. In addition, the State of Tennessee and Texas use the same standard by direct reference. VSCA 20 essentially prohibits light transmittance from being reduced by more than 35 percent, and requires a label verifying the fact. And according to an industry representative this is the standard that Illinois firms comply with in meeting the mandates of the current state law. The state police have also taken this interpretation of the state law, thus even though the reference of VSCA 20 is new. It's the standards that have been interpret as state law. And it's for this reason and that at the request of the state police that the model years '83, '84, and '85 have not been excluded from this reference. I'm sure that all of use are aware that the smoke windows do cause problems for law enforcement officers, and many people will drive where they cannot see into these vehicles. For your information, this is the standard. It couldn't be any darker than this, and you can

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see this is quite dark. And I would move your support for House Bill 751."

Speaker Matijevich: "Representative Terzich has moved for the passage of House Bill 751. The Gentleman from Madison, Representative Wolf."

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

Speaker Matijevich: "He indicates he will proceed."

Wolf: "Representative Terzich, a minute ago you were responding to Representative Richmond. A vehicle operated by an individual with tinted glass such as indicated in Amendment #2, the violation of which calls for what kind of a penalty?"

Terzich: "It's a petty offense."

Wolf: "A petty offense. A penalty being applied against whom?"

Terzich: "A vehicle owner or a business. That is applying the application of the material."

Wolf: "How does your... how does your Amendment address a situation, a business that is engaged in the tinting of windows that might apply such a process to a vehicle knowing that it violated standards?"

Terzich: "The... then they would be guilty of a petty offense, and charges would be brought."

Wolf: "Would that penalty be assessed against the business that applied the process by not advising the individual that he was in violation of the law?"

Terzich: "From what I understand, that would be correct."

Wolf: "Thank you."

Terzich: "It would be against the business people."

Speaker Matijevich: "The Gentleman from Cook, Representative McAuliffe. Roger McAuliffe."

McAuliffe: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I would rise in support of this Bill. As a police

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officer, I've come upon cars who had stopped on the street. You can't see in the windows. When you approach the car, you don't know if he's got a gun in his hand or anything. It's very dangerous to stop a car that you can't see into, and a lot of these cars are impossible to see into from the outside. So, when you approach them, you just don't know what you're going to step into. So, I'm very much in support of this Bill."

Speaker Matijevich: "Representative Terzich to close."

Terzich: "Well, yes, as the previous speaker mentioned that this makes it very very dangerous for policemen approaching such a vehicle as he cannot see anyone in... within the vehicle. And it also makes it very hazardous for other drivers, because they cannot see what the other driver is paying attention, whether he's making left turns or right turns. It simply sets up the standard. They're quite reasonable. They're within the federal standards and also the state standards. And it is endorsed by the police agencies, and I would urge your support."

Speaker Matijevich: "Representative Terzich has moved for the passage of House Bill 751. The question is, 'Shall House bill 751 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. The board is open. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 101 'ayes', 4 'nays', 5 answering 'present'. House Bill 751 having received the Constitutional Majority, is hereby declared passed. House Bill 760, Rea. Clerk will read the Bill."

Clerk O'Brien: "House Bill 760, a Bill for an Act to amend Sections of an Act in relation to the state police. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Franklin, Representative James Rea... Jim Rea, on House Bill 760."

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Rea: "Thank... thank you, Mr. Speaker, Members of the House. House Bill 760, actually the Amendment 1, becomes the Bill which is similar to legislation in the State of Pennsylvania and is supported by your various law enforcement groups in the state. That... which would simply provide that no state police officer shall be required to make a specified number of arrests or issue a specified number of traffic citations. In other words, the quota system only... and this only applies to the state police and the cities are exempt. And I would ask for a favorable vote."

Speaker Matijevich: "Representative Rea has moved for the passage of House Bill 760. The Gentleman from McLean, Representative Ropp."

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

Speaker Matijevich: "Indicates he will, proceed."

Ropp: "Representative Rea, do you mean by this legislation that if a superintendent of state police directs one of his employees that he has to have 10 citations in a day, that that particular individual could disobey that and not comply with that order and would not be considered insubordination."

Rea: "One of the problems that we've had is... in the past is that there has been a requirement that certain number of citations be issued and various categories whether it was for DUI's or for speeds within a certain limit. And as a result of that, this was used against them in terms of promotions, time off, receiving new equipment and so on."

Ropp: "I... I'm not... I certainly don't think that this ought to be used in terms of the determining promotions, but it seems to me like it is a management tool, and a way to encourage those employees to stay, aggressive, alert, and to assist in maintaining security and safety on the highway

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throughout the State of Illinois. And I think it might be inoperative, or certainly not in the best intent of the state to tell a state police officer that you don't have to comply by a directive of the superintendent of the state police just when he wants you to try to keep things healthy, safe, and happy."

Speaker Matijevich: "The Gentleman from Marion, Representative Friedrich."

Friedrich: "Will the... will the Sponsor yield?"

Speaker Matijevich: "Proceed."

Friedrich: "Well, Representative Rea, I know what you're trying to get at, and I hate the suggestion that's in here as much as you do, but if a police officer went for three weeks and didn't issue one ticket, would you have any problems with that? That's a quota now. If he's going to have a quota, is none a quota, or is 10 a quota, or 15, or what? I would say that if an officer couldn't find one speeder in two weeks, he's... he must be blind."

Rea: "Well, the problem, Representative Friedrich, is that this... this should not be used as the soul purpose for evaluation of performance. This does not mean that it would not be taken into consideration, but whenever you use a quota system to... to make the assessment strictly, then I think that is not providing for the best service of the motorist. And often the state trooper out there, not by their choice because they would like to go back to what they used to do and that is to provide service to the motorists of the state at a time... at the same time of regulating."

Friedrich: "But would you say that an officer who made a third as many arrests as the average state policeman to the state would be subject to criticism?"

Rea: "I'm sorry, I didn't hear your question."

Friedrich: "If a particular policeman made a third as many

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arrests as the average state policeman of the state, would he be subject to criticism?"

Rea: "Well, I think, Representative Friedrich, if you go back, and if you... you check, that prior to requiring the numbers, that we had no problems in terms of the tickets being issued whenever they should be. And the... So, I don't think there's any problem of them not issuing tickets without a quota system."

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

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill. I think it's a good piece of legislation. In response to some of the questions asked earlier, I don't think this Bill would direct state policemen to disregard directives from their superiors. I think the Bill is more directed to the superior, not to issue directives. I think it's been proven from studies that there is no correlation between quotas and safety on the highway, or effectiveness of our state police. It's a good Bill, and I urge your 'yes' vote."

Speaker Matijevich: "Representative Ronald Wait."

Wait: "Ladies and Gentlemen of the House, I'd like to just stand in support of this Bill. I understand there's a quota system out there right now that state police have where at least 10 percent of their tickets that they issue are suppose to be for those who have a speed of less than 65 miles an hour, and this is on a highway between Chicago and here. And I think it's completely ridiculous. And I'd like to say that I think it's about time that... this is a good Bill, and we should all support it. Thank you."

Speaker Matijevich: "The Gentleman from St. Clair, Representative Monroe Flinn."

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

Speaker Matijevich: "Representative Flinn has moved the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', opposed 'nay', and the main question is put. The Gentleman from Franklin, Representative Jim Rea, to close."

Rea: "Thank you, Mr. Speaker. I think that this is good legislation. It's certainly needed, and it will provide better service to the motorists of the State of Illinois, and at the same time I think we will... will have a high caliber state police system in the State of Illinois. And I would ask for an 'aye' vote."

Speaker Matijevich: "Representative Rea has moved for the passage of House Bill 760. Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 109 'ayes', 6 'nays', 1 answering 'present'. And House Bill 760, having received the Constitutional Majority, is hereby declared passed. House Bill 786, Berrios. Clerk will read the Bill."

Clerk O'Brien: "House Bill 786, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Joe Berrios, on House Bill 786."

Berrios: "House Bill 786 amends the size and weight laws of the Vehicle Code. It provides that an additional \$2,500 fine be imposed on trucks that violate weight laws more than 4 times a year in a twelve month period only be imposed on vehicles that exceed the weight law by 20... 5,000 pounds. The reason this Bill was put in it was because of the fact that when the original agreement was put in by the... both sides it was meant to get at to big truckers who go through

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the state and continuously violate the law. What has happened is a lot of the other trucks can be 500,000 pounds overweight and once they reach that weight limitation and violate it by... more than 4 times, they get fined the additional amount. What the problem is... when it rains or it snows it adds the additional weight and the truckers aren't able to actually tell how much weight is on a truck. Basically what this Bill is intended to do is get to the intentional habitual violators thus enforcing a \$2,500 fine everytime they exceed the weight limitation by 5,000 pounds. I would ask for a favorable Roll Call."

Speaker Matijevich: "Representative Berrios has moved for the passage of House Bill 786. Those in... is there any discussion? Representative Cullerton, the Gentleman from Cook."

Cullerton: "Yes, will the Sponsor yield for a question?"

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

Cullerton: "Representative Berrios, the way I understand the current law, if these trucks are overweight and they habitually are overweight that... that is if they get 4 or more convictions for being overweight within a 12 month period, they're subject to an extra fine of \$2,500. That's somebody who's overweight 4 times within a twelve month period, is that the current law?"

Berrios: "Correct."

Cullerton: "And that's what you want to change with this Bill. And what you want to do with this Bill is you want to say that this extra fine would be imposed only if all 4 of the violations were 5,000 pounds over or more, right?"

Berrios: "Correct."

Cullerton: "So... so that if these trucks want to be 4,999 pounds overweight and get... do that 4 times a year, that they're not going to be assessed this habitual violator penalty, is

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that the goal of that particular Bill?"

Berrios: "No, there are still fines, but what this... this is an additional penalty if they're \$2,500... 2,500... \$2,500 if they're 5,000 pounds or over. But they're still fined for being overweight."

Cullerton: "Well you know... but... right but this would eliminate the enhancement. This would eliminate the enhancement. Now, you know in criminal law when we want to get tough on... on criminals let's say they... let's say that they commit a crime let's say on a school grounds. If they commit a crime on the school grounds, then we want to get extra tough with those violators on a school ground so we enhance the penalty. And especially if they do it more than once. If they... if they do it more than once, then we want to get particularly tough on them and say, hey, you've... you've... you had your chance and you violated it, and therefore, we have this habitual violator penalty. And for some reason with this Bill, you want to eliminate that. You want to encourage these people that haul heavy equipment that wreck the roads. You want to encourage them by eliminating this habitual violator penalty. You want to encourage them to violate the law. I think it's a very bad concept. I think that it is a... inconsistent with our... our whole attitude about the criminal law, and I think that the Bill should be defeated."

Speaker Matijevich: "The Gentleman from Cook, Representative Nelson Rice."

Rice: "Will... will the speaker... I mean would the Sponsor..."

Speaker Matijevich: "He indicates he will."

Rice: "Who will enforce... who will enforce this law on the expressways between 95th Street and the stateline... going north in the City of Chicago?"

Berrios: "Right. Correct. The City of Chicago."

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Rice: "The City of Chicago. Aren't they suppose to have some kind of weight material or scales to check these vehicles?"

Berrios: "They can take them to the nearest scale."

Rice: "Take them to the nearest scale. You know, along the right of way there they have moved all the coal yards. So, you mean the city policemen are still dealing with gang problems can take these vehicles off the road to carry them to a local yard which might be 5 or 6 miles from the expressway?"

Berrios: "I don't know if that has anything to do with it. But I don't understand the question."

Rice: "The question is, we need policemen. Now, my question is, if we going put... a law... another law on the book that has to be followed, my question is, who's going to enforce it? The city policemen..."

Berrios: "This law is already on the books. What we're doing is we're just changing one part of the law."

Rice: "Thank you."

Speaker Matijevich: "Representative Berrios to close."

Berrios: "I would ask for a favorable Roll Call. You know, there are a lot of people out there unknowingly going over weight by 500,000 pounds that are being penalized. I ask for a favorable Roll Call."

Speaker Matijevich: "Representative Berrios has moved for the passage of House Bill 786. Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Gentleman from Will, Representative Jack Davis."

Davis: "Well, thank you, Mr. Speaker. I rise in support of this measure. We heard in the Transportation Committee, and there was a little confusion on it, but I can simply tell you I understand the Farm Bureau may be opposed to this. I don't think they quite understand that an atmospheric

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condition changes that grain truck's pick up moisture and unintentionally go over... well... that can happen everyday during a rainy season. And other trucks that pick up refuse, where the refuse has sat out over night, unintentionally are loaded at a weight that they believe to be on the axle. They believe to be correct weight, but because of atmospheric weight condition changes in a grain truck, or a waste truck, or whatever that sets out in subject atmospheric condition changes. All of a sudden you find yourself overweight, and it does happen maybe more than 4 times, but certainly not 500 times or whatever. And while they're still penalized, you've got to understand they're still penalized everytime they're overweight on the axle they're penalized for that. It's just that absolved of the enhanced penalty that comes from 4 time violations in one year. I think it's a necessary Bill for the grain truckers. I think it's a necessary Bill for the State of Illinois, and I support it."

Speaker Matijeich: "Have all voted who wish? The Clerk will take the record. On this question, there are 31 'ayes', 71 'nays'. And House Bill 786, having failed to receive the Constitutional Majority, is hereby declared lost. House Bill 800, Laurino. Clerk, read the Bill."

Clark O'Brien: "House Bill 800, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Matijeich: "Representative Laurino on House Bill 800. The Gentleman from DeWitt, Representative Vinson, for what purpose do you seek recognition?"

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, I would respectfully request that the Sponsor take this Bill out of the record for an hour or so, so that Representative Tate can be present at the time that the Bill is debated. He is

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the spokesman on our Insurance Committee, and I would like to have leave of the House so that the Sponsor would be able to go back to the Bill at that point. But I do think that we... it's never improper to exercise a little bit of courtesy to another Member who is an important Member of the Committee in question."

Speaker Matijevich: "Representative Laurino."

Laurino: "Mr. Speaker, Representative Vinson, I humbly acquiesce for your... in your favor."

Speaker Matijevich: "Alright. Do we have leave of the House to return to House Bill 800 in about an hour so that Representative Tate could be here? Leave. And we will return to that Order later. House Bill 960, John Dunn. Clerk, read the Bill."

Clerk O'Brien: "House Bill 960, a Bill for an Act to amend Sections of the Illinois Vehicle Code."

Speaker Matijevich: "The Gentleman from Macon, Representative John Dunn, on House Bill 960."

Clerk O'Brien: "Third Reading of the Bill."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 960 is a measure which would provide and has the support of the state police, the Illinois Truckers' Association which would provide that when it's dark enough that you... or raining hard enough, pardon me, that you feel you need to turn your windshield wipers on, you should also turn your headlights on. This is a safety measure for both oncoming traffic, and traffic moving in the same direction as you are. Both passenger cars and trucks in rainy weather know that when you pass, it's difficult to tell when you are around the truck because of the spray. The truck has difficulty seeing you. If lights are on on both vehicles, it's a good safety measure. So, this will be a measure that will say simply when it's raining bad

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enough to turn your wipers on, you also turn your headlights on. I ask for an 'aye' vote."

Speaker Matijevich: "Representative Dunn has moved for the passage of House Bill 860. On that, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

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

Cullerton: "Does this Bill mandate that someone turn their headlights on when their windshield wipers are on?"

Dunn: "It uses the word 'requires', and I think that's correct."

Cullerton: "Isn't this a form of government regulation?"

Dunn: "This is the kind of intrusion into your life that we all welcome. You may or may not have your seatbelts attached, but you will... you won't need your seatbelts at all if you're not in an accident. You're... you got your lights on while it's raining you probably won't have an accident."

Cullerton: "So, you're in favor of this Bill that is an infringement on the personal liberties of the driver."

Dunn: "And... and reduces the need to have your seatbelt fastened because there'd be fewer accidents if this Bill passes."

Cullerton: "And the purpose of this Bill is to ensure highway safety for balancing..."

Dunn: "Promote... promote and increase highway safety. The..."

Cullerton: "Increase the safety."

Dunn: "I'm not talented enough to ensure highway safety. I'm reasonably talented, but not that talented."

Cullerton: "So, it goes a long way towards making the highways safer."

Dunn: "I think it would, yes."

Cullerton: "And it's a balance between the right of an individual to decide for himself not to turn his headlights on. We balance that, versus the rights of the... of the oncoming cars and pedestrians, and we say that... that we should

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pass a Bill like this and require the motorists to turn their headlight on in order to hopefully save lives in Illinois."

Dunn: "Well, I would be happy to accept an Amendment, or see that the Bill is amended in the Senate to provide that... that where there's no traffic for miles around you can do as you please. Unfortunately, most of us don't have that luxury. So, when there is oncoming traffic, or traffic adjacent to you, the Rules of the Road do require you to take caution and this would be a nice thing to do, to turn your headlights on."

Speaker Matijevich: "The Gentleman from Lee, Representative Myron Olson."

Olson: "Will the Sponsor yield?"

Speaker Matijevich: "Proceed."

Olson: "I have just a couple of questions, Representative Dunn. Is this going to be charged as a moving violation?"

Dunn: "Not by me."

Olson: "Well, what about the people who stop us if we don't have our lights on when the wipers are running?"

Dunn: "That's an equipment... equipment violation... amends Section 12-201, and I think you'd have to check the Secretary of State's point system which is difficult to find and see what it says about that. I really can't answer that, but it's an equipment issue. Then what would the... what would the fine be then if we were hauled into court?"

Dunn: "The fine would be whatever fine is provided for Section 12-201 at the present time in the Motor Vehicle Code."

Olson: "To the Bill, Mr. Speaker."

Speaker Matijevich: "Proceed."

Olson: "I would not support this Bill, and would be opposed to it. This would seem to be an unreasonable imposition on

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the judgement of a driver when he might want to use his windshield wipers, and I would urge defeat of this Bill."

Speaker Matijevich: "The Gentleman from DeWitt, Representative Vinson, Sam Vinson."

Vinson: "Yes, would the Sponsor yield for a question?"

Speaker Matijevich: "Proceed."

Vinson: "Representative, I'm looking at the exact language in your Bill, and one of my concerns about the Bill I think can be clarified and adequately explained with the answer to this question. Unfavorable atmospheric conditions are not present when the driver has to operate the windshield wipers for the purpose of cleaning the windshield, a dirty windshield, is that correct?"

Dunn: "Well, I think if you're in the gas station pumping up your gas, and you want to check the whether the windshield wipers work or not. I wouldn't worry too much about being arrested."

Vinson: "Well, even if you're driving down the road and you're just running your windshield washer and use the wipers for that. This Bill isn't intended to require you to turn your headlamps on then is it?"

Dunn: "I... I don't... let's see I don't think so, because the Bill provides that... that whenever unfavorable atmospheric conditions exist which require the operation of windshield cleaning devices. So, if it's a bright sunshiny day, I doubt if the conditions are unfavorable."

Vinson: "Thank you."

Speaker Matijevich: "The Gentleman from Cook, Representative Parke, Terry Parke."

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

Speaker Matijevich: "Proceed."

Parke: "Thank you. Am I... maybe I'm confused, you're saying that we're telling the people in Illinois now that if they

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turn their lights on that, they have to have the windshield wipers on also?"

Dunn: "No, the other way around."

Parke: "Oh, excuse me. If we tell them the other way around, is that what you're telling us?"

Dunn: "Yes. If unfavorable atmospheric conditions exist."

Parke: "And again it is another thing that this Illinois General Assembly is telling the individual citizen that he has to do. I ask for a 'no' vote on this Bill."

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

Kulas: "Thank you, Mr. Speaker. I move the previous question."

Speaker Matijevich: "Representative Kulas has moved the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', opposed 'nay', and the main question is put. The Gentleman from Macon, Representative John Dunn, to close."

Dunn: "I would ask a favorable Roll Call on this vote, which is... on this Bill which is not earthshaking, but it does simply provide that if you're driving down the road in a truck, or car and the conditions are such that require you to have proper visibility to turn your windshield wipers on, that you also reach over and turn the headlights on for your own safety and that of others. It was brought to me by a constituent. It seemed like a good idea to promote highway safety. It's endorsed by the Illinois State Police, the Illinois Truckers' Association, and I would respectfully request a favorable vote."

Speaker Matijevich: "The Gentleman has moved for the passage of House Bill 860. The question is, 'Shall House Bill 860 pass?' Those in favor signify by voting 'aye', opposed 'no'. The Gentleman from Will, Representative Jack Davis, one minute to explain his vote... or no, that's Regan. I'm

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sorry. Representative Regan."

Regan: "Mr. Speaker, this... I stand forward and love public safety, however, we've got to a point here in Illinois where it's very difficult to do anything without an officer of the law at its side. I think there's a situation if you have to turn your wipers on, and you have to turn your lights on at the same time, that's more dangerous than the... than the opposite affect. Why don't we have also involved in the law where you have to turn your radio down at the same time? Then you need three hands. I stand opposed."

Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 25 'ayes', 77 'nays'. Representative Preston, one minute to explain his vote."

Preston: "Thank you, Mr. Speaker. I just wanted to point out to the people in this body that as a seatmate, you take a heavy responsibility for the votes of your seatmate. I want to make it very clear that Representative Dunn on this Bill is responsible for his own vote."

Speaker Matijevich: "Have all voted who wish? The Clerk will take the record. On this question, there are 25 'ayes', 77 'nays', 6 answering 'present'. Nash, 'no'. DeLeo, 'no'. Have all voted? Rice, 'no'. Soliz, 'no'. And Shaw, 'no'. This Bill, having failed to receive the Constitutional Majority, is hereby declared lost. The next Bill is House Bill 967, McPike. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 967, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Madison, the Majority Leader, Representative Jim McPike, with Representative Alan Greiman in the Chair."

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

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House. House Bill 967 is a Bill to adjust various fees. It's supported by the Department of Transportation. I think it came out of Committee 20 to nothing, and I believe the Bill is revenue neutral. It raises some fees and lowers others. It raises the fees for engineering inspections and field investigations conducted by DOT from 25 to 40 dollars an hour. It raises fees for state police escort of oversized vehicles from 25 to 40 dollars an hour. Changes the minimum charge from 50 to 90 dollars, and it adjusts a various... variable fees charged to construction equipment from variable to a flat rate fees. As I said, I think it's revenue neutral supported by DOT. I move the passage of the Bill."

Speaker Greiman: "The Gentleman from Madison moves for the passage of House Bill 967, and on that is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'aye', 2 voting 'no', none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Transportation, Motor Vehicle, appears House Bill 907. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 907, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Boone, Mr. Wait."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 907 is a very simple Bill. Basically what it requires the Secretary of State to do is to notify a victim when money has been placed on deposit for an uninsured

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motorist. As you recall, in our state right now if you do not have insurance, to get your license back you have to place the money on deposit equivalent to what the... basically the cost of the accident would be. The problem under our present system is, a lot of times the victim does not know that money was put on deposit. So, then after 2 years, if nobody comes and gets this money, then the Secretary of State automatically refunds this money. This would simply say that the Secretary of State would send out a Letter to the victims, and they then would have the opportunity if they wanted to hire a lawyer or to pursue this money. I'd be happy to answer any questions."

Speaker Greiman: "The Gentleman from Boone moves for the passage of House Bill 907, and one that is there any discussion? There being none, 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? Mr. Clerk, take the record. On this question, there are 112 voting 'aye', none voting 'no', and none voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 36 of the Calendar, House Bills Third Reading, State Personnel, appears House Bill 761. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 761, a Bill for an Act to amend an Act in relation to state police and to prohibit solicitation of certain state employees for political purposes. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich, on House Bill 761."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 761 is a Bill that is promoted by the Troopers Lodge of the Fraternal Order of Police. What it would do,

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it would repeal those Sections of the state law which prohibit the state police from being involved in political activities. As some of you know, some years ago when Representative Tony Scariano was here, we passed legislation allowing local police and fire to be involved in political activities as long as it's in their free time and not during the course of their governmental activities. And this Bill would allow the state police to be treated in the same manner. We passed this Bill overwhelmingly last Session only to see the Governor veto it. I think it... it is within the rights of state police to be able to be involved in political activity just like any other citizen of the State of Illinois. They feel this Bill is very important to them, and I would urge your support in the passage of House Bill 761."

Speaker Greiman: "The Gentleman from Lake moves for the passage of House Bill 761. And on that, the Gentleman from Cook, Mr. Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Gentleman yield to a question?"

Speaker Greiman: "Indicates he will."

Piel: "John, what was the... the background on while this... why this was introduced or what was the genesis of it?"

Matijevich: "The genesis of it is, the state troopers lodge feels that... in fact they feel that this is an oversight that this was even left into the law that the courts allow them to be involved in political activity, and they asked me both last Session and this Session after the Governor vetoed that Bill that we reintroduce it. They think it's their right. I think it's their right. After all, many of us have served in this House for some time with a city policeman by the name of Roger McAuliffe, who does a good job. Why shouldn't Roger McAuliffe be involved in

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political activities? Why should somebody like Wayne Goforth have to wait until he's retired from the state police to be involved in political activities? Why... why shouldn't Howard Brookins when he was a state policeman... why shouldn't he have been involved in political activities although we did change this... state law regarding local police. I think it makes for good law, and I would urge your support."

Pisal: "Don't ever let anybody tell you that you're not a name dropper, John."

Matijevich: "They're all good people, too."

Pisal: "I won't disagree there. The one thing that sort of strikes me as a situation you now. In the mid '40's until I think it was before 1949, we had this situation where to you know become a state trooper you know you were appointed by somebody and one thing and another, and politics really did get in... did enter into the... being a state trooper, whether it be a good precinct worker or a strong supporting member financially of a... one party or another. I think presently the state troopers are looked on very highly by the citizens of the State of Illinois. I know when I have a trooper walk up to my automobile, I look at them very highly. But I think it's a situation also, John, that we... you know, you're sort of jeopardizing the reputation of state troopers where they come out and they have to... or not have to, but they solicit tickets or... for a fund raiser, or campaigning, and one thing and another. I... I understand exactly where you're coming from, but I... really I'm very apprehensive on what the situation is as far as troopers and being members of... you know active members to where they have to go out and sell tickets and one thing and another. I would ask for a 'no' vote on this Bill just for that reason. No further questions."

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Speaker Greiman: "Further discussion? There being none, 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? Mr. Clerk, take the record. On this question there are 76 voting 'aye', 37 voting 'no', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, State Personnel, appears House Bill 816. Mr. Clerk."

Clerk O'Brien: "House Bill 816, a Bill for an Act to amend Sections of the Illinois Human Rights Act. Third Reading of the Bill."

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

Nash: "Thank you, Mr. Speaker. Do I have leave to bring this Bill to Second Reading for an Amendment, please?"

Speaker Greiman: "The Gentleman from Cook, Mr. Nash, asks leave of the House to return the Bill to the Order of Second Reading for the purpose of an Amendment. The Gentleman has leave. Leave is granted. That Bill is on Second Reading. Mr. Clerk, any Amendments?"

Clerk O'Brien: "Amendment #2, offered by Representative Levin, Zwick, and Nash."

Speaker Greiman: "The Lady from McHenry, Miss Zwick. Kane."

Zwick: "Thank you very much, Mr. Speaker, Members of the House. This Amendment simply puts a provision in the Bill out of some concerns that were raised dealing with an employer being able to set a 5 day period for notice before an employee requests a day off. And I move for its adoption."

Speaker Greiman: "The Lady from Kane moves for the adoption of Amendment #2 to House Bill 816, and on that is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', those

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opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Mr. Nash. Mr. Nash moves to waive Rule... the provisions of Rule 37(c) so that the Bill may have an immediate hearing. Does the Gentleman have leave to use the Attendance Roll Call? Leave is granted. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "House Bill 816, a Bill for an Act to amend the Illinois Human Rights Act. Third Reading of the Bill."

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

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill will allow government employees to take time off for religious holidays as long as they make up the time at... on straight time. It is modeled on the federal law for federal employees, which has worked well for the federal... on the federal level. The language... the language in Amendment 1 comes from the Department of Central Management. And this affects only employees in... in government. It does not affect employees in private industry. I ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook, moves for the passage of House Bill 816, and on that is there any discussion? The Gentleman from Cook, Mr. LeFlore."

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

Speaker Greiman: "Indicates that he will."

LeFlore: "How will this Bill help employees, city employees, the state employees?"

Nash: "Representative LeFlore, what this Bill does... it's just like the school Bill that we had yesterday. If Good Friday... If Good Friday... Greek Good Friday falls on a day, that employee will be able to make up his time, or if it's a Jewish holiday, he will not be docked for it, but he

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will be able to make up that time at straight time without overtime pay."

LeFlore: "Okay. Very good."

Nash: "... Human Rights Act"

LeFlore: "Alright. Thank you."

Nash: "The Gentleman from Cook, Mr. Piel."

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

Speaker Greiman: "Indicates he will yield for a question."

Piel: "Steve, was this... did we start discussing this Bill the other day, and then it was taken out of the record. Is this the one?"

Nash: "Yes, it was."

Piel: "Just... and I'm sorry, but I don't remember the answer at that, time now. When we have... alright, when a person of a specific religious faith asks for time off, is there a stipulation in the Bill? And I don't have a copy of it here, but is there a stipulation in the Bill of exactly how many days per year they can take off?"

Nash: "No, there isn't, but there's not that many holidays. It's... the employee must give notice, a minimum of 5 days before the holiday. He can make his time up at straight time."

Piel: "Yes, but he's giving... he's giving... what... he or she is giving a 5 day notice, but it's a situation to where you got, you know, every religious faith has different holidays. And so all of a sudden, you know, now we got the moonies who sit here and say they got 25 holidays a year."

Nash: "Representative Piel, that's a good point, and I think we can put an Amendment to cover that in the Senate. It's... a lot of employees take time... vacation time for religious holidays at times, but if there is a situation where they can make the time up, this Bill would help those employees

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out."

Piel: "I'm sorry, I... alright... what if... yes, I am... I didn't quite catch what you said, something about the Senate, but is this going... you know, because I think we should definitely have to clarify this as far as certain religious faiths and how many days they can take off a year."

Nash: "It's not in the Bill presently how many holidays, but when... if the Bill gets to the Senate, I'd be glad to ask the Senate Sponsor to put on an Amendment to cover that provision."

Piel: "Fine. Thank you very much."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed... I'm sorry. Yes, Mr. Barger, I'm sorry I didn't see you. The Gentleman from DuPage."

Barger: "I'm sorry too for being so tardy in pushing my button. I would like to ask a question of the Sponsor."

Speaker Greiman: "Proceed, Sir."

Barger: "Thank you. In the case of... Mr. Nash. Mr. Nash."

Nash: "Yes, Representative Barger."

Barger: "Thank you, Mr. Nash. In the case of a community like mine where most of the... most of the city employees are of the same religious background, how would we arrive at emergency services for the sewer and the water department, how would we arrive at policemen and firemen who would stay on duty, if they all wanted Christmas or the... Good Friday off?"

Nash: "That would be handled the same way it's done on holidays now... on other holidays like Christmas, New Year's, Thanksgiving, Fourth of July, Memorial Day."

Barger: "I thought your Bill guaranteed a person a right to celebrate their religious holidays at their convenience and

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make up the time..."

Nash: "No, it's not at their convenience. It doesn't really affect that many people. As a matter of fact, even though the Bill does not have... list how many holidays there are, Greek Good Friday a lot of times, or Eastern Orthodox Good Friday doesn't fall on the same day. There would be one holiday that would be covered. Some Jewish holidays will be covered. There may be some other religions that might come up. That's why in the Senate we're going to put on an Amendment to cover those provisions."

Barger: "Well, that's my problem. There are no Greeks and there are no members of these other religions. They're all either Roman Catholics, or Protestants, and they would all want the same holidays off. And you... we can't schedule that."

Nash: "Representative Barger, this covers holidays that require isolation. I'm told by my Cosponsor, Representative Zwick."

Barger: "Thank you, Mr. Nash. It was nice of you to explain it. Thank you."

Speaker Greiman: "The Lady from DuPage, Miss Cowlshaw."

Cowlshaw: "Yes, Mr. Speaker, thank you. Would the Sponsor yield to a question please?"

Speaker Greiman: "Indicates he will."

Cowlshaw: "I would like to inquire how we would handle a situation in which for example we had a retail shop which was normally open 5 days a week during..."

Nash: "Representative Cowlshaw, this doesn't cover private industry."

Cowlshaw: "This is only public employees. Alright. Let us assume that this employee is an employee of a Department which normally has business hours from 9 to 5, 5 days a week, or 8:30 to 5, or whatever may be the regular business

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hours. This person takes a day off and now is entitled to make that day up. Do they have to open that whole office on Saturday or Sunday for that person to make up that day?"

Nash: "No, there's language in there that the Department of Central Management was put in to cover that situation."

Cowlshaw: "What does it say?"

Nash: "That it's consistent with the operational needs."

Cowlshaw: "Thank you."

Speaker Greiman: "Further discussion? The Gentleman from St. Clair, Mr. Flinn."

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

Speaker Greiman: "Mr. Flinn moves that the previous question be put. All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The previous question will be put. Mr. Nash to close."

Nash: "I ask for a favorable Roll Call."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 75 voting 'aye', 34 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, State Personnel, appears House Bill 1010. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1010, a Bill for an Act to amend Sections of an Act in relation to the Department of Law Enforcement. Third Reading of the Bill."

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

Matijevich: "Speaker and Ladies and Gentlemen of the House, House Bill 1010 is another Bill promoted by the State Troopers' Lodge of the Fraternal Order of Police. It would provide

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for an independent law enforcement merit board. Presently, although the merit board is not, a division of the Department of Law Enforcement, the organizational structure is such that it is within the influence of the Department of Law Enforcement. And this would create the individual atonomy of the police merit board. The troopers' lodge feels that when a board certifies the appointment and promotion of offices... officers as well as their discipline, removal and demotion and suspension, that that board ought to be independent and feels that the present situation is not such. We have a... appropriation Bill that did pass Committee, and this is the companion Bill. And I would ask for its passage."

Speaker Greiman: "The Gentleman from Lake, moves for the passage of House Bill 1010, and on that is there any discussion? There being none, 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? Mr. Clerk, take the record. On this question, there are 105... 106 voting 'aye', 11 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, State Personnel, appears House Bill 1044, Mr. Flinn. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1044, a Bill for an Act to amend Sections of the Illinois Administrative Procedure Act. Third Reading of the Bill."

Flinn: "Mr. Speaker and Ladies and Gentlemen of the House, Mr. Vinson is the Chief Sponsor, and I'm hyphenated with him. But this is a JCAR Bill, and all it does is remove the 2, 45 day waiting periods for the pay plan to go into affect. The pay plans are already into affect, long before the 90

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days are up. And this just amounts to superfluous language in the statutes, and JCAR is asking the Legislature to remove it. I ask for a favorable vote."

Speaker Greiman: "The Gentleman from St. Clair has moved for the passage of House Bill 1044. Is there any discussion? There being none, 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? Mr. Clerk, take the record. On this question, there are 106...16 (sic - 116) 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On Order of House Bills Third Reading, State Personnel, appears House Bill 1951. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1951, a Bill for an Act to amend Sections of the Personnel Code. Third Reading of the Bill."

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

Stange: "Thank you, Mr. Chairman (sic - Mr. Speaker). By the way, this is not my 90 million dollar, 'build Illinois Bill', by the way. This Bill is a super Bill here. This amends the Personnel Code. Authorize the Department of Central Management Services to develop a good program for alternate employment for employees who are subject to the jurisdiction of the Department who are able to perform alternate employment after work related or nonwork related disability. This Bill should save the state money in many ways. This proposal will not cost the state a single dollar."

Speaker Greiman: "The Gentleman from DuPage has moved for the passage of House Bill 1951, on that is there any discussion? There being none... yes, the Gentleman from

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Madison, Mr. McPike."

McPike: "Will the Sponsor yield?"

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

McPike: "What would happen if the injured person was assigned to a job at a different pay level?"

Stange: "This Bill right now isn't into that yet, we're just working out the program from ground floor. We won't have that information for a little bit. The whole idea is, instead of putting them on unemployment is to make another job for that individual with Central Management Services. It's a rather outstanding Bill, I might add."

McPike: "Well, what's the intent? This is... as I read the Bill, it says, 'for the development operation of a plan for alternate... alternative employment.' So what's the intent here? If someone is on TTD, and is unable to perform their regular job, and they're making \$12 an hour, and the state offers them a job for \$4 an hour, do they have to accept it?"

Stange: "They don't have to accept it. We're going to train the individual for another job at the same pay scale."

McPike: "Oh, at the same pay scale. Fine."

Stange: "That's correct."

McPike: "That's not in the Bill, but that's the intent."

Stange: "That's the intent."

McPike: "Is this for permanent reassignment or temporary reassignment?"

Stange: "For permanent reassignment."

McPike: "Well, supposing they were completely rehabilitated could they... would they have their seniority reserved and would they be returned to their original job?"

Stange: "They would return to their original job, if they so prefer."

McPike: "That's not in the Bill either?"

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Stange: "That's not in the Bill either."

McPike: "This is all legislative intent?"

Stange: "That's correct."

McPike: "This is all legislative intent?"

Stange: "That's correct."

McPike: "I hope this never gets to court."

Stange: "I hope so, too."

McPike: "Is this your first Bill?"

Stange: "Yes, Sir."

McPike: "You're in trouble on this Bill."

Speaker Greiman: "Gentleman from Cook, Mr. Brookins"

Brookins: "Will the Speaker (sic - Sponsor) yield to a question?"

Speaker Greiman: "The Sponsor will yield for a question."

Brookins: "You say that this would put quota on the amount of people that is hired? This will put a quota on the amount of people that are hired or rehired?"

Stange: "Nothing is said about quotas, whatsoever."

Brookins: "No quotas."

Stange: "No. See, the idea, for example, if a state employee was a truck driver and had his leg amputated, instead of being on unemployment, he could get possibly another job instead of going outside and collect unemployment."

Brookins: "Thank you."

Speaker Greiman: "Further discussion? The Gentleman from DuPage, to close."

Stange: "Again, the whole idea of being a State Legislator is the well being of the employees and people of Illinois. If this Bill passes, which I'm sure it will be, it will definitely help the individual and, of course, save money for the State of Illinois. Thank you, Mr. Chairman."

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. Well, have

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all voted who wish? Have all voted who wish? Well, Mr. Clerk... Mr. Clerk, take the... the... take the record. Mr. Clerk, Greiman 'aye'. On this Bill there are 112 voting 'aye', 11 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading - State Personnel, appears House Bill 1952. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1952, a Bill for an Act to amend Sections of the State Employees' Group Insurance Act. Third Reading of the Bill."

Speaker Greiman: "The Lady from Sangamon, Ms. Oblinger."

Oblinger: "Mr. Speaker, may I have permission to take this back to Second for an Amendment?"

Speaker Greiman: "The Lady asks leave of the House to return the Bill to the Order of Second Reading. You have leave and the House... the Bill is returned to the Order of Second Reading. Mr. Clerk, any Amendments?"

Clerk O'Brien: "Amendment #1, offered by Representative Oblinger, amends House Bill 1952..."

Speaker Greiman: "The Lady from Sangamon, Ms. Oblinger, on Amendment #1."

Oblinger: "This Bill has mandated that the insurance funds, except out of the General Revenue and the Road Fund, be paid for by those departments to which it would be charged. This Bill exempts universities and colleges and the reason for it is they had the major part, and we're not working out a compromise that will be offered next year for them which will be over a period of five years. So this Amendment exempts them at this time."

Speaker Greiman: "The Lady from Sangamon moves for the adoption of Amendment #1 to House Bill 1952. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

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Cullerton: "Are you going to be in favor of this Bill after your Amendment is adopted?"

Oblinger: "Yes."

Cullerton: "How does it change the original Bill?"

Oblinger: "Under the original Bill the following departments were to pay for the insurance: Conservation, Insurance, Liquor Control Commission, Public Aid, Revenue, State Board of Education, Department of Transportation, universities and Veterans' Affairs. This Amendment removes the universities."

Cullerton: "I understand what the Amendment does. It takes... It guts... It almost guts the Bill."

Oblinger: "Well, that's what you asked... No, there will be over a million ... almost a million and a half dollars left."

Cullerton: "How much was there originally?"

Oblinger: "Three and a third."

Cullerton: "Oh, so you're just cutting it in half."

Oblinger: "Yes. The universities, Representative Cullerton, have indicated that with the other increases that are coming along and the amount of money they're being allowed that they would feel that they would have to increase tuition or fees in order to help pay for this. So, we have agreed to work with them to do it on a five year period for them."

Cullerton: "So this is half a loaf."

Oblinger: "Yes"

Cullerton: "Okay. Thank you."

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

Clark O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Yes. Ms. Oblinger asks leave

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of the House to waive the provisions of Rule 37(c) so that the Bill may be considered at this time. Does the Lady have leave to use the Attendance Roll Call. Leave is hereby granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1952, a Bill for an Act to amend Sections of the State Employees' Group Insurance Act. Third Reading of the Bill."

Speaker Greiman: "The Lady from Sangamon, Ms. Oblinger."

Oblinger: "Mr. Speaker and Members of the General Assembly, this will give the General Revenue Fund approximately one and a half million dollars that they are now spending on paying the insurance premiums... health insurance premiums which should be paid by the departments to which they are charged. I would ask for an affirmative vote on this Bill."

Speaker Greiman: "The Lady from Sangamon moves for the passage of House Bill 1952. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "I just wanted to correct my last statement. I understand it would be a third of a loaf. I know a half a loaf is better than none. A third of a loaf would be..."

Oblinger: "Is better than none."

Cullerton: "Thank you."

Oblinger: "Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading - State Personnel,

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appears House Bill 1977. Mr. Clerk, read the Bill."

Clark O'Brien: "House Bill 1977, a Bill for an Act to amend Sections of the Personnel Code. Third Reading of the Bill."

Speaker Greiman: "Gentleman from DuPage, Mr. McCracken, on House Bill 1977."

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1977 deletes obsolete language from the Personnel Code. The first affected Section allows exemptions from the Code, either under this or any other Act. The second change it makes is a deletion of obsolete language because unskilled positions are now covered by the Personnel Code. And the last change it makes is to delete obsolete language because of the institution of JCAR and the Illinois Register as the prescribed method for the adoption of rules. I move for its passage."

Speaker Greiman: "The Gentleman from DuPage moves for the passage of House Bill 1977. Is there any discussion? The Gentleman from Bureau, Mr. Mautino."

Mautino: "Will the Gentleman yield?"

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

Mautino: "Representative McCracken, I don't have the Bill right in front of me, but I have a hunch that the provisions that you're recommending in this legislation will probably do... it's a way to circumvent the Personnel Code, is that right, or the eligibility list?"

McCracken: "The eligibility?"

Mautino: "Personnel Code, the eligibility lists that are used for employment by the State of Illinois?"

McCracken: "No."

Mautino: "It's not."

McCracken: "No."

Mautino: "Then what's the reason for taking out the provisions as

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it pertains to..."

McCracken: "To the unskilled worker?"

Mautino: "The second or third item that you mentioned."

McCracken: "Alright. The first thing the Bill does is that it allows exemptions where exemptions already exist, either in this Act or another Act where it's already the law. The second it does is delete obsolete language relative to unskilled position, and the reason that's obsolete is because this language took them out from the protection of the Code and ..."

Mautino: "That was like highway maintaining..."

McCracken: "Right, right. And since '72 or so, they've been under the Code. So that... that makes this exemption obsolete. That's why it's taken out. It does not affect their coverage."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 118 voting 'aye', none voting 'no' and none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading - State Personnel, appears House Bill 2002. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2002, a Bill for an Act in relation to child care services for employees of agencies of the state. Third Reading of the Bill."

Speaker Greiman: "The Lady from LaSalle, Ms. Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, this Bill allows Central Management Services to do a survey of the day care needs of state employees. And if there is a need and a desire, it allows the Department of Central

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Management Services to work with the various state agencies in order to contract for... to meet those needs. At the present time, the Department of Revenue is already establishing a day care facility for state employees on site. The same work is being done for the new... for the employees at the new State of Illinois Building in the City of Chicago. This Bill is permissive only, but it sets up a ... a, I guess you would say a method by which Central Management Services could, in an orderly fashion, assess the needs of all state employees and provide those needs for day care services. There is an Amendment on here put on at the request of Central Management Services and the Governor's Office that would allow for joint ventures. The Bill already provided for state agencies to cooperate in developing their programs. In addition to this, this Bill, as amended, would allow the state to cooperate with private companies to provide for day care services for their employees. I would be happy to answer any questions."

Speaker Greiman: "The Lady from LaSalle has moved for the passage of House Bill 2002. And on that, is there any discussion? The Gentleman from DuPage, Mr. McCracken."

McCracken: "Is there a commission... or not to use a perjorative term, but is there some sort of body created by this Bill that doesn't currently exist?"

Breslin: "No, there is not."

McCracken: "Alright. Who is it who's reporting?"

Breslin: "Who is it that's reporting?"

McCracken: "Who is it that has the reporting responsibility?"

Breslin: "Well, there isn't a reporting responsibility. Central Management Services has the responsibility to do the survey. And state agencies could provide their own survey and then provide it to Central Management Services."

McCracken: "Okay. Is it currently the law that a state agency

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may contract for the child care for its employees or that it is not prohibited from doing so?"

Braslin: "There is no state law, as I... that I know of on the question."

McCracken: "Okay. Now, is there any fiscal impact or any costs associated with this? Is there a companion appropriation Bill?"

Braslin: "There is no companion appropriation. It should be noted that the cost of these day care services is to be... the actual cost is to be provided... to be paid for by the employee. That is not to say that there might not be some cost to State Government, especially if there is a need to put a building into compliance with state law to operate it as a day care facility. There might be some costs like that. For instance, at the Department of Revenue, there is cost of building the facility for a day care center. There is a... There will be a cost for security. There will be a cost for utilities, and that is being provided to the center. But the actual cost of the day care services that the employees are using is being paid for by the employee himself or herself."

McCracken: "Does the Bill envision or specify the locations which are available for this use?"

Braslin: "No, it does not."

McCracken: "And will the Department or Central Management Services make that decision?"

Braslin: "Yes, they are encouraged, as a matter of fact, to see what the needs are. If there are... If there is no need or no desire, there will be no facility."

McCracken: "Okay."

Braslin: "There doesn't have to be a facility under this."

McCracken: "So based upon the fact that we don't know if there's a need, we can't anticipate any physical plant cost."

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Breslin: "No, absolutely not."

McCracken: "Alright. At the Department of Revenue or at the State of Illinois, was some accomodation made for this possibility in its building or in its planning?"

Breslin: "In the... I believe there was in both."

McCracken: "Alright. Can you describe very briefly for us the accomodation made in those buildings?"

Breslin: "The pres... We don't know what the State of Illinois Building is going to be as yet, but we do know that at the Department of Revenue Building, when the original plans were made, there was no accomodation. They decided to take out an open space area that was going to be used for plants, and they decided to use that area for the day care facility. It will accommodate 60 slots, 60 day care slots."

McCracken: "Is there a Code currently in effect which dictates the physical plant requirements?"

Breslin: "There are minimum requirements set out and administered by the Department of Children and Family Services."

McCracken: "Alright. Without getting into too much detail, are they similar to life and safety regulations?"

Breslin: "Yes, as well as a regulation of teacher to pupil ..."

McCracken: "Ratios?"

Breslin: "Ratios, yes. It would be staffed to resident ratios, I guess you'd say."

McCracken: "Alright. Now, has any provision in the Bill been made for the method of payment for the services by the employee? Would it be in the form of a deduction or have we not gotten that far?"

Breslin: "We have not gotten that far. All the Bill says is that the employee must be responsible for paying the actual cost of the services. This will not eliminate Central Management Services from considering things like deduct...

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wage deductions, etcetera. Or one of the things they're very interested in doing is experimenting with what is called cafeteria benefits. In other words, employees might be given a certain benefit amount, and they might get to choose how they want those benefits used. They might choose health insurance. They might choose pension benefits, or they might choose day care. So that's something they can experiment with. The Bill is permissive in that regard."

McCracken: "The Bill is permissive in which regard? Our analysis indicates that CMS shall establish or work in consultation with DCFS to set these up. Is that..."

Breslin: "That's true."

McCracken: "Okay. So that is a requirement."

Breslin: "That is a requirement, but that does not rule out their experimenting with what is called cafeteria benefits. The only requirement is that they have to be sure that the actual cost is actually paid for by the employee. And how they do that is up to them."

McCracken: "Alright. And this gives them the option to either do it themselves or to contract out? I mean, use employees or independent contractors?"

Breslin: "Yes. The expectation is that everything will be contracted out."

McCracken: "Okay."

Breslin: "We don't intend to get into day care providing ourselves."

McCracken: "Okay. Thank you very much."

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

McNamara: "Thank you. Thank you. Will the Sponsor yield for a question?"

Speaker Greiman: "Indicates she will."

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McNamara: "I think most of the... many of the questions were already covered. Just one other. This applies equally to all employees, both male and female, that they would be allowed to have their children avail themselves to these services if they so desire?"

Breslin: "Yes, absolutely."

McNamara: "Thank you."

Speaker Greiman: "Further discussion? Mr. Dunn."

Dunn: "Thank you. Will the Sponsor yield for a question?"

Breslin: "Yes."

Dunn: "Amendment #3 was adopted, I guess, was it not?"

Breslin: "Yes, it was."

Dunn: "And doesn't that say that these facilities shall be primarily used for state employees, but may be used by non-employees as well?"

Breslin: "Yes, it does."

Dunn: "And you do anticipate that there is some state cost for this program, don't you?"

Breslin: "Yes."

Dunn: "If the... all the taxpayers of the State of Illinois are going to pay for some portion of this program, then why are some of the taxpayers of the State of Illinois, specifically state employees, given a preference over privately employed employees?"

Breslin: "The object of the legislation is for State Government to access needs of all state employees since they have already begun this at two facilities in the state. The reason that we put on this Amendment was at the request of the Governor's Office. In the State of Illinois Building, they are looking into the possibility of using vacated space in the old State of Illinois Building for their day care facility for the employees in the new State of Illinois Building. Since there is so much space there,

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they want to explore the possibility of opening up the extra slots to perhaps other agencies that operate in that 160 North LaSalle building or other businesses that surround that area that it might be convenient for. So this is an allowance for public and private joint venture, you might say."

Dunn: "Is there any possibility that day care centers will be operated in the new State of Illinois Building?"

Breslin: "Could you repeat your question, please?"

Dunn: "Is there a possibility that some of these day care centers will be located in the new State of Illinois Building in the City of Chicago?"

Breslin: "It is possible, but that is not what is being advanced right now. I think one of the reasons that they wanted the possibility..."

Dunn: "It is a possibility, you say? I didn't hear you."

Breslin: "They are... It is a possibility, but they are not looking into that right now."

Dunn: "But the program is to use the vacated space in the old State of Illinois Building. Is that correct?"

Breslin: "That's what they are looking to, and they want this joint venture, because they believe that it will lower the cost. You know, what cost there would be to State Government would be lower."

Dunn: "Where else are these centers currently located in the State of Illinois?"

Breslin: "Just the Department of Revenue Building in Springfield."

Dunn: "And are they proposed at every state facility in the State of Illinois, or is there a pecking order of..."

Breslin: "Representative, they aren't proposed anywhere else at the moment. This just provides a system by which Central Management Services, if they want to, this is not mandatory

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- this is if they want to - it provides a system for them to... to survey the needs of the employees and arrive at a mechanism for delivering these day care services."

Dunn: "Mr. Speaker, with all due respect to my colleague who is a fellow downstater, I must approach this legislation from a parochial, downstate point of view. Back home, I am continually asked questions by constituents about the new State of Illinois Building and why it is so luxurious, and why it is so big, and why it is so large, and what did it cost, and why, if times are tough, why are we spending all this money on that instead of something else. Now, if this Bill passes, what I am supposed to do is to go home and tell my downstate people that if they work for the State of Illinois in the Office of Public Aid in Decatur, Illinois, or if they work in Springfield, or Bloomington, or Quincy, or Carbondale, or Murphysboro or wherever they might work for the state, that if they have children who have to be taken care of during the daytime, they will have to take their after tax dollars and find day care centers privately operated and pay the full cost of that day care expense. But if you happen to be fortunate enough to work in the new State of Illinois Building in the City of Chicago, then Central Management Services will operate... will provide for the operation of a day care center which may be privately licensed and contracted but in the old State of Illinois Building with some expense to all the taxpayers of the State of Illinois. So if you work in the Public Aid Office in Decatur, or Springfield, Bloomington, wherever, your tax dollars are going to go to pay some of the costs of day care center for state employees in the City of Chicago, but you can't take advantage of that. And what if you work for a private employer? What if you're right across the street from the old State of Illinois Building

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in the City of Chicago and you have children that need day care? You can get in this Bill says to the vacated State of Illinois Building in the day care program after the state employees. The state employees will be served on a priority basis. If there's any room left, then you can come. But you pay taxes. You pay all the taxes for those people's salary and now you're going to pay part of their day care and you can get at the end of the line, and you can be taken care of if there is any room left. I don't think that's a good way to treat the people who work in all the office buildings in the Loop that surround the old State of Illinois Building that are near the new State of Illinois Building. I don't think it's a good way to treat people who are Republicans in Dupage County. I don't think it's a good way to treat people in Decatur, in Springfield, Champaign and Quincy. We're paying taxes. There's no reason for us to pay for a day care center in the new State of Illinois Building. Those people are fortunate enough to have that glass palace to work in. Why don't they enjoy that and pay for their own day care center or, if we're going to provide day care center, let's provide it to all state employees wherever they work. What about right here in the Capitol Complex? Those of you who work here, do you get day care? No. I suggest a 'no' on this Bill."

Speaker Greiman: "The Gentleman for St. Clair, Mr. Plinn."

Plinn: "Mr. Speaker, I move the previous question. Channel 17 and all."

Speaker Greiman: "Gentleman from St. Clair moves the pre... moves that the previous question be put. Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the previous question will be put. Representative Breslin, to close."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. How

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often have we heard here, 'What's in this Bill for me?' If it's not good for me, if it's not good for Decatur, if it's not good for Ottawa, then I can't vote for it with no further look as to what is appropriate for the common good. Ladies and Gentlemen, in this state, in Illinois, there are 1,000,385 children in families headed by people who work full time, whose children require day care. Those children are not getting quality day care. I'll tell you - when I was discussing this Bill with some staff, I ran across a secretary that works for our offices, a lady you probably know. She said, 'When my children were younger, I was recently divorced and I had to work. My husband walked out on me, and there was no income. I had a three year old and a seven year old. When I couldn't find day care for those children, I took those children home and I locked them in the house. And my seven year old provided care for my three year old.' That's somebody you and I know, and it is happening in our... from people who work for us. It's happening in our communities. It's happening in households all over this state. Employers should be aware of what is happening to their employees and care about it. The need for day care is growing constantly. As employers, we ought to address this issue, and we ought to say providing reasonable day care at an affordable price that is of high quality is good for our employees. It will improve employee morale. It will help us to acquire employees that perhaps would go elsewhere for their employment, maybe at a higher salary. This can make, I think, state employee more attractive to our people, and the object is to bring it to all of our people, not just the people who work for the Department of Revenue and not just the people who work in the new State of Illinois Building. This Bill is supported by Central Management

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Services. It is supported by the Department of Children and Family Services. I would appreciate an 'aye' vote. Thank you."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Ms. Currie, to explain her vote. One minute."

Currie: "Thank you, Mr. Speaker, Members of the House. I think that the last point the Sponsor make... made is the most important one. The first day care center will not be in the State of Illinois Building in Chicago but right here in Springfield in the Department of Revenue Building. The only way we can make day care services available to all our employees, all of our state employees, is to pass House Bill 2002. If we don't pass this Bill now, we'll never be able to take care of Representative Dunn's employees in Decatur, with anybody else's employees in any other part of the state. So if you care about Representative Dunn's state employees in the Decatur area, the only sensible vote is 'yes' on House Bill 2002."

Speaker Greiman: "The Gentleman from Coles, Mr. Weaver, to explain his vote. One minute, Sir."

Weaver: "Thank you, Mr. Speaker. Members of the House, I believe this is a very good idea, but I am very concerned about the problems of sovereign immunity and the State of Illinois contracting and extending its sovereign immunity to contractors who will perform a service for us. And with the increasing consciousness of child abuse these days, I would hate to see the State of Illinois get put into a position where it's authorizing and contracting for a service where there may be some child problems. I vote 'no'."

Speaker Greiman: "The Gentleman from Cook, Mr. Shaw, one minute

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to explain your vote."

Shaw: "Thank you, Mr. Speaker. I thought this was a very good Bill. As a matter of fact, I was glad to see... one of the first things that I did when I came to Springfield is introduce House Resolution #33 which provided for day care on the job site. And I was glad to see the Governor initiate that program right here in Springfield, and I think it's a good program. And I think more people need it in Illinois, and the program should be extended and this Bill should go out of here with a lot of green votes up on that board. Thank you."

Speaker Greiman: "Yes, Mr. Shaw, were you going to vote or... Oh, alright. Yes, the Lady from Kane, Ms. Zwick."

Zwick: "Thank you, Mr. Speaker, Members of the House. I'd simply like to thank everyone who's up there as a 'yes' vote and hope that the private sector will take note of our action today and follow along these lines. This is the future. Thank you."

Speaker Greiman: "Gentleman from Cook, Mr. Bullock, one minute to explain your vote."

Bullock: "Well, Mr. Speaker, I've already voted 'aye'. I just want to say that Representative Breslin's Bill came before our Committee. This Bill passed unanimously. It should have a unanimous number of votes, 118. Representative Breslin and all of the fine Members of this Assembly are concerned about motherhood. They're concerned about children, but more importantly, about those latch-key kids that we hear so much about in the national horror stories. It's a fine Bill. It should be adopted unanimously, but at least it's passing."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 77 voting 'aye', 39 voting 'no', none voting 'present'."

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This Bill, having received a Constitutional Majority, is hereby declared pa... Mr. Huff 'aye'. On this question there are 78 voting 'aye', 39 voting 'no', none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. For what purpose does the Gentleman from Marion, Mr. Friedrich, seek recognition?"

Friedrich: "Mr. Speaker, I would like to ask for a 30 minute recess for the purpose of a Republican Caucus in Room 118 immediately."

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

Giglio: "Mr. Speaker, the Democrats would like to have a Caucus in Room 114 immediately for about a half hour."

Speaker Greiman: "Alright. Ladies and Gentlemen, there has been a request for a Caucus by the Democrats and Republicans. They will be in Room 118 and... 114 and 118 respectively. Now, we have a lot of Bills to go over today. We will be back here at 4:00 sharp and we will begin Floor Session at 4:00 sharp. Please be prompt. Thank you. The House will stand in recess till the hour of 4:00."

Speaker Breslin: "... and Gentlemen, the next Bill to be called on the Order of House Bills Third Reading - State Personnel, on page 37 on the Calendar, is House Bill 2182, Representative Churchill. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2182, a Bill for an Act to amend the law concerning matters relating to the employment of state employees. Third Reading of the Bill."

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker. This Bill is the Central Management Services Cleanup Bill. It does several things. First of all, it deletes provisions relating to the adoption of rules for the Administrative Procedures Act.

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Secondly, it repeals provisions which make persons in good physical condition eligible to hold positions that require good health. Third, it repeals certain obsolete provisions in the Advisory Board statutes. Next, it exempts from civil service the hearing officers in the Human Rights Commission, and it allows for the administration of workers' compensation claims by other agencies where there is an agreement with the Director of the Central Management Services. And it allows the agency to take workers' compensation to a line item; and, if those funds are not completely used, then it allows the transfer of those funds from that line item. I would move for its approval."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2182. And on that question, the Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Sponsor yield for a question, please?"

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

Satterthwaite: "Representative, would you repeat to me what you said about the health of an employee?"

Churchill: "Apparently, in the Bill there were certain provisions that said that people had to meet physical requirements to hold their job. We are repealing those requirements so that a person who might be disabled may have an opportunity to take that position."

Satterthwaite: "So it makes it more feasible for a person with certain handicapping conditions to be employed."

Churchill: "Right. This is a restriction. We are removing the restriction."

Satterthwaite: "Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 2182 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this

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question there are 109 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Greiman in the Chair."

Speaker Greiman: "On the Order of House Bills Third Reading - State Personnel, appears House Bill 2311. Mr. Clerk, read the Bill."

Clark O'Brien: "House Bill 2311, a Bill for an Act to amend Sections of the Civil Administrative Code of Illinois. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Fulton, Mr. Homer, on House Bill 2311."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. House Bill 2311, as amended, addresses a situation that came to our attention... the public attention a year ago when it was revealed that two of our department or agency directors were pursuing full-time graduate curricula. In one case, one cabinet officer was pursuing a law degree; and, in the other case, a cabinet officer was pursuing an MBA degree at the state's expense. The state was reimbursing each of these agency directors for pursuing that type of education. House Bill 2311 would do this. It would set forth some limitations on when and under what circumstances agency directors in the State of Illinois would be entitled to reimbursement for tuition expense. And those would be very simply that reimbursement for tuition expenses would be limited to costs associated with four or fewer semester hours per semester. Secondly, it would require the Governor's advance approval of the enrollment by certification by the Governor that the director's participation in a course or courses would, in fact, benefit his or her agency and the State of Illinois. And finally, there would be a requirement of a submission of

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proof of satisfactory completion of the course by the agency director before reimbursement would take place to avoid a situation where there would be a situation where a director would sign up for a course and not complete that course after the state had paid the tuition. I would invite any questions and, after that, recommend to you this Bill for passage."

Speaker Greiman: "Gentleman from Fulton has moved for the passage of House Bill 2311. Is there any discussion? There being none, 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? Mr. Clerk, take the record. On this question there are 115 'ayes', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading - State Personnel, appears House Bill 2352. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2352, a Bill for an Act to amend and repeal certain Acts relating to the control of travel by state personnel. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Rock Island, Mr. DeJaegher, on House Bill 2352."

DeJaegher: "Thank you, Mr. Chairman, Members of the Assembly. I think all of us became aware of House Bill 2352 when about three months ago the Auditor General stated quite clearly that there were inequities in state travel. That Bill was originally drafted by me; and, after conferences with the Auditor General, the Bill was restructured so that he felt it was a workable Bill. And through the implementation and the workability of that particular Bill, I think that we can have a uniform travel policy throughout the State of Illinois. I stand ready to answer any questions pertaining

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to it. Hopefully you'll be all in the affirmative and vote for it."

Speaker Greiman: "Gentleman from Rock Island moves for the passage of House Bill 2352. On that, is there any discussion? There being none, 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? Mr. Clerk, take the record. On this question there are 113 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 29 of the Calendar, on the Order of House Bills Third Reading - Environmental Protection... Environmental Protection, appears House Bill 33. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 33, a Bill for an Act to restrict smoking in public places and provide penalties for violation thereof. Third Reading of the Bill."

Speaker Greiman: "Excuse me, Mr. Terzich. I'm advised that the previous speaker took a Bill out of the record and agreed to return to that Bill. I will return to your Bill as soon as we have finished with this Bill. I'm sure that that's alright with you. Mr. Terzich."

Terzich: "Was that mandatory?"

Speaker Greiman: "Mandatory indeed. Thank you, Mr. Terzich. Alright. Mr... Mr. Clerk, House Bills Third Reading - Transportation and Motor Vehicles, appears House Bill 900. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 900, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Laurino, on House Bill 900."

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Laurino: "Thank you, Mr. Speaker. House Bill 900 is not new to this Body and, in fact, has been heard many, many times in Committees in the Senate and in the House and... Well, let's just put it into its fundamental terms. This legislation will make it illegal to operate, register or maintain an uninsured vehicle. Every motor vehicle subject to registration in Illinois will be required to carry liability coverage in the minimum amounts of 15,000 or 30,000 dollars for personal injury and 10,000 dollars for property damage. There are approximately one million vehicles uninsured, running around on our highways, today. The reasons for the Bill are quite simple. Currently, it is legal to drive uninsured in the State of Illinois. Responsible vehicle owners are subsidizing the other owners. Nine out of ten, the Illinois residents are for mandatory insurance. Every person applying for registration will have to sign an affirmation that the vehicle being registered is insured and give the Secretary of State the name of the insurance company. Every insurance company, upon receiving a premium payment, will issue an insurance card to the vehicle owner or leasee making the payment. The Secretary of State will have the authority to investigate applications for registration selected at random, approximately one percent, to verify the insurance information. Any police officer who stops a vehicle for another traffic violation may request, and I repeat, another traffic violation, may request to see the driver's insurance card. If the driver cannot furnish the card, he or she may be ticketed. Road blocks are prohibited. The violations are as follows. The first violation is a three month suspension of your driver's license and vehicle registration. You need proof of financial responsibility for the future prior to

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reinstatement. If the violation involves the operation of an uninsured vehicle, the penalty also includes a minimum of a 250 dollar fine. The subsequent violation, if there is one, is the same as the first except that the suspension is for six months and the minimum fine is 500 dollars. It's going to have a sunset clause. The Bill, if passed, will be effective from July 1, 1986 to October 1, 1990 and will be extended only upon enactment of the law... of a new law. I ask for your favorable support, and I'll answer any questions that you have."

Speaker Greiman: "The Gentleman from Cook, Mr. Laurino, moves for the passage of House Bill 800. And on that, is there any discussion? The Gentleman from Macon, Mr. Tate."

Tate: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. And I certainly would like to thank the Sponsor, Bill, for taking an hour to hold this Bill until I could get back. To the Bill. This legislation we all... doesn't take a great deal of drama. We all know... basically, we've all had to address this issue. We... Probably the majority of people in this chamber have made up their mind on how they're going to vote. I'd just like to bring out several different points, and I think all of the Members should consider some of these, what I consider, facts. I think fact one is, whether you agree with or disagree with whether mandatory insurance works or not, the fact of the matter is that the majority... the states that have mandatory insurance today, compared to the states that don't have mandatory insurance today, have experienced higher percentage of increases in insurance premiums than non-mandatory states. That's a fact. The second fact is... is that by the admission of the Sponsor and the proponents of this legislation, that most people will acknowledge the fact that this will not totally resolve or

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eliminate the uninsured motorist problem in this state. In fact, just a few years ago, when Secretary Cosentino proposed a measure that was substantially more dollars, by their own admission, the Secretary admitted that it would, in fact, be... even with spending 16 million dollars, it would, in fact, only reduce uninsured motorists by 50 percent at best in this state. Now I'm not sure exactly where we come up with the statistics of how many uninsured motorists we have, because, really, when you take a look at what we've done and what the data that the proponents of this legislation have ... have proposed is they'll look at the number of registrations in this state. Then they'll look at the number of insured by the Department of Insurance, but they do not, in fact,... statistics that generally would, by any means, reflect the number of uninsured motorists that we have in this state. We really don't know how many uninsured motorists we have. I'd just like to relate one personal experience that... that I have had myself. I've been hit by an uninsured motorist. I was hit in the year of 1981 or 19... 1981 I was hit by an uninsured motorist. That uninsured motorist did not have a driver's license. That uninsured motorist would not be affected by this legislation. So if we're going to be honest with ourselves and with the public on this issue, we should tell the public that we will, in fact, create some higher premium rates in this state. We will raise premiums to a certain degree. Nobody... I don't think anybody will disagree with that. And we also... if we're going to be honest with those people that we represent, we're going to have to tell them that we're going to have to spend some additional tax dollars on this program to implement this program. We're going to have to divert some of those tax dollars from other areas, whether it be education, whether

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it be public aid, whether it be transportation, but we're going to have to spend tax dollars for a program that won't eliminate the problem. The problem won't go away. It won't be eliminated. I'd like to close by just saying one last thing. In the past four years, if we put this legislation into effect, when July 2 comes around, if you want to jump in your car and you want to give a law enforcement officer in this state something to pull you over with, now what we can do is not only can we check our seatbelts to see whether you have your seatbelts on - if you have your child in your car, you can find out whether you have your child restraint buckled up. If you don't have, we can make sure that you walk the straight line so you don't have to... to make sure you're not drunk so we don't have DUI's. And now we're going to have a mandatory insurance car. So, by the time you get all done, folks, if we haven't given that law enforcement officer enough things to do, I'm sure we're going to have at least five different things that we can check with now to make sure that those law enforcement officers have an opportunity to make sure our citizens of this state are driving safely, they're driving insured. We're going to give them plenty of opportunities to harass our citizens. And if that's what you want to do, I think we should vote for this Bill."

Speaker Greiman: "Further discussion? The Lady from Cook, Ms. Parcells."

Parcells: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Bill. I sit on the Insurance Committee, and I listened to all the pros and cons on this legislation with an open mind. I discovered it's a great idea and very popular at home, but it won't work. It hasn't worked well in any state that has passed similar legislation, and it won't work here. Proponents

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say that they don't want to pay twice; once for their own insurance and once for the uninsured and underinsured motorist. Yet, I noted that the Bill states that we must continue to pay the uninsured and underinsured motorist which tells me that we already know the law won't work. With the Bill, we will pay not only these two insurances, but also an increase in insurance premium, which we know will come, and also increased taxes to make an ineffective attempt to enforce this new law. Because I wasn't sure about the increases in rates, I asked the Legislative Research Unit to do a study, and if any of you have seen their studies, they do a wonderful job. I won't bore you with all the details, but I read every word of it and became more convinced. One of the studies that they studied was in six states that have enacted compulsory insurance. Those six states were compared with states that did not enact compulsory insurance. All six compulsory insurance law states had higher insurance rate increases than the increase in the comparable states without compulsory insurance for the same time period. We have no solid facts as to how many uninsured motorists are on the road in Illinois, but we do have solid facts from the Secretary of State news release of March 18th that proved that less than one percent of the registered automobiles in Illinois have accidents involving uninsured motorists. And many of these are paid out of pocket by enforcing a very good law we already have on the books called financial responsibility. Lastly, it became apparent to me, after hearing all of the testimony and doing all of the reading, that the law would be impossible to enforce. We could spend millions of dollars every year and we still can't ensure that drivers won't drop their insurance after obtaining their registration, and there are always those

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who will play Russian Roulette, hoping they won't get caught and drivers from other states who don't have to carry insurance by law in their state. This law would just be one more government intrusion into the lives of your constituents. And, furthermore, it will cost them dearly in both premiums and taxes. I urge your 'no' vote."

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

Cullerton: "Yes, I just wanted to personally thank Representative Laurino for taking this out of the record before so that we would have the opportunity to hear from Representative Tate. I think he really added a lot to the discussion on this Bill"

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn"

Flinn: "Thank you, Mr. Speaker. I move the previous question."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn, has moved that the previous question be put. All those in favor of the previous question being put say 'aye', those opposed 'no'. All in favor of the previous question being put vote 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the Roll. On this question there are 62 voting 'aye', 50 voting 'no', 2 voting 'present' and the Motion fails. Alright. The Gentleman from Cook, Mr. Rice."

Rice: "Mr. Speaker, to the people in this... to my colleagues here in the General Assembly, I've been talking about the mandatory insurance situation for the last six or seven months. It is certainly a realist situation that folks that drive automobiles need insurance. But on the other side, there's people... too many people, poor people, that are unemployed. And usually in unemployed neighborhoods the policeman have a tendency to harass folks at any juncture. We certainly, by voting for the mandatory

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insurance, are opening the door for a police state to stop and shake down any and everybody for any reason whatsoever. If the financial responsibility insurance has not worked in this state since 1940 something or so, how do we feel... how do you think, at this point, folks that are unemployed are going to respond again? Before they changed their names, changed digits in their Social Security numbers and go back and get a new license. So I certainly feel that by voting for mandatory insurance at this particular time is not the right thing to do, and I urge everybody in this Assembly to vote 'no'."

Speaker Greiman: "The Gentleman from Will, Mr. Regan."

Regan: "Mr. Speaker and Members of the House, the Sponsor leave for a question, please?"

Speaker Greiman: "Indicates he will."

Regan: "Mr. Laurino, can you explain to me and the Members of this House, and by the way, too, I want to thank you very much for your courtesy in waiting for Mr. Tate to get over his little problem. But can you explain to the Members of the House why all the insurance people in this room, as well as hundreds of thousands of others across the United States, who are close to this issue, been familiar with the issue, stand opposed to this issue?"

Laurino: "No, can you?"

Regan: "Yes, as a matter of fact, I can. To the Bill. There seems to be an understanding that if this Bill is passed, you no longer will have to pay any premiums for uninsured motorists, that everyone will run out and pay their premiums and get their little green card and be excellent little gentlemen. I'm telling you that that is proof positive in other states that that does not exist. I have in my hand a chart of five states across the United States similar to our state, except for New Mexico and Arizona,

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which to show fairness are put into this chart. It shows on the chart, and if you'll look at this chart you'll see a peak that represents a period of three months. The law was changed here at the bottom. The insurance was purchased by a one month finance agreement or at the most a quarterly premium. Three months later, we're not talking one year later or two years later, three months later there was only one state that had a four percent improvement and that was New Mexico. Arizona has a two percent improvement and the rest of the states had absolutely no improvement in uninsured motorists. So I would like to warn you very carefully that the reason I stand opposed to this Bill is not because of my associations with large insurance companies. You don't understand that insurancemen find large insurance companies their enemy many, many times. They raise the rates. That makes us harder to make a living. They cut commissions that makes us harder to make a living. Sometimes claims get screwed up. We stand between the insurance companies and the small people in the public of Illinois. We're the buffer zone between the big insurance corporations and the public. We fight with big corporations all the time. There is not one reason why we shouldn't be against this, except for the fact it won't work. If it does work, we all stand to make a lot more money. We get paid on commissions, a percentage of our premiums. First of all, the premium is going to go up so we'll probably make out on it anyway. If this Bill passes, we're going to make more money, but we're also going to have to stand in line, hire more people as the line grows and three months later lay the people off because they're going to lapse all their coverage. I've had situations for many, many years when it was voluntary to buy insurance and you still have a tremendous problem with collections in

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your office. This is mandatory purchase of the coverage. You're going to have a heck of a lot more trouble collecting the money and keeping the policies in force. To close, increase your uninsured motorists protection, please. Raise it up to 100 and 300,000 and keep it in force. Because if this Bill passes or it doesn't pass, you're still going to need uninsured motorist protection because there will be drivers on the street the same as there are now without coverage to protect you. Thank you."

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

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

Speaker Greiman: "Indicates he will."

Pedersen: "Representative, in testimony in Committee and other places, you have... you have indicated that you feel that uninsured motorist coverage is not... does not do the job. I think most of us who are close to the situation feel that it is a solution for the responsible driver. We even have uninsured motorist property damage now that's available. Now you have expressed a concern about the coverage under uninsured motorists as it applies to pedestrians and the fact that, you know, that they're kind of out there without any help. Would you clarify just what you mean by that? I know you've mentioned senior citizens, and children, that kind of thing."

Laurino: "Well, let me say this, Representative Pedersen, uninsured motorist coverage is adequate when you talk about responsible drivers. We've got a million irresponsible drivers on the road. And let me also indicate that pedestrians, children, old folks that don't have drivers' licenses or whatever, don't operate a vehicle, they're not covered under uninsured motorists. And I'm certain that there's a lot of those people that are not covered that would like to be covered. And if we just deal with

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responsible people, I wouldn't be too concerned. But I know that there is a lot of people out there, irresponsible driving on our highways that should be brought to bear under our laws. Let me also point out this. There is no law that's perfect. If you can show me a law that's perfect, I'll take you to dinner, but I'm telling you right now there's no law that's perfect. And I'm not saying that this law is perfect. All I'm saying is we've got to cut down on this horrendous problem that we've got in the State of Illinois. And if there's 33 states that it's good enough for, it should be good enough for Illinois."

Pedersen: "Thank you, Mr. Representative. Do you believe that this loophole that you're talking about is a significant one?"

Laurino: "I don't think it's a loophole. If you want to call your grandchildren or your children loopholes, that's up to you. But I'm telling you that these people need protection just like everyone else."

Pedersen: "Well, uninsured motorist covers all members of the household, including injuries incurred if you're... if you're in a car or injuries incurred as a pedestrian which includes injuries resulting from hit and run drivers. Now, wouldn't you agree that most senior citizens either own a car or live in a household who own a car and have uninsured motorist coverage?"

Laurino: "I don't know many kids that are under 16 years old or 18 years old that have a driver's license. And there's a lot of senior citizens out there that are over 70 that don't have a driver's license. They're not covered under insured motorist."

Pedersen: "Well, all I'm saying is that all you have to be to be covered - you don't have to have a driver's license. All you have to do is live in a household that has a car that

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carries insurance and has uninsured motorist insurance."

Laurino: "It would be a lot simpler if we had everybody carrying insurance."

Pedersen: "Now the young children. In addition to the uninsured motorist, if you have young children or seniors who don't live in those kind of households, I mean there is such a thing as personal medical insurance, group insurance that the children can have a safety net from. Senior citizens are covered under Medicare. They often have the supplemental insurance that we hear about in Committee. And if you're really poor, if you're a poor child from a really poor family, they're covered under Medicaide. So I guess my contention is that uninsured motorists really provides a net that's very worthwhile. I have another question. You mentioned sunset. We have 32 states that have been fooling around with this legislation for... many of them for several years. Has there ever been a state that gave up on it and just got rid of it?"

Laurino: "That shows you what kind of a good law it really would be if we pass it in Illinois."

Pedersen: "Now out of the 32 states that have compulsory insurance, 24 have combined it with no-fault. Why haven't you considered no-fault?"

Laurino: "Because it's twice as costly."

Pedersen: "Well, I think you're really in error on that. Would... You'd certainly eliminate a lot of opposition from the insurance industry if you had it. You're not a lawyer, are you?"

Laurino: "No. Not an insurance agent, either."

Pedersen: "To the question, Mr. Speaker. Everyone agrees that Illinois drivers should carry insurance or at least be financially responsible. That's what all those surveys of yours really tell us. Question is, can more government

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solve the problem? This legislation is a major governmental initiative into the private sector. House Bill 800 is the perennial illustration of the fact that there's nothing in the world quite as persistent as the faith of Legislators in doing good to their constituents by passing another law. Those of us who have been privileged to be allowed to participate in Committee hearings on this legislation can't escape the conclusion that by any objective standard its passage would be a serious mistake. I'm not sure how objective the standards used in Committee were; but, if you were there, I submit that even those who voted for passage had to have at least some doubts about its merits. Now we could analyze all the flaws of this particular legislation, like how impossible it would be to have that little white card when you need it. Well we'll refrain because we know, if passed and becomes law, we'll be tinkering with it forever as the other states have done. This Bill gives us nothing we don't already have except dramatically higher premiums, lots of additional patronage jobs and hidden costs of unworkable legislation in time, red tape, government expense and..."

Speaker Greiman: "Bring your remarks to a close, Sir."

Pedersen: "... and inconvenience for the public at large for thousands of small businessmen, agents and the insurance companies."

Speaker Greiman: "The Lady... Proceed."

Pedersen: "Uninsured... My ten minutes aren't up."

Speaker Greiman: "Proceed, Sir. You are getting close to the ten minute time."

Pedersen: "Uninsured motorist coverage at nominal cost provides a safety net for the responsible driver. The real solution to the problem is to enforce the legislation already on the books, much as we have with drunken driving. Use the same

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fear of the loss of a driver's license that works so well with DUI. The size of the job is not that different from DUI and the cost compared to mandatory insurance is negligible. In closing I'd like to quote Nobel Laureate Milton Friedman on government solutions to problems. 'The experience of recent years, slowing growth and declining productivity, raises a doubt whether private ingenuity can continue to overcome the deadening effect of government control if we continue to grant even more power to government to authorize a new class of civil servants to spend ever larger fractions of our income supposedly on our behalf. Fortunately, the tide is turning. The United States and Great Britain, the countries of western Europe and many other countries around the world there's a growing recognition of the dangers of big government growing dissatisfaction with the policies that have been followed. This shift is being reflected not only in opinion, but also in the political sphere. It is becoming politically profitable for our Representatives to sing a different tune and perhaps even act differently.' End of quote. I'm surprised, therefore, that here in Illinois those who are normally skeptical about government bureaucracy solving problems are not more weary about trying to solve this very complex problem when so many other states haven't made it work. I urge a 'no' vote on House Bill 900."

Speaker Greiman: "Gentleman from Cook, Mr. Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. All of us would like to have everybody with car insurance and all of us want to obey the law. But you have to remember that the senior citizens of Illinois who are on fixed budgets and our low income citizens who will have to make a decision of whether of putting bread and butter on the table or deciding whether they're going to pay for

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insurance premiums, I think it's obvious what answer that many of them will be forced to make and that will be to break the law. In addition, I've been told that the surveys that have been put out have indicated that 20 to 30 percent of an increase is okay. Well, I wonder if these people that I've been talking about would say it's okay. In addition, mandatory car insurance is going to be expensive. It's estimated that right now in New York State that it's costing ten million dollars to administrate. I happen to be a member of the Illinois Life Underwriters, and I know that my professional association is against this. It would be to our advantage to be for it, because many of those underwriters sell it. I also know that the 'Big I Association' is also against this insurance program. I would like to quote from a traffic study update dated January of 1984, put out by the Illinois Department of Transportation. And it quotes, 'It is clear that compulsory insurance requirements have failed, have failed, in their attempt to force all motorists to buy liability insurance. Most states with compulsory statutes require insurance companies doing business in that state to offer uninsured motorist coverage.' Unquote. I say mandatory car insurance doesn't work. This Bill will not accomplish what we want us to do. And the citizens that have asked us to make correct decisions for us, I think, on behalf of them, I ask you to vote 'no' on this legislation."

Speaker Greiman: "The Gentleman from Madison, Mr. Wolf."

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

Speaker Greiman: "Gentleman from Madison moves the previous question be put. Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the previous question be put. Representative Laurino, to close."

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Laurino: "Let me start out by... my closing statement by indicating that it is not an inherent right to operate a vehicle. It's a privilege. That privilege is accompanied or should be accompanied with responsibility. Responsible people on our highways are what is needed, not irresponsible people, not people that don't care. If they don't care about themselves, how can they possibly care about you or what injuries they can inflict upon you? Let me say also that the consumer, the responsible buyer of insurance - it's sort of a double burden. He has the burden of paying for insurance; and, when he is involved in an accident with an uninsured motorist, he also pays for that sort of insurance. It's caused a great deal of frustration out there among the majority of the motoring public. To have approximately 50 percent of the people in the State of Illinois on our highways not covered with automobile insurance, and I mean the minimum liability coverage, is a tragedy. We've got 33 states that have already enacted this law. I think it's about time Illinois does something probably ahead of those 33 states. I think it's the greatest thing in the nation. I would like, and I think we have developed the most cost-effective Bill in all of the 33 states. As I said before, it doesn't help... it doesn't need a large bureaucracy. And, indeed, the ability of the Secretary of State to do random sampling on a number of motorists will add an incentive that you don't have under the liability system when you are caught after an accident. At some time, sanctions such as the loss of license and the loss of registration should prove to be a positive effect in terms of encouraging people to buy insurance and that we think and want to encourage. Last, but not least, the workload on the insurance industries is relatively small. Many right now send out a proof of

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insurance to their policy holders. You and I all receive identification cards. So it's... that shouldn't even be an argument against this legislation. And that's basically what's going to be required of the industry anyway. People are always speculative as to what is required from the industry. Will it increase or decrease the rates? Well, I don't think there's a clear-cut answer on that, because insurance rates hardly ever go down basically because of inflation. If you're for the Bill, you don't believe they're going to go up. And if you're against the Bill, you think they're going to go... you think they're going to go up. That's the only rationale that basically I've heard in the 15 years I've introduced this legislation. The fact of the matter is that the number of accidents will probably not increase because people have insurance. I mean, they're just not going to go out and have an accident because they have got automobile insurance. And right now, when there is an accident between an insured motorist and an uninsured motorist, the insurance industry is taking care of the accident. Indeed, the uninsured motorist that you can say is only 40 dollars is actually paid by the majority of the population that have insurance. The cost of the new insurance is actually being borne by the policy holder, the driver. Although the driver may need to have a larger action in case, the cost to the general consumer public should not increase, because, indeed, there is going to be more money in the insurance pool that is going to pay for it. So insurance rates aren't going to be judged by the increased accidents, because there shouldn't be any and there should be more money in the pool. Insurance of the overall pool with insurance coverage, the accident rate should not go up if the claims payments go up. There should be not an increase for the general public in terms

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of rates with mandatory auto insurance. I think it's a necessary, essential Bill and I think Illinois should be on the band wagon right now. I urge your adoption and ask you for an 'aye' vote."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All in favor vote 'aye', those opposed vote 'no'. Voting is now open, and this is final action. To explain her vote, the Lady from DuPage, Ms. Cowlishaw."

Cowlishaw: "Thank you, Mr. Speaker. In explaining my vote, I would like to address the issue of the popularity of mandatory auto insurance. It sounds good and most of our citizens have looked at it very casually. In meetings with my own constituents in my own district, however, when the matter has been discussed at length, the very people who supported it have become its opponents. In that regard, Mr. Speaker and Ladies and Gentlemen of the House, I would like to remind you of a statement by Edmund Burke that applies to us all. He said, 'Your Representative owes you not his judgement, not his industry only, but his judgement, and he betrays rather than serves you if he sacrifices that to your opinion'. Thank you."

Speaker Greiman: "One minute to explain your vote, the Gentleman from Cook, Mr. Shaw."

Shaw: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, as I've said many times, everytime this Bill has come up, I think it's a bad Bill, and I think right now we don't know what this Bill will cost the State of Illinois, the people of the State of Illinois to enforce. No one has given us a cost on that... how much it's going to cost. And I think that's important. We're talking about cutting education and cutting various senior citizen programs, but here we're going into a program where that we could be spending five million dollars, ten million dollars to initiate a program

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that's going to ultimately cost the taxpayers some additional money. I think that we should look at this program and we should think about this program before we vote a green vote up there on that board. We should think about the senior citizens who live in our district - how much it's going to cost them, because the insurance companies have told you that the price of insurance is going to go up. But, yet, you insist... some of you insist that you're going to force this upon the people of this state. I think it's wrong. I think the people of this state is going to look at you and going to be watching how you vote down here, and you're going to have to account for it when you go out there talking about what you have done for the people of Illinois. You've robbed them if you pass this Bill."

Speaker Greiman: "Gentleman from Cook, Mr. Panayotovich, one minute to explain your vote."

Panayotovich: "Thank you, Mr. Speaker. With nine out of ten Illinois residents in favor of this, this board should show that, and I rise in support of this. Also, with the procedures in line with the Secretary of State, the insurance companies, the enforcement, the police, the penalties and also the sunset clause, I think that this should see very, very many more green votes, and I urge a green vote up there."

Speaker Greiman: "The Gentleman from Cook, Mr. Young, one minute to explain your vote."

Young: "To explain my vote, Ladies and Gentlemen, this Bill will have an absolutely devastating effect on all the poor people of the State of Illinois. Not only will it have a devastating effect, we're going to create a whole new class of criminals, because the remedy in this Section is to make driving without insurance a Class A misdemeanor. Now for

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those of you with poor people in the districts, poor people are not going to be able to afford insurance and they're still going to drive. You are not going to prevent them from servicing their daily needs. I urge the people please consider poor people in your district, people who cannot afford insurance, people who the insurance companies will not serve. And I urge these green votes to reconsider. This Bill will not help anyone. It will not lower rates. It will cost more people to be insured by second rate companies. So, in effect, a lot of people will be better off with uninsured motorists than with the second rate companies that will prey on poor people who do afford insurance and those who cannot we're going to make criminals out of people who are trying to meet their daily needs. I urge a 'no' vote."

Speaker Greiman: "Gentleman from Cook, Mr. Bullock, one minute to explain your vote."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It is utter and sheer folly to perpetuate a welfare system or to perpetuate the myth that those who are from lower socio economic groups do not deserve protection and cannot be brought into full first-class citizenship. It is utter folly to drive a car uninsured. It's irresponsible. Those who drive automobiles assume responsibility. The fact of the matter is if you drive a car, you should be insured. If you can't afford the insurance, then you'll find other modes of transportation, public transportation. Let's not perpetuate a myth saying that through some neglect that people from lower economic class deserve to be excluded from full responsibility. It deserves an 'aye' vote. It's folly to think otherwise."

Speaker Greiman: "Gentleman from Cook, Mr. Brookins, one minute to explain your vote."

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Brookins: "Mr. Speaker and Ladies and Gentlemen of this Assembly, I'm from a district where the people can well afford insurance and drive some of the finest cars in the City of Chicago. But let me say to you that though it sounds good, though it sounds like they are going to have insured motorists, let me tell you that the cost of insuring cars in this area will be prohibited. Let me tell you that businesses will be driven from this area because of the economical situation and the high price of insurance that will prevail in the City of Chicago and the south side of Chicago. This Bill will take bread and jobs out of the community. I oppose this Bill."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp, one minute to explain your vote."

Ropp: "Thank you, Mr. Speaker and Members of the House. I come from an area that has more insurance companies than any other district in the state, and this is never an easy vote. But when I know and get out and talk with people and find out that some 85 to 90 percent of the people are in support of this kind of legislation, I think it deserves a 'yes' vote. We're down here to represent those people and, if continue to oppose their wishes, then those of you may not be here after awhile. So I think it's extremely important that on this issue, even though it has a sunset provision and we can take another look at it in a few years, we ought to vote 'yes' now because this is the wish of the land of the people that I represent."

Speaker Greiman: "Excuse me. Mr. Shaw, you spoke.. you have already explained your vote. For what purpose do you seek recognition?"

Shaw: "Yes, Mr. Speaker, in case this gets the requisite number of votes, I'd like a verification."

Speaker Greiman: "Alright, Sir. The Gentleman from Cook, Mr.

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Turner."

Turner: "Thank you, Mr..."

Speaker Greiman: "One minute to explain your vote."

Turner: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I know it's hard to turn back numbers, but I'd just like to leave you with this thought; and that is, in the State of California, where they set up mandatory automobile insurance, they have financial institutions which help people pay for this premium up front. And the interest rate that people are paying there is 25 percent and greater. And I think that this is an insult to people to have them finance their insurance this way. This also allows big brother Jim Edgar to... continually to harrass people. Now big brother Jim can stop and check you for your seatbelt. He can check to see if your child is in a car seat. He can stop to see if you've been drinking. He can stop to check to see if you've got driver's license. He can stop to see if you've got tinted glasses. And now we're going to tell him he can pull us over for uninsured... for insurance purposes. I think that this is an insult to the public. And the ten million dollars we're spending to finance to try to enforce this could be better spent if we spent the ten million on job programs whereby if people were working they could then buy their insurance."

Speaker Greiman: "The Gentleman, Mr. Washington, one minute to explain your vote."

Washington: "Mr. Speaker, Members of the House, to explain my vote, I'm voting the way I am and why, because that this is not a question of irresponsibility. This is a ... the question is the question of equitability in this state and whether or not we are going to have an equitable line of charge for insurance throughout this state or are we going to have a certain charge of insurance in one part of this

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state as opposed to the other. I requested some rates myself. And I found that in Cook County, my rates for my car a year will be close to 2000 dollars a year. But right down here in this county, it was less than 2000, roughly about six or seven... seven hundred dollars a year. So I think it's a question of are we going to be equitable in our efforts in this state and in this Legislature. And if we fail to do that, we will again fail our responsibilities as Legislators down here in a legislative Body to work for the people of this state."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 68 voting 'aye', 45 voting 'no', 4 voting 'present'. Mr. Shaw, do you wish to persist? And this Bill, having received the Constitutional Majority, is hereby declared passed. Alright. Returning on page 29 of the Calendar, on the Order of House Bills Third Reading - Environmental Protection, appears House Bill 33. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 33, a Bill for an Act concerning restrictions of smoking in public places. Third Reading of the Bill."

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

Terzich: "Yes, Mr. Speaker, I'm going to clean the air on this Bill and what I would like to do is leave to bring this Bill back to Second Reading for a minor Amendment."

Speaker Greiman: "Gentleman from Cook, Mr. Terzich, asks leave of the House to return the Bill to the Order of Second Reading. Mr. Terzich has leave of the House to return it. Mr. Clerk, any Amendments?"

Clerk Leone: "Floor Amendment #3, Terzich - Piel, amends..."

Speaker Greiman: "Gentleman from Cook, Mr. Terzich, on Amendment #3."

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Terzich: "Amendment #3, Mr. Speaker, simply provides that retail liquor establishments whose primary business is sale of alcoholic liquor would be excluded from a smoking area. I would move for its adoption."

Speaker Greiman: "Gentleman from Cook, Mr. Terzich, moves for the adoption of Amendment 3 to House Bill 33. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clark Leone: "Floor Amendment #4, Hawkinson, amends House Bill 33 as amended."

Speaker Greiman: "Gentleman from Knox, Mr. Hawkinson, on Floor Amendment #4."

Hawkinson: "Thank you, Mr. Speaker. I'd like to ask leave to withdraw Amendment #4."

Speaker Greiman: "Amendment #4 is withdrawn. Further Amendment?"

Clark Leone: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Cook, Mr. Terzich, asks leave of the House to waive Rule 37(c) so that this Bill may be immediately considered. Does the Gentleman have leave to use the Attendance Roll Call? Leave is hereby granted. Mr. Clerk, read the Bill."

Clark Leone: "House Bill 33, a Bill for an Act concerning restrictions of smoking in public places. Third Reading of the Bill."

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

Terzich: "Thank you. Mr. Speaker, Members of the House, House Bill 33, commonly referred to as the Illinois Clean Indoor Air Act, is a reasonable proposal whose time has come. Please be assured that House Bill 33 does not prevent anyone from smoking but requires certain easily adopted

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measures such as dividing restaurants dining areas, meeting rooms, working areas with the objective of protecting the non-smoker. House Bill 33 and its Sponsors and Cosponsors recognize that smoking is a complex behavioral issue that will not be eliminated by prohibition, nor is that our desire. Our main objective is to protect those who do not smoke from discomfort, as well as the serious side effects of side-stream smoking. In other words, House Bill 33 gently protects non-smokers from being plagued by the sixty carcinogens found in the side-stream smoking which ironically has three times as much benzoapyrene and five times as much carbon monoxide as the smoke inhaled by smokers. Many opponents will attempt to use the smokescreen that this Bill cannot be enforced or will be too costly. I believe that this law can be enforced. This belief is based on reports from states having the type of statute now. For example, I have adopted the Minnesota statute as a model and the authorities there proudly report a high level of compliance. This statute would also be enforceable because all sections of the public believe it is a good idea. For example, in 1983, the U.S. government survey reveals that these encouraging facts, that 64 percent of smokers preferred designated smoking areas in the workplace and 74 percent of the smokers preferred designated smoking areas in restaurants. I believe that this consensus of opinion will make House Bill 33 enforceable. And as much as any law can be, this kind of law is self-enforcing by directing and reinforcing the common courtesy. Sadly, we cannot rely on courtesy to protect anyone's rights, and House Bill 33 will provide a quiet reinforcement of those rights without the burden falling on individuals who can be intimidated or uncomfortable with the prospect of confrontation. It also

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protects those who cannot express their desires. The second reason I believe the Bill will be enforceable is that it promotes capitalism and bolsters the profit motive which underlies our great economy system. When our business leaders realize that the economic impact on smoking in the workplace, they will embrace this Bill, especially as the effects of side-stream smoking become more well known. The potential dollar saving to the U.S. industry if smoking were eliminated just in terms of lung cancer is estimated at 551 million dollars and smokers cost the employer an additional 4000 dollars a year in absenteeism, ... use and loss of productivity. Now how do these fantastic figures compare to the cost of enforcing this type of legislation? In Minnesota, the average yearly cost is 4600 dollars, and our own Department of Public Health estimates the cost of 34,000 dollars and this, by any standard, is a good deal. Designated areas exist and have for decades in the workplace. This longstanding tradition is built upon by House Bill 33 with the slight twist that it is primarily human orientated (sic - oriented) and not to prevent damage to property. Designated smoking areas in House Bill 33 is in line with the cutting edge of the high tech industries whose sophisticated machinery cannot function properly when exposed to smoke. Not only is House Bill 33 in conformity with the modern industry, but it is based on a longstanding belief in the value of the human. It places humans not only on the same level as machines, but grants them the right to exercise freedom of choice in determining their working environment. To repeat, the basic premise of the law is that it should not be confronted with the health hazard of tobacco unless they reasonably choose to do so. We, as Legislators, pay a great deal of attention to the

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threats aimed at the public, especially in regard to those who protect themselves. We've passed legislation mandating seatbelts. We support the concept of workers to know the potential danger of hazardous materials. Local entities require smoke alarms. We have faced reality in these areas of concern and acted in what I believe is a reasonable manner. I eagerly look forward to the debate on the Bill and the questions it will stimulate. Once again, I would like to reiterate that House Bill 33 is a fair Bill for smokers, 70 percent who support this concept as well as non-smokers. I urge your support of this Bill and make Illinois the 34th state in our country with a good Clean Indoor Air Act. As we build Illinois and repair wobbly infrastructures, let us try to the best of our abilities to create an environment for our citizens which will not only lower the rates of health problems, but attract industry and promote a standard of life which Illinoisians are entitled. I solicit your support of House Bill 33."

Speaker Greiman: "Gentleman from Cook, Mr. Terzich, has moved for the passage of House Bill 33. And on that, is there any discussion? Representative Breslin, in the Chair."

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

Vinson: "Thank you, Madam Speaker. On a point of parliamentary inquiry, under Article VII, Section 6(g) of the Illinois Constitution, legislation which merely denies or limits the powers of home rule units is valid only if enacted by a three-fifths vote. Under Section 6(h) of the ... where the legislation actually exercises a power on behalf of the state, only an ordinary majority vote is required, even though the effect of the legislation is to restrict local action. Under 6(i), if such legislation does not express exclusivity, home rule units retain the power to act

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concurrently, subject to limitations provided by the law. House Bill 33 originally provided for exclusive state power and would have required only an ordinary Constitutional Majority for passage. The original Bill also precluded concurrent home rule authority. Had the conclusion... Had the preclusion not been included in the language of the Bill, concurrent home rule authority would likely have been permitted. It should be noted that such concurrent authority could not have been inconsistent with the substantive requirements of House Bill 33. Ironically, the result seems to have been what is intended by Committee Amendment #1. However, the language of that Amendment expressly restricts and limits the power of home rule units. As a result, this expressed restriction should bring the legislation within the scope of Section 6 (g) which requires a three-fifths vote for passage. Madam Speaker, my inquiry is, how many votes does this Bill require for passage by the General Assembly?"

Speaker Breslin: "This Bill requires 60 votes for passage."

Vinson: "Madam Speaker, I would ask for leave to be joined by the appropriate number of people in order to file in the record a written dissent from that ruling."

Speaker Breslin: "You may have leave."

Vinson: "Thank you."

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

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. A lot has been said about this Bill in recent weeks. You've been lobbied by one group or another. But I just thought I would bring up... I tried bringing it up a little bit ago, you know, when it was on the Amendment stage, some things about the Bill. And I'd like to compare this as being modeled after the Minnesota Clean Air Act, the figures for the cost of implementation, just to give

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you some ideas. This is not the first time this Bill has come before the House of Representatives here in Illinois. But in 1980, the Department of Public Health stated that the Bill, to enforce, would cost in excess of four million dollars. 1981, the Department of Public Health changed their attitude, thought it was going to cost only 190,000 dollars per year for a minimum of three years. Must not have been introduced in '82 or '83, because the next one I have is 1984. The figure rose, 242,200 dollars to implement this. Now the great wisdom of the Department of Public Health comes out and says it's going to cost only 34,000 dollars. It's gone from four million down to 34,000 dollars. Maybe we wait another year or two it will be... we'll be making money on the deal. But I'm sitting here trying to figure out why it's only going to cost 34,895 dollars. Well, it's very simple. If you were to read the fiscal note, it basically states to enable the Department to enforce the requirements of the Act, primarily through a vigorous educational program. But the Bill doesn't state strictly an educational program. This is a new Act, an Act that has to be enforced. Unfortunately, the Sponsor feels it's only going to take two or three people to enforce this Act around the entire State of Illinois. Well, if it's going to take them, they're going to have to spend a lot of long hours running all over the State of Illinois and they're... but they're only going to do it for 34,000 dollars compared to four million four years ago. This Bill is being modeled after Minnesota. I'll tell you how great the Minnesota Act is. The Minnesota Act has been in effect seven years. They have not found one single violation in seven years. This really sounds like a real strong piece of legislation. This is not a situation to where it is just supported... or opposed by the tobacco industry. I

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would like to just give you a brief run down of certain groups who are opposed to this legislation. The Illinois Municipal League - the home rule power figuring there - the Illinois Restaurant Association, the Retail Merchants' Association, the State Chamber of Commerce, the Taxpayers' Federation of Illinois and the Illinois Hospital Association. Those are some, just of the long list of opponents. In conclusion, what I'd like to do is read just a couple lines of the Governor's previous veto message of this same piece of legislation. It says, 'The intent behind the Bill is laudible', which I would have to agree. 'The Bill itself is needless, wasteful, duplicative and intrudes the state into areas which it does not belong and can ill afford. It will make big government bigger. It is virtually unenforceable, and I cannot approve it.' I think those last words are very, very true. Ladies and Gentlemen of the House, I would ask for a very, very strong, resounding 'no' vote on House Bill 33. Thank you."

Speaker Breslin: "The Gentleman from Rock Island, Representative DeJaegher."

DeJaegher: "One of the most important questions that I have to ask, Bob, how will this affect the Legislators that are presently serving that are smokers?"

Terzich: "How would it what?"

DeJaegher: "How would that Bill affect those people that are smoking that are serving in this House?"

Terzich: "The Bill is a Clean Indoor Act, and it basically requires that public places designate smoking and non-smoking areas. And it's a gentle way... Basically this is a ... it is not a non-smoking Bill. It's a Clean Indoor Act which specif... it specifically states that they are to set designated areas."

DeJaegher: "Will I have a right to sit in my seat?"

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Terzich: "If it's a designated area."

DeJaegher: "This is a public place, is it not?"

Terzich: "I said if it's a designated area. You're smoking aren't you?"

DeJaegher: "In other words..."

Terzich: "I'm in a non-smoking area. We don't smoke here."

DeJaegher: "Well, I can understand that, and I respect you for non-smoking. There's no problem that I have with that."

Terzich: "That's exactly..."

DeJaegher: "But what I can't understand, why states want to take issue with something such as this. Why isn't this federal legislation instead of state legislation? Years ago, the Federal Government implemented the Civil Rights Amendment which basically gives people the right, whether that person be black, that person be white, that person be a smoker or a non-smoker. Now, what you're doing is basically taking those rights away from people. You know, it's sort of sickening when you board a plane and they say to you, 'Get to the back of the plane, boy. Get to the back of the plane, boy.' You know? You know, I can understand what took place years ago and why these people were objective and why these... why we had to implement the Civil Rights, because people were being discriminated, and I can understand the plight of the blacks because they were discriminated and basically what you're doing right now at the present time. Maybe I smoke, yes. Maybe it's going to suffer by doing it, but, Bob, I think this is the wrong approach. I think if this legislation has to come about, it has to be adopted on a federal level, not on the statewide level. Thank you."

Speaker Breslin: "The Gentleman from Will, Representative Regan."

Regan: "Yeah, thank you, Madam Speaker and Members of the House. Will the Sponsor leave, please?"

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

Regan: "The previous Representative made a good point in regards to the Legislator down here. I wonder who's going to designate the areas. I wonder if Room 114 will be the smoking room and 113 will be the non-smoking room and the Democrats and the Republicans will have to caucus together."

Terzich: "Why would you be wondering that?"

Regan: "I stand opposed to this Bill."

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

Stern: "Madam Speaker and Members of the House, when the stage clears, I'll continue. I rise in support of this legislation. I would like to point out to Representative DeJaegher that it is not a matter of taking rights away but giving rights to those who do not choose to suffer smoke in their face or for whom smoke is a genuine irritant that makes them ill. There was a time, I would remind you, when spitting on the sidewalk or garboons in the corner of the House were perfectly acceptable. We have passed beyond that. We are civilized more each day, thank God. And it seems to me this is a Bill whose time has come. It is a Bill of Rights for non-smokers, and I urge your support for it. It is a very important piece of legislation. Thank you."

Speaker Breslin: "The Gentleman from St. Clair, Representative Plinn."

Plinn: "Madam Speaker, I move the previous question."

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Terzich, to close."

Terzich: "Well, Mr. (sic- Madam) Speaker, Ladies and Gentlemen of

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the House, you know, some people, you know, find fun in this type of legislation, but I can assure you that it's an extremely serious problem throughout the state. I've gotten stacks of mail and correspondence, telephone calls, many people supporting this type of legislation. It's a very, very equitable one. It's a freedom of choice of either smoking or non-smoking. You were mentioning about the number of people that endorse this, I have many prestigious organizations, as well as the people, endorsing; the American Cancer Society, the Illinois Department of Health, the Illinois Medical Society, the Heart Association, the PTAs, the City of Bloomington, the Chicago Board of Health, the Chicago Board of Rabbis'. I've got a number of associations. And also, the letters that we get. I can just briefly read one. It says, 'Once again the smoking issue is in the State Legislature. The seatbelt law was passed even though that protects only individuals using the seatbelt. But the right to breath unpolluted air doesn't seem to concern our elected officials. My personal experience has been that even... or hospitals aren't too concerned. We who have lung problems cannot go shopping or take second-hand smoke, cannot dine out except for a few considerate restaurants who provide non-smoking areas and these are quickly filled up. It's a pleasure to go into both Wisconsin and Minnesota where their restaurants provide non-smoking areas. We are truly second-class citizens. We don't have the money to fight the tobacco industry and their lobbyists. It is a well-known fact that second-hand smoke does cause health problems. Where those people who wish to choose industries... or close industries because of pollution, they are quiet when the smoking issue arises. I hope this Bill reaches Governor Jim Thompson's desk. He will not have

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to veto it for the same reason gave in his 1978 veto. The State Journal Register on May 8th quoted the Governor in 1978 saying, 'I cannot sanction the use of taxpayers money in the needless and wasteful fashion while other needs of people are not fully realized'. Since when is protecting the health of innocent second-hand smoke victims a needless and wasteful expense. And this is true. The time is now. This is a Bill that does not prevent anybody from smoking but gives a freedom of choice with the basic premise that the laws that people should not be confronted with the health hazard of tobacco unless they reasonably choose to be around it by setting up guidelines regarding the places where smoking is permitted. Each person can make that decision and in addition the law will benefit smokers who will gain the freedom to smoke without worrying about offending others. And I would urge your support of House Bill 33."

Speaker Breslin: "The question is, 'Shall House Bill 33 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Gentleman from Jefferson, Representative Hicks, one minute to explain his vote."

Hicks: "Yes, Madam Speaker, in explanation of my vote, with all due regard to the Sponsor of the Bill, being a non-smoker, never having smoked in my life, I still stand in opposition to the Bill. In my area of the country, many of the restaurants and that type of thing that sell liquor - I see in the Bill where they have to have a majority of their sales to sell liquor to be able to not be in compliance with this - the restaurants and that type that have to stay open on certain hours to get the hours have to say that the majority of their sales are in food, not the majority in liquor. And we all know that that has a problem sometimes

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and could create problems in my area. I do stand in opposition. I vote 'no'."

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

Ropp: "Thank you, Madam Speaker. I had the privilege last week to talk to some people from Minnesota who have this law on the books. They said it's working very satisfactorily and they're very pleased with it. And I'm confident that in this state the public will, in fact, enforce this law so that the cost that those who are in opposition are saying will certainly not be the case. It's a real tragedy that we have a situation here where the air that those people who do not choose to smoke are being infringed on by those who, for some reason, jealously want to have the privilege of smoking and blowing smoke in other people's faces. I think it's a real tragedy, too, that the fact is that more people have a greater concern for the potential tax dollar loss than we have care for the life and breath that we have the privilege to breath everyday, and I think everybody ought to be voting green on this Bill."

Speaker Breslin: "The Gentleman from DuPage, Representative Barger, one minute to explain your vote."

Barger: "Thank you, Madam Speaker. Some ten years ago, the city council of the City of Wheaton passed a Bill very similar to this one. And we found out, just as they found out in Minnesota, that it does not require enforcement by gestapo type police officers in order to enforce a Bill like this. The compliance in both areas has accounted for the fact that there are... there is no necessity for enforcement. The people want it. The people like it, and the people are happy with it. So I think we ought to give the people an opportunity to breathe good, fresh, clean air if they want to; or, if they want to smoke, to do it in a restricted

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area. Thank you very much."

Speaker Breslin: "The Gentleman from Marion, Representative Friedrich, one minute."

Friedrich: "I don't smoke, Madam Speaker, but my real objection to this is the same I've had on a number of Bills and that is I'm getting sick and tired of the theory that the government has to protect you from everything. Everytime the government protects you of something it's another item on your tax bill. It's another layer of government. And I think that's exactly all this will be."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 50 voting 'aye', 57 voting 'no' and 11 voting 'present'. The Bill does not have the necessary Majority to pass; therefore, the Bill fails. House Bill 207, Representative Mautino. Clerk, read the Bill."

Clark Leone: "House Bill 207, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino"

Mautino: "Thank you very much, Madam Speaker. House Bill 207 addresses the question once again of the banning of leaded gasoline in the State of Illinois. What this legislation does, and the Amendment becomes the Bill, basically prohibits the EPA from proposing revisions to the State Implementation Plan, which is already on file with the Federal Government, with respect to the standards for the criteria pollutants for which the State of Illinois is already in compliance. It also provides that the state shall... the Pollution Control Board should not adopt any rules or regulations restricting the sale or use of leaded gasoline that exceeds the requirements of the Federal Clean Air Act. We had similar legislation that addressed the leaded gasoline situation by Representative Ronan. Of

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course, I am in opposition to the complete ban before the Federal Government acts on the situation. This legislation, I think, provides for the State of Illinois not to have any changes in the SIP plan if, in fact, we're in conformity with the Clean Air Act that's now in existence in Illinois. And that's basically what the Bill does. The Amendment becomes the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 207. And on that question, the Gentleman from Cook, Representative Ronan."

Ronan: "Thank you, Madam Speaker. Would the Sponsor yield for a couple of questions?"

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

Ronan: "Representative Mautino, just to set the record straight. About ten days ago I passed a Bill out of the House which is our recommendation, the Legislature here in the State of Illinois, to let the Federal Government know that we're pleased that they're trying to establish national standards on the ban on leaded gas. Just so that we have the record very clear, what does your legislation propose, vis-a-vis the Bill that passed out of the House will 66 votes about ten days ago?"

Speaker Breslin: "There being no further discussion... Representative Ronan, did you ask a question? Proceed, Representative Mautino."

Mautino: "Thank you. It does not address the situation as presented in your Bill. Your Bill addressed the provisions for non-sale of leaded gasoline as it pertains to the federal standards and not doing it until the federal standards are adopted. This legislation, by Amendment, says that the EPA and the Pollution Control Board cannot make any determinations on the SIP plan, the State Implementation Plan, of which we are already in conformity

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- two different concepts. I'm just saying that there can't be any rules or regulations made before the feds decide on your legislation, and the SIP plan cannot be changed if we're in conformity with the pollutants."

Ronan: "Well, Madam Speaker, to speak to the Bill. I... I regretfully have to disagree with Representative Mautino's interpretation. I think that his legislation does change the concept and the content of my Bill. That's why I rise to speak in opposition to House Bill 207. I think that we, in the State of Illinois, want to get clearly on record that we want the United States EPA to act. That's why I've asked the Illinois EPA to make that recommendation. That's why I rise to oppose House Bill 207 and I urge the 66 colleagues who supported my Bill ten days ago to vote 'no' on this fine... fine idea, but bad concept today."

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

Mautino: "Knowing full well that Representative Ronan is certainly a most competent opponent, but I would like to point out that the Amendment became the Bill. The Amendment addresses what the EPA and the Pollution Control Board can do as it pertains to the State Implementation Plan. It has nothing to do with House Bill 16 that already passed this Legislative Body and is now in the Senate. And I ask for support and recommend that you examine the Amendment which is now the Bill."

Speaker Breslin: "The question is, 'Shall House Bill 207 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Gentleman from Will, Representative Van Dyne, one minute to explain your vote. The Gentleman waives it. Have all voted who wish? The Clerk will take the record. On this question there are 99 voting 'aye', 21 voting 'no' and 5 voting 'present'. This Bill, having

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received the Constitutional Majority, is hereby declared passed. Representative Braun in the Chair."

Speaker Braun: "Appearing on the Calendar on page 29, House Bills Third Reading, appears House Bill 300. House Bill 300."

Clerk Leone: "House Bill 300, a Bill for an Act in relationship to disclosure of priority chemical substances to the public. Third Reading of the Bill."

Speaker Braun: "House Bill 300. The Chair recognizes the Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Madam Speaker. I ask leave of the House to bring this Bill back to Second Reading for purpose of an Amendment."

Speaker Braun: "The Gentleman requests leave to return this Bill to the Order of Second Reading for purposes of an Amendment. Is there leave? Leave is granted. The Bill will be returned to Second Reading."

Clerk Leone: "Amendment #2, Madigan - Bowman - et al, amends House Bill 300 as amended."

Speaker Braun: "Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #2 differs in several significant ways from the Bill as amended previously, and I will... Okay. Okay, Madam Speaker, in order to save the time of the House, let me just ask the indulgence of the House to adopt the Amendment and we can explain the thing on Third Reading."

Speaker Braun: "The Gentleman moves the adoption of Amendment #2 to House Bill 300. On that question, is there any discussion? The Gentleman from Winnebago, Representative Hallock."

Hallock: "Madam Speaker, I appreciate the Sponsors trying to make a bad Bill better, but I believe it would be wise if he could at least explain a couple provisions within the

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Amendment."

Bowman: "Well, okay. I'll hit a couple of the highlights. Number one, we have a small business exemption. So we put back in 20 or more employees or five or more full-time employees as a minimum standard for reporting. One of the most significant changes is that we take out the... any reference to trace amounts and say that if a business uses at least a thousand pounds of the... of a substance a year, then they must report estimates of emissions and discharges. If they use less than a thousand pounds, they are not obliged to report emissions or discharges. If they store at any one time less than 2000 pounds, they're not obliged to tell us how much they store, only if they've stored over that amount. We take out any references to testing so that it was clear that we're dealing only with estimates. And we change the list to narrow it to provide greater focus to eliminate the organic families and we provide standards for additions and deletions from the list and ask that the EPA come back to the General Assembly every two years with recommendations for additions or deletions. Those are the highlights."

Speaker Braun: "Representative Hallock."

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

Bowman: "I shall."

Hallock: "How do you treat waste materials in this Amendment?"

Bowman: "Okay. With respect to waste haulers, they... in order to develop their reports, they, like other businesses, are not obliged to test. They may rely on information provided to them by the generator. We still do ask for estimates on what's in the waste stream from the generators."

Hallock: "Thank you. How do you deal with the engineering aspect of House Bill 300 pursuant to this Amendment?"

Bowman: "Well, I think we... The intention always has been, and I

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think this just makes it more clear, that engineering estimates are the basis for the reports. And I'm not sure I understand your question beyond that point. Could you elaborate?"

Hallock: "Well, it seems to me that one of the big points of contention in 300 was the... the estimates required for engineering and the estimates required in the testing and so on. Do you pin that down a little bit so we know exactly what should be tested and what should be studied?"

Bowman: "Okay. I see. We do make a change that I did not hit in the highlights which I think does address that issue. When it comes to fugitive air emissions, which is the most difficult estimate that we're asking for here, because fugitives means arising from any source and not necessarily a point source. We do provide an exemption for emissions from flanges, equipment use and heavy liquid service or from other components where it is not technically feasible to perform such estimates. That is a quotation from the Amendment."

Hallock: "Then the last question. I've noticed in the Amendment that you deleted the Bhopal chemical. Can you explain why you did that?"

Bowman: "Yes, Representative, because that particular chemical substance is not produced commercially in the State of Illinois. In fact, it's produced in only one... at one site in the entire country, and that's in West Virginia. It is stored at another site in Georgia, but we did not want to incumber the list with unnecessary chemicals, laboratory curiosities or things which were not used commercially. You'll notice, by the way, on page... in accordance with your question... the spirit of your question, on page seven where we establish the standards for the EPA to make recommendations for additions or deletions to the list, we

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do permit them to take into account the rate of use or production or importation of the chemical in Illinois, so we don't junk up the list with a lot of unnecessary chemicals."

Hallock: "Thank you. Madam Speaker and Members of the House, I commend the Sponsor for trying to make a bad Bill better, but he really doesn't do that. This Bill still has a tremendous amount of burdens and bureaucracy involved to no advantage. There is no benefits to be obtained through this Amendment. He doesn't lighten the burden on employers in Illinois, but yet, at the same time, he doesn't really furnish any more information to the community. I think it's a bad Amendment, and I urge it be adopt... urge it be defeated."

Speaker Braun: "Representative Bowman, to close."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Well, I'm surprised that the Gentleman does not want to know nor presumably does not want his constituents to know what kinds of chemical substances are being emitted or discharged into the air that we breathe and the waters that we drink. It is very important to develop sound public policy and to develop sound public health policy in particular that we have this information available. And, indeed, it is the community's right to know this important information. These chemicals are all very serious chemicals. We're talking about mercury and lead and arsenic and 'phosgene', chemicals for which there is no dispute about their danger. And yet, we do not know what is in the air that we breathe or the water we drink. We should. It is the community's right to know. That is why I'm moving for the adoption of this Amendment."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #2. All those in favor say 'aye', opposed say

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'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. The Gentleman asks leave for immediate consideration of House Bill 300. Does he have leave by the Attendance Roll Call? Leave is granted. Mr. Clerk, read the Bill"

Clerk Leone: "House Bill 300, a Bill for an Act in relationship to the disclosure of priority chemical substances to the public. Third Reading of the Bill."

Speaker Braun: "Gentleman from Cook, Representative Bowman."

Bowman: "Thank you. Madam Speaker, Ladies and Gentlemen of the House, I think the specifics that are contained in this legislation were adequately discussed during the Amendment stage. So I will limit my remarks to the need for this piece of legislation. The problem that we face at the present time is that our environmental protection legislation and our public health legislation has proceeded along two different tracks in the past, and they have not been brought together and merged into a single piece of legislation. Consequently, we have on the books many different laws. I count a total of 17 different federal and Illinois laws that are designed to protect our environment and presumably our health that provide for many gaps. It does provide... The present laws do provide for a lot of reporting, but there is not any consistency among the laws on what is to be reported and how. One way of looking at this particular piece of legislation is that it will provide us, for the first time, with consistency among the various laws on what is to be reported and how it is to be reported. Indeed, some companies now do report this information and more, but most companies do not. We know that it is possible because some companies do. But it

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frustrates us when we try to develop sensible public policy in this important area not to have a comprehensive data base on which to develop it. We do not know what is poisoning our air or water with any degree of certainty or comprehensiveness. That's why we need this particular piece of legislation. We need it so that we can design sensible public policies and so we can make sense out of the existing legislation. It is time that we brought public health concerns and environmental concerns together into one piece of legislation. That is what this Bill does. The time to act is now. I am pleased to move for passage of House Bill 300."

Speaker Braun: "The Gentleman has moved for the passage of House Bill 300. On that question, is there any discussion? The Chair recognizes the Gentleman from Winnebago, Representative Hallock."

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

Speaker Braun: "He indicates he will."

Hallock: "I'd like to expound a little bit on the engineering estimate aspect of this legislation, because it seems to me that's really the heart of the issue. Who pays for all those estimates that you're requiring the industries involved to cover?"

Bowman: "The estimates would be prepared by the individual firms themselves. They presumably would pay for making those estimates. I would point out, however, that the limitation on reporting is such that only firms that have to have a permit from the EPA are required to file these forms. These... There are only about 6000 of these firms in the State of Illinois. Since they already have to have permits from the EPA, presumably they have the necessary technical expertise to perform these estimates with a minimum of

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cost."

Hallock: "But how do you get these estimates without a tremendous amount of costs when some of these chemicals are really hard to trace or they're in such small amounts that they're really miniscule and almost untraceable?"

Bowman: "I'm glad you asked me that question, Representative Hallock, because Amendment #2, I think, deals with that question adequately. A company knows, without doing any fancy estimates whatsoever, how much of a chemical it is using or storing. I mean, if they don't, they shouldn't be in business, because they... that's the guts of their business. So, if a company is using less than a thousand pounds of a substance in a particular year, they don't have to report on emissions or discharges. They don't have to make any estimates of emissions or discharges. That settles it right there. And if they're storing less than 2000 pounds at any one time, not just in an aggregate amount, but at any one time, then they don't have to tell us how much they're storing. So, I think Amendment #2 deals with that question very sensibly. Besides, a thousand pounds of use a year is a lot. That's a half a ton. That's a half a ton. I think if they're using a half a ton of a chemical like a dioxin, we ought to know about what's being emitted or discharged."

Hallock: "Well, I think a thousand pounds is really only two and a half barrells and that could be virtually anywhere. But let me ask you a further question on this aspect. Once you have imposed upon the business community and the employers of our state this tremendously costly burden of getting these estimates, what do you do with that information?"

Bowman: "The information is provided on a standard form to the Environmental Protection Agency, which, by the way, is... I think answers a lot of the concerns that business had with

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an earlier version of this Bill that was introduced last year where anybody could kind of walk into the business and get the information. Business gives it to EPA and then the business is out of the picture. They don't have to worry about getting hassled by anybody. Now, the EPA turns around and they produce an annual report in conjunction with an advisory council that was set up pursuant to the Cancer Registry Act. That report is... provides detailed information on a county by county basis. And in Cook County we have the county broken into four regions. And that information is given every year to the chief executive officer of each county, to every local health department, county or municipal, and to every Member of the General Assembly."

Hallbeck: "Madam Speaker, to the Bill on this aspect, and I think some others may speak on some other points. This Bill as amended still requires engineering estimates of emissions and discharges. Those estimates, all scientists concur amongst themselves, can really only be, even at best, guesses, purely guesses, because they just can't trace some of these chemicals. But yet the cost to the business community is tremendous. So we have here in this Bill, I think, a major flaw. The flaw being, first of all, you're requiring most businesses in our state to comply with these tremendous amount of tests and guesses at great cost; but, secondly, there really isn't any benefit to the public from that. Any public community right to know Bill should have twofold agenda, I believe. One, let the community know what's there; and, secondly, for that right to know, have a reasonable imposition upon business. This Bill does not do that. It's a terrible Bill, and I urge it be defeated."

Speaker Braun: "Is there further discussion? The Lady from Marshall, Representative Koehler."

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Koehler: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. I, too, am greatly concerned about this Bill that Representative Bowman has said that he has taken a great deal of time and trouble, and I'm sure he has, and introduced an Amendment that makes dramatic changes. But, unfortunately, we have prepared several objections to the Bill, and this particular Amendment does not solve any of those objections that we had. And in particular, I think one of the major things that we are vitally concerned about is, again, the estimates that this particular Bill mandates. It talks only about things that will be estimated and then, when trying to link these estimates to the cancer registry, that would not give us information that would be valid, because you cannot take estimates and link it to a cancer registry and then come up with some sort of valid conclusion simply because it is an estimated situation. And what we would be giving then to our communities would be information that is, in all probability, not valid because these estimates have been taken on the high side so that these industries will be able to cover themselves under any contingency. So much of the information that would be given to our communities would be of an invalid nature. And what communities really want to know is are they safe? Are the people working in that workplace safe? Are they ... is there information there that they can use with their local response... local response agencies so that they can come up with a valid plan in case of an emergency? For example, in El Paso, Illinois, they have put together a very good plan for spill control containment and a counter measure plan, things that cover contingencies because they have valid information and they have worked with the community and with the local chemical company to come up with a very valid plan based

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upon valid information. And I believe that that is one of the... one of the problems with this legislation is simply the fact that it is based on guesses rather than valid information."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from St. Clair, Representative Flinn."

Flinn: "Madam Speaker, I move the previous question."

Speaker Braun: "The question is, 'Shall the previous question be ... be put?' All in favor say 'aye', opposed say 'no'. All in favor vote 'aye', opposed vote 'no'. Voting is open. On this question there are 69... Take the record, Mr. Clerk. On this question there are 71 voting 'yes', 47 voting 'no'. This vote, having failed to receive a two-thirds Majority, fails. Further discussion? The Gentleman from Lake, Representative Churchill"

Churchill: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Will the Sponsor yield for a question?"

Speaker Braun: "He indicates he will."

Churchill: "Representative Bowman, can you go through again the reporting requirements in your Amendment?"

Bowman: "Didn't we close debate?"

Speaker Braun: "Pardon?"

Bowman: "Did the Motion fail?"

Speaker Braun: "The Motion failed."

Bowman: "Failed. I'm sorry. Okay. What was the question?"

Churchill: "Would you please go through the reporting requirements in your Bill again?"

Speaker Braun: "The Gentleman indicates he will yield."

Bowman: "The reporting requirements?"

Churchill: "That's correct."

Bowman: "Okay. Every year, each business subject to this Act, which are only the larger businesses required to get

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permits from the EPA, will file on a report form provided by the EPA engineering estimates of the quantities of these priority chemical substances, which are enumerated in the Bill and there are 91 of them, that are emitted into the air, discharged into surface waters or surface impoundments or stored at the site or hauled away in the form of waste. That is the reporting..."

Churchill: "And then what happens to those reports? What happens to those?"

Bowman: "The reports are collected by the Environmental Protection Agency. They are analyzed and there is an annual report, a condensation of the information on a county by county basis, breaking out the chemicals but aggregating this to... as to firm on a county by county basis of the amounts of these substances that are being emitted or discharged into the environment in each of those counties."

Churchill: "And then who does that report go to?"

Bowman: "That report... By the way, this is all pursuant to Amendment #2. That report then goes to the chief executive officer of each county, every local health office, including municipal as well as county health departments and every Member of the General Assembly. And of course, it's available to members of the public who wish it, but it must, by law, be provided to these others directly without them asking it."

Churchill: "And is that the point at which the reporting stops? Is there any action required in this Bill after that reporting?"

Bowman: "No."

Churchill: "So, in other words, once the county board executives, say, the county board chairman receives his copy of the report and the public health department receives its copy

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of the report and each of the Members of this General Assembly receives his or her copy of that report, that's the end of it. There is no action after that. How do we protect..."

Bowman: "There's...!"

Churchill: "How do we protect the people? What do we do? I mean, when we, as Members of the General Assembly, get a letter saying that there's, you know, 50 tankers of four aminodiphenal or something like that sitting in a warehouse two blocks away from us, what are we supposed to do? Is there some action, some plan, something that happens in this Bill?"

Bowman: "Are you proposing an Amendment?"

Churchill: "Not at this stage."

Bowman: "No. The... Representative, this is a right to know Bill. This Bill is not intended to mandate any actions, impose any new mandates on local government, which are generally resisted by many Members of this Assembly, that was not the original concept. This Bill... The origin of this Bill goes back a couple of years and the Bill that... its predecessor had many different things in it, many different things. It did not succeed, and I believe one reason it did not succeed is it tried to do too much. I went back to the promoters of the Bill, people interested in seeing it passed. I said, 'Tell me what's the most important thing that we could do. What's the most important thing? We'll extract it from the Bill and shape it and focus it and then put it into a new Bill and try and pass it.' And this is the most important thing that the people who want community right to know have been asking for. This Bill is endorsed by every major public health organization in the state, the Cancer Society, the Cancer Council, Public Health Association and so forth. These are

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the people who want the Bill. That's why its important. We're not mandating action, but the community has a right to know and they want to know, and we're giving them the information."

Churchill: "Madam Speaker, to the... to the Bill as amended. And I really hope that the Members of the Body are paying attention to this; because, if you haven't had a chance to look at this Amendment, you ought to know that the report that is to be issued under this Bill is going to come to you. And at some point along the line, you're going to receive a letter some day that's going to tell you that there is a quantity of benzalo trichloride in a plant next to you or maybe dichlorobenzidine down the street from you, or heavens forbid, maybe ethylene glycol monomethyl ether acetate. And then what are you going to do? If you don't do anything and it causes a public health problem, you're the first person they're going to come back and look at, because this Bill doesn't go anyplace beyond reporting requirement. I applaud the Sponsor's intentions. I also think that the content of the Bill has some merit, but I think that there are other options available. I think this Bill should go further; that it should tie into a plan with the local emergency services disaster agencies. I would submit to you that there is such a Bill on this House floor that does that and that it's a better option than this one. And I would ask you to vote against this Bill and support the subsequent Bill when it's called."

Bowman: "Why don't we pass both of them?"

Churchill: "The other one is better."

Speaker Braun: "Is there further discussion? Is there further discussion? There being none, Representative Bowman, to close. Representative McPike, to close."

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

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House. There are, in fact, three separate and distinct areas that we've dealt with in this subject matter over the last two years. The first was a worker right to know Bill that says that those people in the workplace have a right to know what chemical they're working with, a right to know the effects of that chemical and a right to take precautions to make sure that they're health is protected. A second issue that will be dealt with this year deals with those type of emergencies that happened in Bhopal industry... Bhopal, India. It's an emergency response phase. That Bill is being drafted right now. In fact, Representative Ellis Levin and Representative John Hallock will be the Cosponsors of the Bill. The Governor set up a task force to make recommendations to us to decide what type of emergency plans and emergency responses we should have and that Bill will pass this General Assembly this year. And this is the third element. The third element is whether or not, not that a worker has a right to know what chemical the worker is exposed to in the workplace, but whether or not men and women, children, have a right to know what chemicals are present in the community. This is a community right to know. It says to industry, 'What chemicals are you dumping into the water? What chemicals are you spewing into the air? And what chemicals are you burying in the ground?' Now, we're not talking about everyday, ordinary chemicals that you find in your house. We're talking about arsenic. We're talking about benzene. We're talking about asbestos. We're talking about lead, talking about vinyl chloride. We're talking about phosgene. Some people know of phosgene because it's called nerve gas. We're talking about 89 known carcinogens, 89 known mutagens, chemicals that are going into the atmosphere, into the water, into the ground everyday, and

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all we say is that those people that live into a community have a right, a basic right, to know what those chemicals are. Years ago, we decided as a society that we would prohibit dumping mercury into the water, because we saw the effects that mercury has. Some time in the future, we may decide not to spit benzene by the ton, day after day, into the air, because benzene is a known carcinogen and people die of cancer from benzene. And perhaps five years from now, when we have this information, when indeed, we do know, both as Legislators and as public health officials, that tons of benzene are being dumped into the air, perhaps we, as a society, will decide that... as we did with mercury, perhaps we will say to benzene enough is enough. That's the purpose of the Bill, to inform us so that we can make some sound judgements, so that perhaps in the future we can protect our children and our grandchildren from the lethal effects of these chemicals. I move for the passage of House Bill 300."

Speaker Braun: "Question is, 'Shall House Bill 300 pass?' All those in favor vote 'aye', opposed vote 'no'. The voting is open. All in favor vote 'aye', opposed vote 'no'. The Gentleman from Bureau, to explain his vote."

Mautino: "Thank you very much, Madam Speaker. Very important issue, and I think all of us in this chamber are concerned about the public's right to know and the community right to know. We have informed Members on both sides of the aisle that we wanted to put together legislation that would be beneficial to the citizens of this state and not be a detriment to the industrial complex of this state as well. I happen to look at this provision as the first half of a daily double. 300 being in the first race and 2036 being in the second. I recommend most highly that both of them pass so that they can go to the Senate and get additional

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evaluation and maybe a compromise can be reached and the public be protected with this legislation. I vote 'aye'."

Speaker Braun: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 65 voting 'yes', 51 voting 'no', 1 voting 'present'. House Bill 300, having received the Constitutional Majority, is hereby declared passed. On... The Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, are you going to go to another Bill, Madam Speaker?"

Speaker Braun: "Your Motion is first, Representative Cullerton."

Cullerton: "Okay. Pursuant to ... I wish to suspend the Rule 36(d) in order to advance House Bill 2036 to the Order of Second Reading, Second Legislative Day."

Speaker Braun: "Gentleman has moved to suspend Rule 36(d) so that House Bill 2036, appearing on page 32 of the Calendar, may be placed on the Order of Second Reading, Second Legislative Day. On that Motion, is there any discussion? Is leave granted? Leave is... All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. Leave is granted by the Attendance Roll Call. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2036... House Bill 2036, a Bill for an Act in relationship to the disclosure of the presence of hazardous chemicals. Second Reading of the Bill. This Bill has been read a second time. Amendment #2 was adopted. The next Amendment is Amendment #5, Daniels - Hallock - et al, amends House Bill 2036."

Speaker Braun: "Are there any Motions filed? Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "The Chair recognizes the Gentleman from Winnebago, Representative Hallock, on Amendment #5."

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Hallock: "I move to withdraw 5, please."

Speaker Braun: "Amendment #5 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #6, Daniels - Hallock - et al,
amends House Bill 2036."

Hallock: "I move to withdraw 6, please."

Speaker Braun: "Amendment #6 is withdrawn. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. Chair recognizes the Gentleman
from Winnebago, Representative Hallock, for a Motion."

Hallock: "Yes, I now move that we immediately consider this Bill
on Third Reading."

Speaker Braun: "The Gentleman has moved for immediate
consideration of House Bill 2036. Is leave granted? Leave
is granted by the Attendance Roll Call."

Clerk Leone: "House Bill 2036, a Bill for an Act in relationship
to the disclosure of the presence of hazardous chemicals.
Third Reading of the Bill."

Speaker Braun: "For what reason does the Gentleman from Cook,
Representative Cullerton, rise?"

Cullerton: "Yes, I move the previous question."

Hallock: "I can do it that quick."

Speaker Braun: "Representative Hallock."

Hallock: "Thank you, Madam Speaker and Members of the House.
Now, this is a good community right to know Bill."

Unknown: "We're all for it. We're all for it."

Hallock: "And since I appear to have some strong support. I
think we'll be very succinct and brief. I strongly believe
in a community right to know Bill, and I think where we
differ is to how you go about doing that. I strongly
believe, and I think most Republicans do, as well, that we
have a right to know just who has these chemicals in our
communities, where they are and what they are. I believe
House Bill 2036 resolves all those differences but, at the

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same time, does not impose a tremendous burden on a business community. This Bill will, in fact, allow the business community to deal with this issue but, at the same time, give a very broad and very expansive community right to know information out. This Bill covers over 700 chemicals and over 16,000 industries. It's a very good idea, a very good Bill, one whose time has come, and I urge your support."

Speaker Braun: "Gentleman has moved the passage of House Bill 2036. On that, is there any discussion? The Chair recognizes the Gentleman from Madison, Representative McPike."

McPike: "Thank you, Madam Speaker. This is a pretty hard Bill to vote against, because there's not much in it. I mean, it doesn't do a lot. It sets out... it starts out pretty good. It's got a preamble. It's got a ... It's says the findings and purpose. It says that the proliferation of hazardous chemicals in the communities of Illinois pose a growing threat to the public health, safety and welfare. Well, I think we all agree to that. And then it says that Illinois residents have an inherent right to be informed about the presence of hazardous chemicals in the community. I presume the community means what's in the air and the water and the ground. That's the community. I guess we all agree to that. And then it says that the public health, safety and welfare of Illinois residents may be improved by providing them with access to information regarding hazardous chemicals to which they may be exposed. Now, that's a good preamble. And it's got a good intent. And then we find out later in the Bill exactly how the public finds out about this stuff. The other day when this Amendment was offered, the Amendment originally was found to be out of order, and Representative Hallock objected.

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He said that he wanted to clarify it that the Amendment was very proper, and we joked with him a little bit. We said that we should have new categories around here, that we should judge Amendments extremely proper, very proper, proper, not so proper and highly improper. Instead of simply saying that an Amendment's in order or out of order, we thought we should perhaps rule on Amendments as comatose, docile, in order, out of order or simply rowdy. And I bring that up because I think that's more or less what this Bill does. When they report about chemical releases in order to inform the public about what is actually in the community, this is how they report: very frequently, frequently, seldom, almost never. I'm surprised you don't have a Section on here that says never on Sundays or never on Christmas. Or how about Thanksgiving? I mean, this really is tough on industry. To think that if you dumped a ton of this in the air everyday, a ton of benzene everyday, you know what you'd have to check? Frequently, very frequently. But if you only dumped a million tons on a given day, once every two years, in fact let's not go that far - let's say that you were in India and only dumped two thousand pounds in the air once in the history of your company. You know what your form would say? Your form would say almost never, almost never. This is a community right to know - are you kidding? We could be in India, check the form almost never. We'd have all these people dead, but, by God, they'd have a right to know. It's tough to vote against this. I mean, this is one of those things like this Amendment. It was very proper, and I guess this is very proper. It just doesn't tell anyone anything. It does do one thing that he pointed out the other day. We passed a worker right to know Bill. And under our Freedom of

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Information, anybody can send to the Department of Labor and now find out what chemicals are used in the workplace. But this Bill goes a step farther. Now, the Department of Labor sends that list to the sheriff so that the sheriff knows without even writing to the Department of Labor. Now, this is a good Bill, tough but good. In fact, very good."

Speaker Braun: "Is there further discussion? Chair recognizes the Gentleman from Cook, Representative DeLeo."

DeLeo: "Madam Speaker, I move the previous question."

Speaker Braun: "Representative DeLeo, would you hold that Motion for a moment? The Chair would like to recognize the Majority Leader... Minority Leader, Representative Daniels."

Daniels: "I'm prepared to close, if you want to do that."

Speaker Braun: "Gentleman has moved the previous question. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Chair recognizes the Gentleman from DuPage, Representative Daniels, to close."

Daniels: "Ladies and Gentlemen of the House, I first would like to thank you for your attention and then discuss a little bit in closing on this most important piece of legislation to correct some of the impressions that the Gentleman on the other side of the aisle tried to leave with you before we go to a vote and a Roll Call vote on this issue. I don't call a Bill that incorporates by reference the list of chemicals in the worker right to know law, which includes 700 chemicals, to be a Bill that accomplishes nothing. And I don't call a Bill that requires employers to report hazardous chemicals stored in amount of 2000 pounds or more a Bill that doesn't accomplish anything. And I don't call a Bill that, yes, pays attention to a very real concern in this state, a concern of the business

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climate of this state, weighing a careful balance between that concern and the protection of the public, a Bill that doesn't accomplish anything. As a matter of fact, Ladies and Gentlemen, I think you will have an opportunity to vote on another Bill that's coming up that the Gentleman on the other side of the aisle would like you to believe is the answer to this problem because what he is attempting to do in that case is, once again, to punish industry, to punish business in this state and to force regulation of this state down their throats when it's totally unnecessary. That's what his discussion is all about. But what is the most glaring defect of what the Gentleman fails to tell you, fails to admit in his discussion, as he looks at a community right to know Bill? The Gentleman fails to point out to you that this Bill contains an extremely important product, an extremely important result that the issue of community right to know must be avoided at all costs. We must avoid a Bhopal incident here in Illinois and we must pass a community right to know piece of legislation and creating an emergency response system in this state. This Bill, House Bill 2036, does create the emergency response system, does set forth a mechanism in which a community and the emergency service region can create a response to a most unfortunate incident that may occur in the future. That's what this piece of legislation does, and that's what the Gentleman's legislation, House Bill 300, does not do. I'm here to tell you that, yes, that Bill did pass this House 65 to 21 (sic - 55 to 51), but that Bill had a major defect which you have an opportunity right now to correct; because, under this legislation, it will contain an emergency response system that will protect the people of Illinois and at all costs will... will make sure that a Bhopal incident does not occur here in Illinois. Ladies

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and Gentlemen, join me in supporting this very important piece of legislation to correct the defect that occurred in the prior legislation, House Bill 300. Thank you."

Speaker Braun: "Question is, 'Shall House Bill 2036 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Chair recognizes the Gentleman from St. Clair, Representative Plinn, to explain his vote."

Plinn: "Well, Madam Speaker, I'm probably going to be the only 'no' vote on the Bill, but maybe in the course of talking about this I could relieve the Majority Leader of some of his questions he raised about this Bill. I've been around a long time, and I've seen what they call shell Bills and vehicle Bills, but this one would put an 18 wheeler to shame, I'm telling you."

Speaker Braun: "Chair recognizes the Gentleman from Cook, Representative Bowman."

Bowman: "Thank you. Madam Speaker, Ladies and Gentlemen of the House, just briefly, although I'm tempted to take issue with much of what the Minority Leader said. I'll simply say if we take his remarks simply at face value, they simply address a different issue. This Bill, vehicle though it is, addresses... purports to address a totally different issue from community right to know. It addresses an emergency response issue. That's fine. They can both pass. Let's get them out of here."

Speaker Braun: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 116 voting 'aye', 1 voting 'no', 1 voting 'present'. House Bill 2036, having received the Constitutional Majority, is hereby declared passed. Appearing on the Calendar on... The next Bill, on page 29, on the Order of Environmental Protection, House Bill 405, Representative Tate. Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 405, a Bill for an Act to amend an Act prohibiting local governments from regulating hunting and fishing. Third Reading of the Bill."

Speaker Braun: "Chair recognizes the Gentleman from Macon, Representative Tate, on House Bill 405."

Tate: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 405 amends the Fish Code and Wildlife Code and it prohibits units of local government from regulating, limiting or licensing fishing and hunting. It applies to all home rule units. It provides exceptions from the prohibition of ... if special circumstances are documented. The issue here is one that, in many cases, in many municipalities throughout the state, what currently is happening is we have different municipalities that have contracted with the Department of Conservation to manage their lakes or manage specific areas within their communities for control in fish and wildlife. The issue here is not one of really local control, because it's an issue that all of... everyone in this chamber, I think, shares the concern of whether or not we, in this state, are going to do something to preserve our wildlife and our fish in this state. And what we are doing here is saying that the best people available to make those types of decisions are professional biologists with the Department of Conservation, rather than just local... any local board or a group or trustees that may be pro gun... I mean pro hunting or anti hunting or pro fishing or anti fishing. In fact, under the current statute, what can happen in this state right now is if a local board decides to outlaw or ban crappie fishing or bass fishing, they can place special arbitrary limits upon those... those certain kinds of fish. As indicative, if all of you will refer to this... your analysis in this Bill, you'll find that this has brought

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broad-ranged support from sportsmen groups throughout the State of Illinois, because it strikes to the heart of the habitat issue; one that hopefully what we can do here is what already some 40 municipalities in this state are doing in encouraging municipalities to contract with the Department of Conservation to manage their areas and manage their lakes."

Speaker Braun: "The Gentleman has called for passage of House Bill 405. On that question, is there any discussion? Chair recognizes the Lady from Kane, Representative Zwick."

Zwick: "Thank you, Madam Speaker. Initially, I would ask for a ruling from the Chair. This is clearly a limitation on the rights of home rule units of government. And I'd like a ruling from the Chair as to how many votes it will take to pass this Bill."

Speaker Braun: "Representative Zwick, the Parliamentarian is looking at the Bill. We will advise you of his answer in a minute."

Zwick: "Okay. Thank you."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Turner. Chair recognizes the Gentleman from DuPage, Representative Barger."

Barger: "Speaker, would the Sponsor yield for a question, please?"

Speaker Braun: "He indicates he will."

Barger: "Mr. Tate, does this forbid a community to refuse to allow hunting within the city limits?"

Tate: "The answer to that is that if you will see the Amendment that was adopted in Committee, that it's certainly not the intent of this legislation to allow hunting in municipalities. In fact, what this Bill will do... we have provisions for an appeal process. And with the assurance of the Department of Conservation, we will

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essentially codify the majority of ordinances already on the books. So... and the intent of this legislation, by no means, is my intent to open up squirrel hunting or any type of other hunting in municipalities or whatever communities."

Barger: "Another question..."

Tate: "In addition to that, it is also in the statute right now that you cannot shoot guns within municipal boundaries."

Barger: "Then you will allow hunting but not discharge of firearms within the city limits?"

Tate: "No. That... again, that is not the intent of the legislation."

Barger: "Alright. Right now we have two laws in most communities. One of them is the law prohibiting the discharge of firearms within the city limits. And the second one, in many communities, is a law prohibiting the hunting of small game within the city limits. Will your Bill allow either of those two or both of those to take place within the city limits?"

Tate: "No."

Barger: "Why not?"

Tate: "Because current statute already allows... prohibits that type of hunting. Again, I think the basic... the essence of this legislation is essentially directed at two different areas. Number one, right now what we have in this state, we have municipalities that arbitrarily set certain types of limits on fish or certain types of game. And what I'm saying right now is... is no one really knows better than a biologist on what kind of ecological impact those types of things have on water bodies. Rather than... than politicians making those decisions, I think biologists should make those decisions. The second area that this Bill does address is that we have had... in many areas in

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this state, we have had municipalities that have made territorial claims upon bodies of water, for example, the Illinois River or Mississippi River or whatever, that extend a mile, a mile and a half into the water. And there there is an issue of who actually controls... who has jurisdiction over those water bodies. It's my contention that, again, I think we should have the Department of Conservation determining and regulating those areas. They're more equipped to do that. They're better prepared to do that. They can give us a better determination of what ecological impacts that's going to have upon our wildlife and that's... what's going to have upon our fish in this state. And I think that really it strikes through the heart of the issue here is one that what we're trying to do is protect habitat. What we're trying to do is make proper decisions on wildlife management, rather than having municipalities make arbitrary decisions on whether you have a two bass limit or whether you have a three bass limit or whether you can have... you can catch crappie at 12 inches in one municipality or catch crappie at six inches in another municipality. Those are decisions that biologists should be making, and that's the essence of this Bill and that's what we're attempting... attempting to address in this Bill. What we have set forth in the Bill is a mechanism that the Department of Conservation will essentially provide municipalities to come in and codify and justify what they're doing. But it will also give the state, as well as the Department of Conservation, an opportunity to... to oversee the different network of ordinances that we've implemented. And I think it will be good public policy. It will be policy that is well thought out and I'm sure that with the management that we have and with the leadership that we have that by no means will this

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Bill open up hunting and local... down Main Street in Waukegan or Morton Grove or Decatur, Illinois or anywhere else. But what this will do though is provide for a thorough overview of the different regulations that we have impacted upon our water bodies throughout this state."

Barger: "I appreciate your answer to those questions, and I have just one more. Where can I catch those 12 inch crappies?"

Tate: "Well, the question is an appropriate question, because it's one of diminishing returns right now. And what we're trying to do here is provide for good quality wildlife and good quality fish in this state so we can help endorse and continue the billion dollar industry in recreation that we do have in this state right now."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Braun: "He indicates he will."

Cullerton: "Representative Tate, first of all, to clarify one thing. You don't think that this Bill will have any effect on the ordinances that have been passed in Morton Grove and other municipalities dealing with the possession ..."

Tate: "In our analysis, the Bill says that one of the comments that we have ... I thought it was interesting that this was... possibly could impact upon gun regulation. This Bill in no way regulates guns. It's not the intent of this Bill by any means, any shape or form, to strike at the gun issue. That's not the intent of this legislation. It truly is a habitat issue. And as you can tell just by the list of proponents of this Bill, we have Carp Unlimited, we have FISH, we have Illinois Duck and Goose Alliance. We have virtually every sportsmen group and every fish group in the State of Illinois that have endorsed this Bill."

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Cullerton: "Thank you for answering my question. I have another question for you. The City of Rock Falls has recently passed an ordinance that prohibits duck hunting within its boundaries. If this Bill passes, will that ordinance be knocked out?"

Tate: "Well, let me address that specific question..."

Cullerton: "Why don't you try to answer it."

Tate: "I will. I would like to..."

Cullerton: "... direct it."

Tate: "The answer is it will not affect Rock Falls within its municipal boundaries. However, if Rock... whatever... what's this? Rock City?"

Cullerton: "Rock Falls."

Tate: "Rock Falls..."

Cullerton: "They just passed an ordinance to prohibit duck hunting..."

Tate: "If Rock Falls has territorial claims upon the Illinois River or Mississippi River, yes, it will, in fact, affect their territorial claims upon that body of water. And that's outside the municipal boundaries. Do you understand, John? Right now, if I understand your question right, they have a claim that goes a mile and a half. In fact, the incident you're referring to is what happened to this individual. For years and years and years, an individual had gone duck hunting. They had a permanent blind located in the middle of the river and... several... two years ago the city decided to enforce an ordinance within their municipal boundaries and they arrested the guy and confiscated his gun."

Cullerton: "Well, let me just read the Bill and you tell me if this makes any sense. 'No unit of local government may, in any way, limit the taking of wildlife.' Now, wouldn't that seem to knock out the ordinance which says you can't go

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duck hunting within the city limits?"

Tate: "Amendment..."

Cullerton: "I don't want to get into a territorial issue, but I'm just saying..."

Tate: "Amendments 1 and 2, if you will also look, which were adopted, provides for a mechanism that will essentially codify municipal ordinances."

Cullerton: "Which will allow for..."

Tate: "And you still cannot discharge a gun within a municipal boundary."

Cullerton: "Oh, so in other words, the city would have to come to the state and ask for permission to pass their ordinance temporarily, according to Amendment #2."

Tate: "That's correct."

Cullerton: "Thank you. Thank you. I have no further questions, Madam Speaker."

Speaker Braun: "Is there... Is there further discussion? The Lady from Champaign, Representative Satterthwaite. The Lady... The Gentleman from Peoria, Representative Tuerk."

Tuerk: "I move the previous question."

Speaker Braun: "The Gentleman has moved the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Chair recognizes the Gentleman from Macon, Representative Tate, to close."

Tate: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, the first statement I'd like to make is this, the intent of this legislation, if you'll look carefully, is certainly not to allow hunting or open up shotgun season down main street in... in any municipality. What this issue... What this Bill addresses is an issue that will put this state, like many other states, into a posture of encouraging good wildlife management. If you'll look at

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just the proponents, like I mentioned before, virtually every sportsman group throughout the State of Illinois, every fishing group throughout the State of Illinois has embraced this legislation. It's one that strikes to the issue of good quality habitat, good quality of wildlife in this state. And I would encourage all of you, if you're... if you're serious about preserving wildlife, if you want your sons and daughters, if you want your grandchildren to have the opportunity to see a pheasant, to see a rabbit, to see a bass and a crappie, you should vote 'yes' on this Bill, and I encourage a favorable Roll Call."

Speaker Braun: "The Lady from Kane, Representative Zwick, has made an inquiry of the Chair as to the appropriate number of votes required for passage of House Bill 405. The Parliamentarian has ruled that this Bill, since it relates to an exclusive state function requires 60 votes for passage. 60, sixty. On that issue... For what purpose does the Lady from Kane, Representative Zwick, rise?"

Zwick: "Is this... Is this an infringement on the power of home rule?"

Speaker Braun: "Representative the Parliamentarian... the Parliamentarian has read the home rule Section of the Constitution as not requiring an extraordinary majority for passage of this legislation insofar as it relates to an exclusive state function."

Zwick: "Okay. Thank you."

Speaker Braun: "For what purpose does the Gentleman from Cook rise, Representative McNamara?"

McNamara: "I wanted to rise in debate, but at this time, I'll wait until the explanation of the vote."

Speaker Braun: "Thank you. The question is, 'Shall House Bill 405 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? The Chair

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recognizes the Lady... the Gentleman from Cook, Representative McNamara, to explain his vote."

McNamara: "Yes, this particular issue is... and I wanted to question in debate... In one of the communities in our area, we have a small pond in which a fishing derby is conducted every year. The park district decides to go out and stock it, and actually limits the amount of fish each and every young kid must catch. Now the reason they do this is to make sure that they can teach as many kids as they... as they possibly can the joys of fishing. Under this legislation and a depletion of the home rule powers, they will not allow this program to continue. I think that it happens to be a good Bill that needs Amendment to exclude the possibility of exempting the home rule situation which will not allow the communities to go ahead and do what they should do, do the programs they have, do what's best for their community. I would urge that we not give sufficient number of votes for passage but ask for a recall consideration on this particular... so it can be amended properly so it could become, perhaps, a good Bill. I'll vote 'present'."

Speaker Braun: "The Chair recognizes the Lady from Kane, Representative Zwick."

Zwick: "Thank you, Madam Speaker, Members of the House. I suppose I'll keep it brief because it doesn't look like this is going to pass, although if it does I would ask for a verification of the 'yes' votes. This Bill revokes all of the current ordinances dealing with hunting, fishing and trapping. Those are innumerable. We have lots of ordinances that we are not even addressing here today that are on the books that have been put into place by our local officials that are much needed and that you will realize long after this Bill passes, should it pass. I think

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you're going to see a lot of very upset constituents should this... should this Bill pass and should those ordinances be knocked out. My second point is that the Department of Conservation simply is not capable of enforcing these ordinances statewide. These are local issues. In the past four years, trapping ordinances alone, they have been able to find about four people who have violated the law. They simply don't have the ability to enforce them. This is a local issue that should be enforced by our local police when there are ordinances on the books. I urge your opposition, and I thank your 'no' votes."

Speaker Braun: "The Chair recognizes the Lady from Lake, Representative Frederick."

Frederick: "Madam Speaker, Ladies and Gentlemen of the House, if we continue in this vain, it won't be long before we're going to be told by the state whether or not we can trim our shrubs and trees, and that is the reason I'm voting 'no' on this Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Jefferson, Representative Hicks."

Hicks: "Well, yes, Madam Speaker, I... I think maybe there's some misconceptions about the Bill. As the hyphenated Cosponsor on the Bill, this Bill is intended to do good, not do bad as some might express here. It's the Department of Conservation. If you don't think that this is good legislation, then you don't think that we should have agencies in State Government whatsoever to deal with anything. This is simply saying that the fishing limitations, the wildlife limitations on hunting and fishing are those that should be put in the hands of those who know what they're doing. The biologists of this state that work for Conservation, those are the people who are aware of what's going to happen to fishing for the next ten

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years, or fifteen or twenty years to come or with the wildlife in this state. It certainly cannot be in the hands of a mayor who has a particular gripe with one situation or another, nor would it... should it be in the hands of a county board or a city government that don't have the biologists, nor do they have the money to fund the necessary research to find out what's good or bad for that. And all we're saying is, if this legislation goes through and there's a particular problem in your community, then you come to the Department of Conservation and ask them about that. And with that, I would urge you to support this Bill."

Speaker Braun: "On this question, there are 56 voting 'aye', 52 voting 'no'. Mr. Clerk, take the record. On this question, there are 57 voting 'aye', 53 voting 'no', 4 voting 'present'. The Chair recognizes the Gentleman from Macon, Representative Tate."

Tate: "Yes, Madam Speaker, I would ask for a Poll of the Absentees."

Speaker Braun: "The Gentleman from Madison, Representative Sam Wolf. Record Representative Wolf as 'aye'. Mr. Clerk, poll the absentees."

Clerk Leone: "Poll of the Absentees. Capparelli. Pullen."

Speaker Braun: "Record Representative Pullen as voting 'no'."

Clerk Leone: "And Wyvetter Younge. No further."

Speaker Braun: "On this question, there are 57 voting 'aye', 53 voting... 58 voting 'aye', 53 voting 'no'... 54 voting 'no'. This Bill, having... failed to receive the Constitutional Majority, is hereby declared lost. The Gentleman from Macon, Representative Tate."

Tate: "Yes, I'd ask leave to put this on Postponed Consideration."

Speaker Braun: "The Gentleman asks leave to put this Bill on

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Postponed Consideration. Is leave granted? Leave is granted. Postponed Consideration. House Bill 703, Representative Breslin. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 703, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

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

Breslin: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, this Bill originally mandated that every county establish a solid waste management plan. The Bill has been amended. The Bill is now permissive. And what it does is, it allows counties as well as municipalities operating in a... with an intergovernmental agreement or a municipal joint action agency operating pursuant to an intergovernmental agreement to prepare and implement a solid waste management plan. The reason for the Bill is basically twofold. We have found that many areas of the state are quickly reaching disposal capacity at existing sanitary landfills. The Bill is intended to promote more solid waste and refuse planning by units of local government in order to insure the availability of landfill space in the future. My Cosponsor, Representative Churchill, will close, and he will, I'm sure, give you an idea of what's happening in that regard in his county of Lake County. Another important purpose of the Bill is to encourage the use of solid waste management technics - technics that are alternatives to landfilling such as incineration and waste treatment. There are several guidelines for the municipalities to go by in establishing their plan. They are also allowed to charge a five... fifty cent per cubic yard charge on the solid waste disposal that goes on within their jurisdiction in order to pay for, number one, the plan and, number two, the implementation of any programs pursuant to the plan. So it

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is up to, at their discretion, the local government's authority to establish the plan and establish a charge in order to pay for the plan."

Speaker Braun: "Is there any discussion? The Gentleman... The Chair recognizes the Gentleman from Livingston, Representative Ewing."

Ewing: "Will the Sponsor yield?"

Speaker Braun: "She indicates she will."

Ewing: "Representative Breslin, is this the Bill that was, as originally filed, mandatory for each county to form such a contract with the state?"

Breslin: "It was, and it has been amended so that it is now permissive."

Ewing: "I asked you, I think, at that time if you intended to introduce or support legislation that would make it mandatory later."

Breslin: "No, I... I do not intend to do so. The reason I made it permissive was because we found that we thought that it would be too expensive for... for the state to handle. So we went to this mechanism to allow county governments or municipal governments, pursuant to an intergovernmental agreement, to establish their own funding procedure for it if they wish to do it."

Ewing: "Representative, is there a cost factor for the state or for local governments? Do you have... There's no estimate of any cost."

Breslin: "No, there is not. It depends on what counties want to do. The... The Bill does specifically provide that should the counties or the municipalities, pursuant to their intergovernmental agreement, choose to establish a fee in order to pay for this plan, it must cover only the cost of the plan or the cost of the implementation of the program. In other words, the fee should abate as soon as they have

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implemented their plan or if, of course, they have a program done pursuant to it, it would continue. But it's up to the counties to establish how long it will run."

Ewing: "Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes... The Chair recognizes the Gentleman from Lake, Representative Churchill, to close."

Churchill: "Thank you, Madam Speaker. I stand in support of this Bill and ask that those Members on my side of the aisle would join me on this. It sounds a little strange that a county has to... has to get legislation to authorize it to do planning, but in Lake County we've been researching this issue for a number of years on trying to find alternates to siting of landfills. And we have an opinion from our state's attorney that the county does not have the power to enter into such plans. And so we've come into the legislative process to give the counties that kind of authorization so that they can go ahead and start planning and look for alternatives to landfill siting. In Lake County, the district that I... I have has approximately seven landfills in it. Lake County receives a lot of waste from not only Lake County but surrounding counties and also from seven other states. Within a number of years, those landfills will no longer have any excess capacity. They'll be filled. Now is the time when we have to start looking for into the future to try and determine whether there are suitable alternatives for landfilling, what those alternatives are and create plans to start the commencement of following through with those plans whether it be through further landfilling, through incineration, through recycling, through resource recovery. But we have to start plans. Now is the time that we have to do that, so I would rise in support of the Lady's Bill and ask the Members on

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my side of the aisle to vote 'aye' on this important piece of legislation."

Speaker Braun: "The question is, 'Shall House Bill 703 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 97 voting 'aye', 15 voting 'no', 1 voting 'present'. House Bill 703, having received the Constitutional Majority, is hereby declared passed. On page 32 of the Calendar, House Bills Third Reading, under the Special Order - Gasohol, appears House Bill 1317. The Chair recognizes the Gentleman from Effingham, Representative Hartke. Before we change Orders of Business, we will return to the Environmental Protection Order for consideration of House Bill 787. House Bill 787 on page 29 of the Calendar. Mr. Clerk... Representative Berrios. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 787, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Berrios, on House Bill 787."

Berrios: "Madam Speaker, I'd ask leave to bring this back to Second Reading for an Amendment."

Speaker Braun: "The Gentleman asks leave to take this Bill back to the Order of Second Reading for purposes of an Amendment. Does... Is leave granted? Leave is granted. The Bill will... return to the Order of Second Reading."

Clerk O'Brien: "Amendment #3, offered by Representative Berrios, amends House Bill 787 as amended on page two and so forth."

Speaker Braun: "Representative Berrios on Amendment #3."

Berrios: "I would ask the adoption of Amendment #3. It simply puts in an effective date."

Speaker Braun: "The Gentleman has moved for adoption of Amendment

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#3 to House Bill 787. And 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?"

Clark O'Brien: "No further Amendments."

Speaker Braun: "Third Reading."

Berrios: "I'd ask leave to hear this Bill now."

Speaker Braun: "The Gentleman asks leave for immediate consideration of House Bill 787. Is leave granted? Leave is granted. All in favor say 'aye', opposed say 'nay'. Leave is granted by unanimous consent. The Chair recognizes the Gentleman from Cook, Representative Berrios, on House Bill 787."

Berrios: "House... House Bill 787 merely provides that the Secretary of State shall not... shall refuse to register or give certification of title unless a foreign vehicle brought into this country conforms to the federal safety and emission standards, and I would ask for adoption of the Bill."

Speaker Braun: "On this question, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Leverenz."

Leverenz: "This... We're on Third Reading now?"

Speaker Braun: "Yes, Sir."

Leverenz: "Would the Sponsor yield to a question?"

Speaker Braun: "He indicates he will."

Leverenz: "How does Representative Van Duyne feel about this Bill now? Could you simply state what the Bill does again, Representative?"

Berrios: "What it does is, it prevents the Secretary of State from registering or granting a title to any vehicle that doesn't conform to federal safety and emission standards."

Leverenz: "Well, while we're waiting for Mr... Representative Van

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Duyme to answer this about how Mercedes Benz feels about this, perhaps you could tell me how many locations are there in the State of Illinois where you can bring an auto into conformance with the federal standards?"

Berrios: "I don't know."

Leverenz: "Perhaps Representative Van Duyme could answer that question. I do believe there is only one place and that location is in Elk Grove Village, so put a circle around that for Representative Van Duyme. I intend to vote 'yes' for this, just to make his 48 thousand dollar Mercedes Benz worth a little more."

Speaker Braun: "The Chair recognizes the Gentleman from DuPage, Representative Barger."

Barger: "Thank you, Madam Speaker. As I read this Bill, it says that you must prove compliance with federal emission standards in order to have your automobile reregistered. Now according to the laws in the State of Illinois, there are only five counties that require this at present. In the rest of the counties where it does not require a... such strict emission standards for clean air reasons, automobiles are automatically allowed to be reregistered or they're not even required to take the tests. So I think that everyone outside of those few counties should consider very strongly voting against this Bill because it can do nothing. You do not have facilities to have your automobiles checked for compliance. You're not required to have them checked for compliance. And here is a Bill that's going to allow the Secretary of State to revoke your registration if you don't do it. And I... I advise very strongly that we consider voting against this Bill."

Speaker Braun: "Is there further discussion? The Chair to recognize the Gentleman from Adams, Representative Mays."

Mays: "Will the Gentleman yield for a question?"

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Speaker Braun: "He indicates he will."

Mays: "It is my understanding that imported cars have to be certified that they meet these requirements before they can be commercially sold in this country. Is that not correct?"

Berrios: "Yes."

Mays: "Okay. It's also my understanding that you have to have certification within six months after you buy a car in a foreign country and import it into this country. Is that not correct also?"

Berrios: "I missed that question."

Mays: "Well, it's my... you know... Madam Speaker..."

Berrios: "I told you... required, but it's hard to enforce."

Mays: "Okay. To the Bill. I rise in support of this Bill. You have to meet these requirements. All... All federal... All cars manufactured in the United States have to meet these requirements as is. All foreign cars commercially sold in the United States, whether they're from Quincy or Bartonville or wherever, have to meet these requirements before they can be sold. All foreign cars bought in a foreign country and imported to this state, it is my understanding, have to meet these certification for requirements also. So I don't see that this Bill is such an onerous Bill, and I rise in support and hope... and will lend my support to get it passed."

Speaker Braun: "The Chair... Is there further discussion? The Chair recognizes the Gentleman from Will, Representative Van Dyne."

Van Dyne: "Yes, I... Madam Speaker, I can attest to the veracity of the Bill and the Sponsor. The law... The federal law forces you now to meet the federal standards within 120 days of importation of an automobile from foreign shores into the United States; so the Bill that Representative

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Berrios has really doesn't change a thing."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from DuPage, Representative Hensel."

Hensel: "Madam Speaker, I move the previous question."

Speaker Braun: "The previous question has been moved. All in favor say 'aye', opposed say 'nay'. The question is, 'Shall the main question be put?' The main question is, 'Shall House Bill 787 pass?' And on that, the Chair recognizes the Gentleman from Cook, Representative Berrios, to close."

Berrios: "I would ask everyone to vote for this Bill because we do need clean air. All cars should be required to pass the federal safety and emission standards, and I think it's just... should be fair to all... all the other cars sold in America. Thank you."

Speaker Braun: "The question is, 'Shall House Bill 787 pass?' 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, there are 107 voting 'aye', 9 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Now turning to page 32 of the Calendar, on the Order of... Special Order of Gasohol appears House Bill 1317. The Gentleman from Effingham, Representative Hartke. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1317, a Bill for an Act in relation to the State Occupation and Use Tax Acts. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Effingham, Representative Hartke."

Hartke: "Madam Chairman (sic - Speaker), Members of the House, House Bill 1317 is an Act that refers to the manufacturing

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of agricultural products, ethanol, to be... in fact. Ethanol is used to produce gasohol, and it has come to my attention that certain companies are taking advantage of a Bill passed in the State of Illinois several years ago which allows a subsidy for ethanol production. The intent of that Bill was to use up excess grain here in the midwest. Well, if they're going to import this grain, I feel that we should not be subsidizing them for that. But if they continue to use domestic grain, then fine, let us continue subsidizing that industry. This Bill has an Amendment on it which also takes a state sales tax off of the thousand dollar threshold on farm machinery. I would ask for your favorable vote on this Bill."

Speaker Braun: "Is there any discussion? The Chair recognizes the Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Madam Speaker. I stand in support of this Bill, particularly for the Amendment. This Amendment was in the form of a Bill about four or five years ago, was not allowed to go on at that time with the intent that we'd reconsider a few years down the way. This is the time when Illinois agriculture and American agriculture needs some assistance. A lot of people are continuing to repair old machinery because there isn't sufficient dollars to buy new machinery, and this would surely be a help to Illinois farmers. And we urge your favorable support of this Bill."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Jackson, Representative Richmond."

Richmond: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I'd like to rise in strong support of this Bill and particularly the Amendment, which I offered to the Bill, which would take away the thousand dollar threshold on farm... for sales tax on farm machinery. It's obvious

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that we need to do this because our neighbor... neighboring states have... do not have that type of exemption; and, therefore, our implement dealers are suffering as a result. It would help the farming community and help the state in general. And, certainly, I... I would urge your support of this Bill."

Speaker Braun: "The Chair recognizes... Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative O'Connell."

O'Connell: "Question of the Sponsor."

Speaker Braun: "He indicates he'll yield."

O'Connell: "You mentioned there's Amendment on this Bill where it eliminates the threshold of the sales tax on farm machinery. What is the total dollar amount that this will cost the state?"

Hartke: "Two and a half million dollars more."

O'Connell: "Does this... Does this apply to the threshold on manufacturing machinery as well?"

Hartke: "No, this is strictly farm machinery - parts and pieces."

O'Connell: "You mentioned two and a half million. Is that a full year exempt... a full year elimination?"

Hartke: "Yes, it is. Yes, it is."

O'Connell: "That... That is somewhat inconsistent with an analysis that we have which indicates that assuming a July 1, 1985, effective date a full fiscal year 1986 additional cost would be 5.3 million. With a January 1 effective date, one half fiscal year 1986 cost would be 2.3 million."

Hartke: "In anticipation of a... a fiscal note being... being filed, it says here, 'two and a half to three million in fiscal year 1986.'"

O'Connell: "Well, briefly to the Bill. I realize that the farmers have had some difficult times, but I also realize that we all... most of us, at least, voted for a farm

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rehabilitation measure at the first part of this Session. Now we're talking about a... a Bill which would afford an individual farmer a maximum of 60 dollars to replace a particular part, but it's costing the State of Illinois in it's General Revenue Funds anywhere from 2.3 million, which the Sponsor indicates will occur, or up to 5... 5.3. We can round it off to six. But my point is that I think we've done a considerable amount for the farmer this Session, and I would suggest that we are saving the individual farmer a minimal amount but we're costing the state a fairly sizable amount. So I would reluctantly vote against the Bill."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Livingston, Representative Ewing."

Ewing: "Would the Sponsor yield for..."

Speaker Braun: "He indicates he will."

Ewing: "The Amendment that takes the sales tax off of farm machinery, that's not really the big machinery, that sales tax is already off of that farm machinery, is that not correct?"

Hartke: "That's correct. It's off of parts and pieces, small machinery and so forth - farmers repairs, replacement parts."

Ewing: "So... Yes. So any... any machine over a thousand dollars or any repair over a thousand dollars, there's no tax on it."

Hartke: "Right. That... That is already exempt."

Ewing: "And do you... do you have to pay sales tax when you get your car repaired?"

Hartke: "Yes, I do."

Ewing: "Do you know of anything else where we don't have to pay sales tax on repair parts?"

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Hartke: "Yes, Sir, if you're an oil producer, we just passed that Bill here not too long ago, and that's also under consideration here."

Ewing: "We passed it, but I don't think the Governor signed it yet. Is that right?"

Hartke: "There's no threshold on manufacturing equipment."

Ewing: "That's not a consumer good, but that's... that's right. Did... Are you talking about the one where we just passed the one on the oil... oil subsidy?"

Hartke: "Correct."

Ewing: "Madam Speaker, Ladies and Gentlemen of the House, it may sound strange that I would be... stand in opposition to this continued tax break, but I agree that we took the sales tax off of farm machinery so that the implement dealers could compete with people who sell implements across state lines where they didn't pay the tax. Earlier this year, the implement dealers came to Springfield, and they talked to many of us, and they asked to take off this thousand dollars or take the tax off this thousand dollars. And Ladies and Gentlemen, I had to say to them that I couldn't support that because we can't continue to decimate our tax base and spend more money for education, and more money for mental health, and more money for public aid and for all the things that we need down here. And I think that we have been extremely fair by taking the sales tax off of farm machinery. And I don't see how we can continue to do this unless we want to take sales tax off of car repairs for those dealers around the edge of the state who may have to compete or anybody else. And I just think you ought to all keep that in mind that we have to make some tough decisions. This is a tough decision, but I think fairness is on the side of retaining this small amount of revenue to help pay for some of the other expenses we need

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in this state."

Speaker Braun: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Panayotovich."

Panayotovich: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I think a few things should be straightened out here first of all. The statement of the 5.3 million dollars that the state would lose is an incorrect figure. The fiscal note the Department had turned out was taking about all equipment not just farm equipment. Representative Hartke was correct in saying this would cost the state only 2.3 million. The fiscal note that said approximately five... five and a half million was including such things as industrial... light industrial equipment, heavy industrial equipment, construction equipment, snowmobiles, riding mowers, et cetera, et cetera. So that figure was not just farm equipment. It was all equipment. So we're back to the figure now of a 2.3 million dollar cost. Secondly, I would also... I would like to thank Representative Ropp for coming along on this important Bill both to farmers because of the equipment and also to get us to buy this American grown corn. And Representative Ropp, I want to thank you, and also Representative Hartke, his sight on his first Bill to make... so that we buy this corn and help the farmers. I think we should see all green Bills up there... votes."

Speaker Braun: "Is there further discussion? The Chair recognizes... The Chair recognizes the Gentleman from Edgar, Representative Woodyard."

Woodyard: "Thank you, Madam Speaker. I rise in support of this Bill. Quite frankly, I did not agree with the imposition of the one thousand dollar threshold when we exempted the other farm machinery from sales tax a few years back. You could see what was going to happen. This has become an

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administrative nightmare to the Department of Revenue, and it just absolutely cannot be administered correctly in any way, shape or form. The other thing I would like to point out, there is analogous... an analogy already on the exemption. I think a year or two back we passed the exemption on the printing equipment and parts, and so, thus, other industries do have the benefit of that tax exemption. So I urge your support for this Bill."

Speaker Braun: "...recognize the Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Madam Speaker. I move the previous question."

Speaker Braun: "The question is, 'Shall the previous question be put?' All in favor say 'aye', opposed say 'nay'. The previous question is put. The question is, 'Shall House Bill...' Oh, Representative Hartke to close."

Hartke: "Thank you, Madam Speaker. Gentlemen of the House, in today's farm economy we've got the threshold off of new equipment. The farmer needs help to... to repair that equipment. This would... would help him considerably. I'd urge your favorable vote on this Bill."

Speaker Braun: "The question is, 'Shall House Bill 1317 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. The Chair recognizes the Gentleman from Madison, Representative McPike, to explain his vote."

McPike: "Thank you, Madam Speaker. A few weeks ago I was in Kentucky and I noticed about 200 combines that had come down from Illinois all of them to get their spark plugs changed in order to avoid paying the sales tax on the spark plugs up here. I think in order to keep these combines in Illinois we're going to have to give these farmers this break, so I vote 'aye'."

Speaker Braun: "The Chair recognizes the Gentleman from Cook,

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Representative Keane."

Keane: "Thank you, Madam Chairman (sic - Speaker). I hesitate to rise in opposition to a Member's first Bill, but I don't... Unfortunately... Unfortunately this will probably... Can... Can we have Representative Cullerton call out the numbers as they go up? He's keeping me in touch."

Speaker Braun: "Proceed."

Keane: "We've killed a similar Bill in the House Revenue Committee. Unfortunately this will go over to the Senate. The Senate has all too many previous House Members, and almost anything passes through there. Our Governor, who is known for his courage and his stand up... his stiff backbone, will probably sign this baby as soon as it hits his desk. All I'm saying is is that we took all but one thousand dollars off of... Let's go with 100. We're shooting for 100. We took... We took on a 225 thousand dollar combine, we... we exempted 224 thousand. I really believe you guys should kick in, forget the old ladies, forget the people on pensions, give it to the farmers, because it tastes... it takes a lot to drive one of those air-conditioned combines. It eats up a lot of gas, and we better be sympathetic to them. Thank you very much."

Speaker Braun: "Have all voted who wish? Thank you. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 92 voting 'aye', 25 voting 'no', 1 voting 'present'. House Bill 1317, having received the Constitutional Majority, is hereby declared passed. Congratulations, Representative. On the Order of House Bills - Gasohol Second Reading appears House Bill 753, Representative Steczo. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 753, a Bill for an Act in relation to the taxation of gasohol. Second Reading of the Bill. No

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Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clark O'Brien: "Floor Amendment #1, offered by Representative Steczo, amends House Bill 753 on page three, line one and so forth."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Steczo, on Amendment 1 to House Bill 753."

Steczko: "Thank you, Madam Speaker. I'd like leave to withdraw Amendment #1 please."

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

Clark O'Brien: "Floor Amendment #2, offered by Representative Steczo, amends House Bill 753 on page three, line one and so forth."

Speaker Braun: "The Gentleman from Cook on Amendment #2."

Steczko: "Withdraw Amendment #2 please."

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

Clark O'Brien: "Floor Amendment #3, offered by Representative Homer, amends House Bill 753 by deleting the title and so forth."

Speaker Braun: "The Chair recognizes... The Chair recognizes the Gentleman from Fulton, Representative Homer, on Amendment #3."

Homer: "Leave to withdraw, Madam Speaker."

Speaker Braun: "Amendment #3 is withdrawn. Further Amendments?"

Clark O'Brien: "Floor Amendment #4, offered by Representative Steczo, amends House Bill 753 on page three, line one and so forth."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Steczo, on Amendment #4."

Steczko: "Thank you, Madam Speaker. Withdraw Amendment #4 please."

Speaker Braun: "Amendment #4 is withdrawn. Further Amendments?"

Clark O'Brien: "Floor Amendment #5, offered by Representative

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Steczo, amends House Bill 753 by deleting the title and so forth."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Steczo, on the real Amendment, I hope."

Steczo: "One more time, Madam Speaker. Withdraw Amendment #5."

Speaker Braun: "Amendment #5 is withdrawn. Further Amendments?"

Clark O'Brien: "Floor Amendment #6, offered by Representative Steczo, amends House Bill 753, page three, line one by deleting December 31 and so forth."

Speaker Braun: "Representative Steczo on the right Amendment."

Steczo: "Thank you, Madam Speaker, Members of the House.

Amendment #6 is the product of about approximately three to four weeks of discussions between various groups that are involved in discussions on the gasohol exemption. What Amendment #6 does is, as of the effective date of the Act, raises the gasohol exemption by one percentage point, thereby reducing the subsidy to three percent. The Bill... The Amendment, rather, also provides that on June 1, 1986, that the subsidy will be reduced to two percent and stay at two percent until the current date that the subsidy is to be repealed which is... December 31, 1992. Amendment #6 also provides that the Department of Revenue shall maintain gallonage records for exemption claimed on gasohol sold at retail which qualify for the subsidy or for the exemption. I would move for the adoption of Amendment #6."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #6 to House Bill 753. On that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Ronan."

Ronan: "Thank you, Madam Speaker and Members of the House. I rise to support this Amendment. There's been a tremendous amount of work in negotiation that's gone on between the gasohol industry, the Corn Growers Association and numerous

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oil companies here in the State of Illinois. It's a good concept that's being established. It's going to create more revenue for the State of Illinois which is a plus, and also it's going to keep a thriving industry - the gasohol industry - moving in the right direction. A lot of time and effort went into this Amendment. I think it's a move in the right direction, and I wholeheartedly support Representative Steczko efforts to keep Illinois a state that's first in gasohol and first in the hearts of the nation."

Speaker Braun: "Any further discussion? The Chair recognizes the Gentleman from Livingston, Representative Ewing."

Ewing: "This is one of those issues, Ladies and Gentlemen, where no one... you never think they're going to get an agreement, and after you do get an agreement, no one seems to be happy. That probably tells us that it's a pretty good compromise. Those who oppose putting any tax... additional tax or reducing the exemption on gasohol will tell you how much... how many jobs we're going to lose and how much the price of corn's going to go down, and those on the other side will tell you how much money they're making off of the exemption and how much money the State of Illinois is losing in their road fund. This is a very hardly thought compromise. I think it's fair. There's enough time that if we find that what we have done here tonight is hurting our ethanol industry, a new industry in this state, we will certainly have time to come back and correct that error. And I would suggest a 'yes' vote on this Bill as amended."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Steczko, to close."

Steczko: "Thank you, Madam Speaker, Members of the House. As Representative Ewing has just indicated, there have been..."

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Clark O'Brien: "Floor Amendment #2, offered by Representative Homer."

Speaker Braun: "Amendment #2 is withdrawn."

Clark O'Brien: "Floor Amendment #3, offered by Representative Homer."

Speaker Braun: "Representative Homer on Amendment #3."

Homer: "Leave to withdraw."

Speaker Braun: "Amendment #3 is withdrawn. Further Amendments?"

Clark O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. We're going to go to the Order of Second Reading on those matters which will be heard tomorrow. For what reason does the Gentleman from Fulton rise, Representative Homer?"

Homer: "Thank you, Madam Speaker. I believe this may self... effectuate itself, but it's my understanding that both House Bill 753 and House Bill 1090 have now advanced to the Order of Third Reading."

Speaker Braun: "Yes, they have."

Homer: "Thank you."

Speaker Braun: "Mr. Clerk, we will... On page 40 of the Calendar appear House Bills Second Reading under the category of Build Illinois. Mr. Clerk, would you read the Bills appearing on that Order a second time?"

Clark O'Brien: "House Bill..."

Speaker Braun: "They will remain on the Order of Second Reading."

Clark O'Brien: "House Bill 567, a Bill for an Act to amend the Illinois Housing Development Act. Second Reading of the Bill. House Bill 568, a Bill for an Act to create the Build Illinois Bond Act. Second Reading of the Bill. House Bill 569, a Bill for an Act making an appropriation to various agencies. Second Reading of the Bill. House Bill 570, a Bill for an Act relating to Build Illinois Program. Second Reading of the Bill."

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Speaker Braun: "The Bills will be held on the Order of Second Reading. Again on the Order of Second Reading, on page 41, on the Order of Banking appears House Bill 419, Representative Cullerton. Mr. Clerk, read the Bill."

Clark O'Brien: "House Bill 419, a Bill for an Act to amend the Foreign Banking Office Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clark O'Brien: "Floor Amendment #1, offered by Representative Braun."

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

Clark O'Brien: "Floor Amendment #2, offered by Representative Friedrich, amends House Bill 419 by deleting the title and so forth."

Speaker Braun: "The Gentleman from Marion, Representative Friedrich, on Amendment #2."

Friedrich: "Madam Speaker, Members of the House, actually this Amendment is what was originally introduced as House Bill 1964 and 1965 and given to me by the Commissioner of Banks... Harris. It's actually some cleanup matters that they've developed over a period of time. I can recite pretty quickly what it does. It eliminates duplicate language between the Banking Act and the FT Act. In fact, it eliminates the FT part from the Banking Act because it's a separate Act. It permits minimal capital requirement to be filed with the Secretary of State rather than established in law. Authorize the directors of qualifying shares to be in a holding company. Requires charter members to be completed within one year of authorization or cancelled. Authorizes acquiring bank and emergency sales or a merger to operate acquired banks and its facilities is limited to one time. Includes joint ventures on

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there has been, rather, a great deal of discussion over the last few weeks relative to House Bill 753. And, in fact, the proposal that we put forth in Amendment #6 is one that will recoup funds to the state General Revenue Fund and would also provide that the Department of Revenue will monitor the records of gasohol sold at retail in the State of Illinois to determine in the future exactly what the market share might be so we can make adjustments and look at possible adjustments in the future. I would offer Amendment #6 to you and would ask the House to... for its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #6 to House Bill 753. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. Amendment #6 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. On the same Order of Business appears House... On the same Order of Business appears House Bill 1090, Representative Hannig. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1090, a Bill for an Act to amend an Act relating to gasohol. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "...recognizes the Gentleman... Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Homer, amends House Bill 1090 on page one, line one, by deleting gasohol and so forth."

Speaker Braun: "The Chair recognizes the Gentleman from Fulton, Representative Homer, on Amendment #1."

Homer: "Thank... Thank you, Madam Speaker. May I have leave to withdraw Amendment #1 and Amendment #2?"

Speaker Braun: "Amendment #1 is withdrawn."

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aggregation of... of lending limits. Cleans up incorrect references. Clarifies provisions of loans to officers and directors. Clarifies handling of unclaimed dividends after dissolution. And there's a one time provision in here for foreign bank corporation to operate premises of acquired bank outside central business district of Chicago. Actually this is designed for Bank O'Popular of Puerto Rico acquiring failed Washington National in the Hispanic neighborhood. It's a one time thing, and it self-destructs. I... As far as I know, there's no opposition, and this... the Sponsor of the Bill has agreed to the Amendment. And..."

Speaker Braun: "The Gentleman has... Sorry. The Gentleman has moved the adoption of Amendment 2. Is there any discussion? The Chair recognizes the Gentleman from St. Clair, Representative Flinn."

Flinn: "Madam Speaker, I agree that Amendment #2 should be adopted to House Bill 419. What Representative Friedrich said is exactly right, and as Chairman of the Financial Institution Committee, I... I also suggest that we adopt the Amendment."

Speaker Braun: "Is there any further discussion? There being none, the Gentleman has moved for the adoption of Amendment #2 to House Bill 419. All in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clark O'Brien: "Floor Amendment #3, offered by Representative Cullerton and Zwick, amends House Bill 419 as amended and so forth."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Cullerton, on Amendment #3."

Cullerton: "Madam Speaker, I wish to withdraw Amendment #3."

Speaker Braun: "Amendment #3 is withdrawn. Further Amendments?"

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Clark O'Brien: "Floor Amendment #4, offered by Representative Mautino, amends House Bill 419 as amended in Section 6-106 and so forth."

Speaker Braun: "The Gentleman... The Chair recognizes the Gentleman from Bureau, Representative Mautino, on Amendment #4."

Mautino: "Thank you, Madam Speaker. Amendment #4 is an Amendment where there is no opposition and basically addresses the question because it is necessary to maintain a viable operation in the existence of the... electronic funds transfer systems and electronic funds transfer corporations. I know of no opposition to the Amendment. I double checked it with Representative Friedrich as well as the Sponsor of the legislation, Representative Cullerton and Representative Plinn."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #4. On that, is there any discussion? All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the Amendment... the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clark O'Brien: "Floor Amendment #5, offered by Representative Cullerton, amends House Bill 419 on page one, line 10 and so forth."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Cullerton, on Amendment #5."

Cullerton: "Thank you, Madam Speaker. Amendment #5 is a technical Amendment which corrects the legal description found in the Bill. I move for the adoption of Amendment #5."

Speaker Braun: "The Gentleman has moved the... the adoption of Amendment #5 to House Bill 419. All in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

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Clark O'Brien: "Floor Amendment #6, offered by Representative Cullerton, amends House Bill 419 as amended with reference to page and line, so forth."

Speaker Braun: "The Gentleman from Cook, Representative Cullerton, on Amendment #6."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #6... would require all new federally chartered financial institutions to have federal deposit insurance. This is designed to protect against the situation that occurred in Ohio happening here in Illinois, and I move for the adoption of Amendment #6."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #6. On that... On that Motion, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Bullock."

Bullock: "Madam Speaker, will the Gentleman yield for a question?"

Cullerton: "I'll do my best."

Bullock: "Representative Cullerton, could you further explain this Amendment in terms of what in Illinois this Amendment attempts to prevent as it relates to the Ohio experience? And does it apply to thrifts as well as financial institutions?"

Cullerton: "I'm sorry. Does it apply to what? I couldn't... I couldn't hear that? Does it apply..."

Bullock: "Does it apply to thrifts as well as commercial banks?"

Cullerton: "Oh, thrifts, you said. Banks, credit unions and savings and loans."

Bullock: "And in applying to the savings and loans with Amendment #6, we are requiring that they be federally insured. Is that your intention?"

Cullerton: "Just new ones."

Bullock: "Thank you, Madam Speaker. I support the Amendment."

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Speaker Braun: "Is there further discussion? There being none, the Gentleman has moved for the adoption of Amendment #6. All in favor say 'aye', opposed 'nay'. In the opinion of the Chair, Amendment #6 is adopted. Further Amendments? For what reason does the Lady from Cook, Representative Wojcik, rise?"

Wojcik: "Yes, Madam Speaker, since there is a lull, this is for the purpose of an announcement. The Medical Society would like all Members of the House to know that the reception will still be going on until 9 o'clock and everyone is invited."

Speaker Braun: "Thank you. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. On the Order of House Bills Second Reading - Banking appears House Bill 501, Representative Bullock. Mr. Clerk, read the Bill. Representative Bullock."

Bullock: "Thank you, Madam Speaker and Ladies and Gentlemen of the Assembly. Amendment #1 amends the Bill to amend the Foreign Banking Act and provides that foreign corporations must obtain written consent from state or national banks within a 16 hundred feet of a secondary business district and further expands the boundaries of business district to create a secondary business district. This Amendment would, in effect, not give any institution advantages over domestic banks as it relates to the foreign banking district. I would urge its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1 to House Bill 501. On that, is there... Mr. Clerk, would you read the Bill?"

Clerk O'Brien: "House Bill 501, a Bill for an Act to amend Sections of the Foreign Banking Office Act. Second Reading of the Bill. No Committee Amendments."

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Speaker Braun: "On Floor Amendment #1, Representative Bullock has moved the adoption of Amendment #1. 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?"

Clark O'Brien: "Floor Amendment #2, offered by Representative DeJaegher, amends House Bill 501 by deleting the title and so forth."

Speaker Braun: "The Chair recognizes the Gentleman from Rock Island, Representative DeJaegher, on Amendment #2."

DeJaegher: "Thank you, Larry. Basically the Amendment is rather large, but the substance of the Amendment is very brief. This was asked of me by one of our local bankers. Basically, it's asking him to retain the services that he presently has and with that, hopefully that you'll be supportive of the Amendment."

Speaker Braun: "On that... The Gentleman has moved the adoption of Amendment #2. Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Bullock."

Bullock: "Madam Speaker, I don't have a copy of the Amendment. Would the Sponsor yield for a question? Would the Sponsor yield for a question?"

Speaker Braun: "He indicates he will."

Bullock: "Representative DeJaegher, could you explain this Amendment again now? What does the Amendment do?"

DeJaegher: "What the Amendment does is gives this particular bank the right to engage in the service that they are presently providing which is armed car services, travel and..."

Bullock: "I have no objections. We discussed this. Did we discuss this Amendment? Yes, I'm sorry."

DeJaegher: "Larry..."

Bullock: "I support the Amendment."

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Speaker Braun: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 501. All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clark O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 1906, Representative Vinson. Representative Vinson. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1906, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clark O'Brien: "Floor Amendment #1, offered by Representative Woodyard, amends House Bill 1906 on page one in line one and so forth."

Speaker Braun: "The Chair recognizes the Gentleman from Edgar, Representative Woodyard, on Amendment #1."

Woodyard: "Thank you, Madam Speaker. This was at the request of a residential area just outside the City of Danville. And it provides that they may incorporate themselves as a village under the present laws, and we are adding the language that they may do this provided that they have public water district in... in the incorporation of the village - a public water district. I would move for its adoption."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #1. On that, is there any discussion? There being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clark O'Brien: "Floor Amendment #2, offered by Representative Tate, amends House Bill 1906 on page line in line and so forth."

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Speaker Braun: "The Chair recognizes the Gentleman from Macon, Representative Tate, on Amendment #2. Representative Tate."

Tate: "Thank you, Madam Speaker. I move for the adoption of Amendment 2."

Speaker Braun: "On that question, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Representative Tate, what does Amendment #2 do?"

Tate: "Amendment #2 permits auxiliary police to carry firearms to and from work with permission of the Chief of Police, and it was requested by the auxiliary police groups throughout the state."

Cullerton: "What are auxiliary police? Or who are auxiliary police, I imagine I should say?"

Tate: "They serve as backup capacities and in various other parades and ceremonial affairs and other responsibilities that backup policemen do."

Cullerton: "Okay. Now the current law requires for them to carry a weapon, both the Chief of Police's permission and that they be in uniform and on duty. So the purpose of this Amendment is to allow these characters, I'm sorry, these auxiliary policemen to... to carry a gun even when they're not on duty, when they're out bowling on Saturday night and drinking it up in the taverns. If they get the Chief of Police's permission, they can carry their gun then, right? Isn't that what the Bill does?"

Tate: "Representative Cullerton, this Amendment allows them to carry it to and from work with the permission of the Chief of Police. The city would still be liable."

Cullerton: "Well, let me ask you this. It doesn't say anything about to and from work. It just strikes, 'and while in uniform and in the performance of their duties,' and that's

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all the Amendment does. So it doesn't... So that... As long as they get the permission of the Chief of Police, they can carry it any time, anywhere, even in the taverns when they're out drinking on Friday and Saturday night. And these are the auxiliary police, not the full time police but the backup. And I think it's... it's just a crazy idea, and I oppose the Amendment."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Bullock."

Bullock: "Thank you, Madam Chairman (sic - Speaker). Parliamentary inquiry."

Speaker Braun: "Proceed."

Bullock: "I rise and question the germaneness of this Amendment. I think I spoke yesterday about the substance of similar Amendments that really appear to be innocuous and frivolous and certainly not germane."

Speaker Braun: "Representative Bullock, the Parliamentarian advises that insofar as the Bill amends the Municipal Code and the Amendment amends the Municipal Code to simply expand something which already appears in that Act, that it is, therefore, germane to the subject matter of the Bill. Is there further discussion? The Chair recognizes the Gentleman from Macon, Representative Tate, to close."

Tate: "Yes, Madam Speaker, this is a good Amendment. This was proposed by different law enforcement agencies. The auxiliary police in the state which are good law abiding citizens, this just strictly strikes the language that does not permit. This still will take the permission of the local Chief of Police to allow auxiliary policemen to take a firearm from work to... to home. Move for a favorable Roll Call."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 1906. All in favor vote 'aye',

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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 33... 34 voting 'aye', 66 voting 'no' and the Amendment fails. Further Amendment?"

Clark O'Brien: "Floor Amendment #3, offered by Representative Tate, amends House Bill 1906 as amended by deleting the title and so forth."

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

Tate: "I'm a little... little shocked at the Roll Call up there. It's unbelievable. But Amendment 3 is essentially like Amendment 2. We felt that Amendment 2 might be out of order. Same issue. I ask for a Roll Call on this issue and move for its adoption."

Speaker Braun: "The Gentleman has... I'm sorry, Representative Tate. Did you ask for the same Roll Call or did you want another vote? Thank you, Representative Tate. The Gentleman has moved the adoption of Amendment #3. 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 Motion... On this Amendment, there are 27 voting 'aye', 70 voting 'no'. The Amendment fails. Further Amendments?"

Clark O'Brien: "Floor Amendment #4, offered by Representative Williamson and Pullen, amends House Bill 1906 by deleting the title and so forth."

Speaker Braun: "The Chair recognizes the Lady from Cook, Representative Williamson."

Williamson: "Madam Speaker and People (sic - Members) in the House, Amendment #4 is simple, and it's very easy. And I'm sure you're all going to approve with me. It simply will give the power to the City of the Village of Des Plaines to have the power to condemn the approval of... of property by

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the City of Chicago. If the City of Chicago would like to condemn property to expand O'Hare Airport, the City of Des Plaines would then have the power to decide if this property should be condemned. There are homes in that area, people that are concerned. The City of Des Plaines should have the right to decide whether or not these homes should be condemned, not the City of Chicago. I would ask for approval of this Amendment."

Speaker Braun: "The Lady has... The Lady has moved the adoption of Amendment #4. On that question, the Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Braun: "She indicates she will."

Cullerton: "Representative Williamson, do you know whether or not Representative Vinson, the Sponsor of the Bill, agrees with the Amendment?"

Williamson: "Representative Cullerton, I'm sure that Representative Vinson would agree with anything that I have to offer."

Cullerton: "That's... That's a very good first speech. Okay. Well, this is Second Reading."

Williamson: "Can you handle this, John?"

Cullerton: "This is Second Reading. Let's go. Let's get out of here."

Speaker Braun: "Thank you. The Chair recognizes the Gentleman from DeWitt, Representative Vinson."

Vinson: "With enthusiasm."

Speaker Braun: "Is there further discussion? The Lady moves the adoption of Amendment #4. All in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'nays' have it. The Amendment is lost. I'm sorry, I think I've already declared it. ... take a... Take a Roll Call. Alright, on this Amendment... The Lady has moved the adoption of

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Amendment #4. All in favor vote 'aye', opposed vote 'no'.
Voting is open. Have all voted who wish? The Clerk will
take the record. 54 voting 'aye' and 54 voting 'no', the
Amendment is lost. Further Amendments? Come on, come on,
guys. It's too late. For what reason does Rep... the
Gentleman from DuPage, Representative McCracken, rise?"

McCracken: "We want a Poll... a Poll of the Absentees."

Speaker Braun: "Representative McCracken, the result has been
declared. It's past..."

McCracken: "You ignored my light, and you..."

Speaker Braun: "No, Sir. No, Sir. The light... Your light was
not on. Are there further Amendments?"

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

Speaker Braun: "Ladies and Gentlemen... Ladies and Gentlemen...
Ladies and Gentlemen, please. It is late. We are all
tired. We will go back. We will do this again. We will
call for another vote. There's no reason to scream. The
Lady has moved for the adoption of Amendment #5 (sic - #4).
All in favor vote 'aye', oppose vote 'no'. Amendment #4.
Amendment #4. We're going to do another Roll Call. All
in... On this question, all in favor vote 'aye', opposed
vote 'no'. Voting is open. The Chair recognizes the
Gentleman from Livingston, Representative Ewing.
Representative Ewing, your light is on. The Chair
recognizes the Lady from Cook, Representative... Have all
voted who wish? The Clerk will take the record. Ladies
and... please. Please. The Chair recognizes the Gentleman
from Cook, Representative Cullerton."

Cullerton: "Yes, would you please change my vote to 'yes'? I'll
declare it passed please."

Speaker Braun: "Representative Cullerton votes 'yes'."

Cullerton: "The Amendment is adopted."

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Speaker Braun: "The Chair..."

Cullerton: "The Amendment's adopted."

Speaker Braun: "The Amendment... On this question, there are 59 voting 'aye', 57 voting 'no', 1... For what reason does the Gentleman from Fulton rise?"

Unknown: "Would you record me as voting 'no'?"

Speaker Braun: "The Chair recognizes the Gentleman from Jefferson, Representative Hicks."

Hicks: "Yes, Madam Speaker, how am I recorded?"

Speaker Braun: "You are... not recorded as voting."

Hicks: "Please vote me 'yes'."

Speaker Braun: "Representative Hicks votes 'yes'. On this question... Mr. Clerk, what is the count? On this question, there are 59 voting 'aye', 57 voting 'no'. The Amendment is adopted. Further Amendments? Further Amendments?"

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

Speaker Braun: "The Chair recognizes the Lady from Cook, Representative Williamson."

Williamson: "Whoa. I wish to withdraw Amendment #5."

Speaker Braun: "Amendment #5 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. The Chair recognizes the Gentleman from Cook, Representative Keane... Keane."

Keane: "Thank you... Thank you, Madam Speaker. I move to suspend the Rule 35(a) so that House... that Senate Bill 67... 667 can be heard on Second Reading immediately. This Bill... I've checked it out with both sides of the aisle. We have to move this Bill along, and I'm asking for that reason."

Speaker Braun: "The Gentleman requests leave to suspend the appropriate rules so that Senate Bill 667 may be heard on the Order of Second Reading. Is leave granted? Leave is

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granted. The Bill will appear on the order of Second Reading. The Chair recognizes the Gentleman from Cook... Read the Bill, Mr. Clerk."

Clark O'Brien: "Senate Bill 667, a Bill for an Act in relation to the deposit and investment of state monies, amending certain Acts herein named. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Third Reading. Okay. Okay, on the Order of Second... House Bills Second Reading appears House Bill 2196, by agreement on both sides of the aisle. Mr. Clerk, read the Bill. 2196, page seven of the Calendar. The Bill is being read a second time so that it can be heard tomorrow."

Clark O'Brien: "House Bill 2196, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clark O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clark O'Brien: "Floor Amendment #3, offered by Representative Giorgi, amends House Bill 2196 as amended on page five, line 20 and so forth."

Speaker Braun: "The Gentleman from Winnebago, Representative Giorgi, on Amendment #3."

Matijevich: "Madam Speaker..."

Speaker Braun: "The Gentleman moves for the adoption of Amendment #3. For what reason does the Gentleman from Cook, Representative O'Connell, rise?"

O'Connell: "With all due deference to my Leader, Representative Matijevich, it is not Representative Giorgi, and I would accordingly make the Motion that Amendment #3 be withdrawn since the Sponsor is not... It has... tabled, since it has not... the Sponsor's not on the floor. It was going to be

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tabled anyhow?"

Speaker Braun: "Representative O'Connell, I've been advised that you have to move to table the Amendment."

O'Connell: "That's... The Motion is to table."

Speaker Braun: "Representative O'Connell moves to table Amendment #3. All in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is tabled. Further Amendments?"

Clark O'Brien: "Floor Amendment #4, offered by Representative O'Connell, amends House Bill 2196 as amended and so forth."

Speaker Braun: "The Gentleman from Cook, Representative O'Connell."

O'Connell: "Amendment #4, Madam Speaker, is a agreed Amendment by the Illinois Commerce Commission, the Illinois Trucking Association and the Teamsters Union that is going to be placed onto House Bill 2196 which is a recodification of the Motor Carrier Act as well as the Railroad Act. I'd ask for its favorable adoption."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #4 to House Bill 2196. On that, is there any discussion? There being none, the question is, 'Shall Amendment #4 be adopted?' 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. Representative... The Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker. I move that we continue the Special Orders that were scheduled for today, Wednesday, May 22nd, till tomorrow, Thursday, May 23rd at the Call of the Chair."

Speaker Braun: "The Gentleman has moved for continuation of the

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items on the Calendar... The Gentleman has so moved. All in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Motion is adopted. The Chair recognizes the Gentleman from Madison."

McPike: "Thank you, Madam Speaker. I know a lot of people will object to this, but I move that we stand adjourned until tomorrow at 9 a.m."

Speaker Braun: "The Gentleman has... Representative McPike... Representative McPike, would you amend your Motion to allow for 10 minutes Perfunctory Session. The Motion is so amended. All in favor say 'aye'. Okay. Good night."

Clark O'Brien: "Messages from the Senate. A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills with the following title, and the passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bill #311, 312, 314, 320, 329, 332, 334, 336, 340, 350, 351, 355, 369, 371, 418, 427, 445 and 447, passed by the Senate May 22, 1985. Kenneth Wright, Secretary.' Senate Bills First Reading. Senate Bill 311, Oblinger, a Bill for an Act to repeal the Regulatory Agency Sunset Act. First Reading of the Bill. Senate Bill 312, Oblinger, a Bill for an Act to amend the Regulatory Reform Act. First Reading of the Bill. Senate Bill 314, W. Peterson, a Bill for an Act to amend the Compensation Review Act. First Reading of the Bill. Senate Bill 320, Ronan, a Bill for an Act to amend the Civil Administrative Code. First Reading of the Bill. Senate Bill 334, Hastert, a Bill for an Act in relation to public utility taxes. First Reading of the Bill. Senate Bill 336, Weaver, a Bill for an Act to amend the Motor Fuel Tax Law. First Reading of the Bill. Senate Bill 350, Mulcahey, a Bill for an Act to amend the School Code.

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First Reading of the Bill. Senate Bill 351, Mulcahey, a Bill for an Act to provide for excellence in education. First Reading of the Bill. Senate Bill 355, McGann, a Bill for an Act to amend the Public Community College Act. First Reading of the Bill. Senate Bill 369, Phelps, amend... a Bill for an Act to amend the Pension Code. First Reading of the Bill. Senate Bill 371, Nash, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. Senate Bill 419, Hartke, a Bill for an Act to amend an Act in relation to the regulation of rivers, lakes, streams of the State of Illinois. First Reading of the Bill. Senate Bill 445, Oblinger, a Bill for an Act to amend the Malpractice Act... Medical Malpractice Act. First Reading of the Bill. Senate Bill 112, Washington, a Bill for an Act to create the Environmental Toxicology Act. First Reading of the Bill. Senate Bill 138, Nash, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 192, Davis, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 218, Bullock, a Bill for an Act to amend the Illinois Income Tax Act. First Reading of the Bill. Senate Bill 235, Homer, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practice Act. First Reading of the Bill. Senate Bill 242, Hoffman, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 269, Terzich, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. Senate Bill 300, Bowman, a Bill for an Act relating to group accident and health insurance coverage for former spouses of employees. First Reading of the Bill. Senate Bill 329, Wolf, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 425, Terzich, a Bill for an Act to enlarge the corporate limits

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of the Metropolitan Sanitary District of Greater Chicago. First Reading of the Bill. Senate Bill 448, Hastert, a Bill for an Act to amend the General Obligation Bond Act. First Reading of the Bill. Senate Bill 668, Oblinger, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 733, Bowman, a Bill for an Act to amend an Act in relation to state finance. First Reading of the Bill. Senate Bill 793, Barnes, a Bill for an Act to amend an Act in relation to state finance. First Reading of the Bill. Senate Bill 798... Senate Bill 798, Stange, a Bill for an Act to amend an Act concerning flood control and water conservation. First Reading of the Bill. Senate Bill 799, Oblinger, a Bill for an Act to amend the Elder Abuse Demonstration Program Act. First Reading of the Bill. Senate Bill 807, McMaster, a Bill for an Act to amend the Illinois Dead Animal Disposal Act and the Meat and Poultry Inspection Act. First Reading of the Bill. Senate Bill 811, Wait, a Bill for an Act in relation to the Department of Agriculture. First Reading of the Bill. Senate Bill 812, Ewing, a Bill for an Act to amend the Illinois Pesticide Act. First Reading of the Bill. Senate Bill 822, Wojcik, a Bill for an Act to amend an Act relating to mental health and developmental disabilities. First Reading of the Bill. Senate Bill 825, Hawkinson, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 826, Wojcik, a Bill for an Act to amend the Facilities for the Handicapped Act. First Reading of the Bill. Senate Bill 828, Ryder, a Bill for an Act relating to the Department of Rehabilitation Services. First Reading of the Bill. Senate Bill 830, Tate, a Bill for an Act to amend the Civil Administrative Code. First Reading of the Bill. Senate Bill 834, Zwick, a Bill for an Act to amend an Act in relation to trust corporations.

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First Reading of the Bill. Senate Bill 944, Hawkinson, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 951, Johnson and Hawkinson, a Bill for an Act to amend the law concerning maintenance of dental records by the Department of Law Enforcement. First Reading of the Bill. Senate Bill 864, Woodyard, a Bill for an Act in relation to compensation of certain agriculture committees. First Reading of the Bill. Senate Bill 971, Churchill, a Bill for an Act to amend the Juvenile Court Act. First Reading of the Bill. Senate Bill 880, Ryder, a Bill for an Act to amend an Act in relation to rehabilitation of disabled persons. First Reading of the Bill. Senate Bill 882, Terzich, a Bill for an Act creating the Expedited Check Clearing Act. First Reading of the Bill. Senate Bill 924, Washington, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 944, Panayotovich, a Bill for an Act to amend an Act relating to the Department of Children and Family Services. First Reading of the Bill. Senate Bill 1079, Hicks and Rea, a Bill for an Act to amend the Illinois Income Tax Act. First Reading of the Bill. Senate Bill 1090, Hicks, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 1287, Regan, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 1288, Williamson, a Bill for an Act in relation to reports of child abuse and neglect. First Reading of the Bill. Senate Bill 1291, Olson, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. Senate Bill 1293, Tate, a Bill for an Act to amend an Act in relation to fraternal benefit societies. First Reading of the Bill. Senate Bill 1294, Olson, a Bill for an Act in relation to medical health, vision, paramedical and dental service Acts...

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plans. First Reading of the Bill. Senate Bill 1335, Stern, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate bill 1359, Nash, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. Senate Bill 1430, Preston, a Bill for an Act to amend the Medical Practice Act. First Reading of the Bill. And Senate Bill 1451, Washington, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Committee Report. Representative Mulcahey, Chairman of the Committee on Elementary and Secondary Education, to which the following Bill was referred, action taken May 2, 1985, reported the same back with the following recommendation: 'Interim Study Calendar' House Bill 987. No further business, the House now stands adjourned."

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