

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

66th Legislative Day

June 30, 1985

Speaker Greiman: "The hour of 12:30 having arrived, the House will be in Session. The Chaplain today will be Reverend Williams J. Peckham of Contract (sic - Contact) Ministries in Springfield. Reverend Peckham is a guest of Representative Michael Curran. Will the guests in the gallery please rise and join us in the invocation? Reverend."

Reverend Peckham: "Ladies and Gentlemen, I want to do just something a little different this morning. This is a keep your eyes open kind of prayer. It's not original. A very good friend of mine who is a saint, if ever there was one, shared this with me. It's the prayer of an old negro slave. And he said, 'Lord, I ain't what I ought to be. Lord, I ain't what I want to be. Lord, I ain't what I'm going to be, but thank You, Lord, I ain't what I use to be.' May we and may the people of Illinois be able to pray that prayer in sincerity because of the work of this Body today and in this Session. Amen."

Speaker Greiman: "Mr. Ropp, the Gentleman from McLean, to lead us in the pledge of the flag."

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

Speaker Greiman: "Roll Call for Attendance. Mr. Clerk, take the record. 118 Members having answered to the Call of the Quorum, a quorum is present. Good morning. Good morning. Special Call - Medical Malpractice, and on that... page five of the Calendar, House Bill 1955. And on that, the Gentleman from DuPage, Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I move to concur in Senate Amendment #1, which allows the Illinois

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State Medical Disciplinary Board to require physical and mental examination for anyone showing possible violation of this Act. The Bill was amended in the Senate in accordance with our medical malpractice summit meetings. This is another piece in the medical malpractice package which will be followed by the presentation of House Bill 2032, which is the final piece of the medical malpractice package. I move for your favorable concurrence in House Bill 1955."

Speaker Greiman: "The Gentleman from DuPage, Mr. Daniels, moves that the House do concur in Senate Amendments #2 and 3 to House Bill..."

Daniels: "I'm sorry, Mr. Speaker, I said Amendment #1. I meant, Amendment #2 and 3."

Speaker Greiman: "I know. ...2 and 3 to House Bill 1955. And on that, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendments #2 and 3?' All those in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'aye', none voting 'no', none voting 'present', and the House does concur in Senate Amendments #2 and 3 to House Bill 1955. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Special Call - Medical Malpractice, appears House Bill 2032, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move that the House concur with Senate Amendment #1 to House Bill 2032. First of all, it should be noted that the... I believe the original House Bill remains intact. That Bill changes from 60 days... I'm sorry, from 31 days to 60 days the time within which an

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insured must notify the insurance company of the birth of a child. This is a fine Bill. It was sponsored by Representative Tate originally. The Senate Amendment deals with medical liability insurance, and this Amendment would require the Director of the Department of Insurance or Insurance to promulgate rules and regulations which would require insurers who write medical liability insurance in Illinois, to file a report showing its direct writings in this state. Report would include the following: direct premium written for the prior 12 months; direct premium earned for the prior 12 months; incurred claims by accident year; actual incurred expenses; net operating gain or loss. It's a fine Amendment which is part of the agreement dealing with medical malpractice. And I would move for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, moves that the House concur in Senate Amendment #1 to House Bill 2032. And on that, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr. Clerk, take the record. On this question there are 113 voting 'aye', none voting 'no', 3 voting 'present', and the House does concur in Senate Amendment #1 to House Bill 2032. And this Bill, having received the Constitutional Majority, is hereby declared passed. Yes, Mr. Davis, for what purpose do you seek recognition?"

Davis: "Well, we seem to be in a holding pattern. I'm ready with House Bill 1918 when you are, Mr. Speaker. Does that require an answer or have I had my answer?"

Speaker Greiman: "You didn't ask a question. You just..."

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Davis: "Oh, No, I... I... I did ask a question."

Speaker Greiman: "...made a statement. I don't have to respond.
You said..."

Davis: "I... I said I'm ready if you are."

Speaker Greiman: "Oh, okay. Mr. Vinson, for what purpose do you
seek recognition?"

Vinson: "Let's call some Bills and get moving around here, Mr.
Speaker. You're wasting a lot of time standing there."

Speaker Greiman: "Yes, any of the Members have Bills with which
they'd like to nonconcur? Yes, Mr. Flinn."

Flinn: "Well, Mr. Speaker, on Senate Bill 1350, I would like to
refuse to recede to House Bill... to Amendment #1 to Senate
Bill 1350. The Amendment originally was to correct a
deficiency in the Bill. And it turned out, the Amendment
was deficient. We already have a Conference Committee
Report to correct the wording in it, and the Bill dealt
with savings and loans. And it was on the Consent
Calendar. There shouldn't be any objections. So, I would
move to refuse to recede and appoint a Conference
Committee."

Speaker Greiman: "Mr. Vinson."

Vinson: "Mr. Speaker..."

Speaker Greiman: "Excuse me, Mr. Vinson, were you rising on a
point of order or...?"

Vinson: "No, I'm just asking which Bill it is that he's calling."

Speaker Greiman: "Oh, yes, 1350."

Flinn: "Senate Bill 1350."

Speaker Greiman: "The Gentleman from St. Clair moves that the
House refuse to recede from House Amendment #1 to Senate
Bill 1350. And on that, is there any discussion? The
Gentleman from DeWitt, Mr. Vinson."

Vinson: "Yes, would the Sponsor yield?"

Speaker Greiman: "Indicates he will yield for a question."

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Vinson: "Representative, what is the Amendment that we're refusing to recede from?"

Flinn: "Well, in our haste to amend a deficiency in the Bill, in Committee, the Amendment was incorrect and we need to reword the Amendment. And that's all we need a Conference Committee for is to correct a deficient Amendment which was supposed to correct a deficiency in the Bill to start with."

Vinson: "Fine. I would urge support for the Gentleman's Motion."

Speaker Greiman: "The question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 1350?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does refuse to recede from House Amendment #1 to Senate Bill 1350 and requests a Conference Committee. The Gentleman from DuPage, Mr. Daniels, for what purpose do you seek recognition?"

Daniels: "Yes, I want to nonconcur in several Bills, Sir. Senate Bill 452, Capital Development Board, nonconcur, Amendments #1, 2, and 3. I move a Conference Committee be appointed. 452, Senate Bill 452."

Speaker Greiman: "I see, Mr. Daniels, that's an appropriation Bill. It's not a substantive Bill."

Daniels: "Yes, and then... No... Here's what... Because you asked who wants to nonconcur. Well, I'd like..."

Speaker Greiman: "Yes, on substantive Bills, certainly."

Daniels: "Oh, I thought you meant all, but let me just..."

Speaker Greiman: "No."

Daniels: "...Let me just suggest to you the following, so the Chair would know that. What I'd like to do is nonconcur in all the appropriation Bills on the Calendar that are in the Order of Nonconcurrency."

Speaker Greiman: "Wait a minute. Excuse me just for a second,

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Mr. Daniels."

Daniels: "Yeah. And then I'll move..."

Speaker Greiman: "Mr. Daniels."

Daniels: "Yes, just for the record, so you can determine the Order of Business you'd like to follow through on this on the Order of Nonconcurrency. 452, 453, 454, 458, 459, 460."

Speaker Greiman: "A little slower. A little slower."

Daniels: "Okay, I'll start again."

Speaker Greiman: "452."

Daniels: "452, on the Order of Nonconcurrency, page seven, 453, 454, 458, 459, 460, 464, 467, 468, 470, 472, 473, 475, 476, 480, 483, 552, if the Speaker would like. I think that takes care of all the approp Bills on nonconcurrency. I thought you'd like to move those on. And then after that, I want to move to nonconcur on a substantive Bill which is on page five of the Calendar, House Bill 720, that has the pay increase in there. And I want to move to nonconcur and put that in a Conference Committee, page five, top of the page, House Bill 720. That has the Senate pay increase in it. That's a substantive Bill. You might want to..."

Speaker Greiman: "That's on the Order of Concurrence, and we were on page six of Nonconcurrency. But, in any event..."

Daniels: "I'm just trying to save time. I thought you'd want to hear the substantive Bill."

Speaker Greiman: "In any event, we... Okay. Thank you. Alright."

Daniels: "720 is the Senate Bill..."

Speaker Greiman: "I don't want you to disclose your entire legislative agenda today."

Daniels: "Oh."

Speaker Greiman: "Alright, let's take 452 and then, we will return to you after the appropriation people have an

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opportunity to be on the floor. Alright? So, we are now on page seven of the Calendar, on Senate Bill 452. Mr. Daniels, 452."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 452 is an appropriation Bill, Capital Development Board. There has been certain concerns raised over the appropriation level. In an effort to move the budget through the process of the House so that we can get this with our conferees and all other appropriation matters that there is some question about into Conference Committee. I'm going move to nonconcur on this budget as well as the other items on nonconurrence that are on the Calendar, so that our conferees who are meeting at this moment can move for passage of the budget, hopefully, as quickly as possible, so that important aspect of our legislative agenda can be taken care of as quickly as possible; because, as we all know, the budget is the number one responsibility we have. So, in that interest and to move the budget along very, very quickly and with cooperation on both sides of the aisle, I would move to nonconcur Senate Bill 452, Amendments #1, 2 and 3."

Speaker Greiman: "The Gentleman from DuPage, Mr. Daniels, has moved that the House do nonconcur... No, to refuse to recede from House Amendments #1, 2 and 3 to Senate Bill 452. And on that, there being no discussion, the question is, 'Shall the House...' Sorry. Mr. Van Duynes, you were covered by... by a notebook."

Van Duynes: "Well..."

Speaker Greiman: "By the rule book. Mr. Van Duynes."

Van Duynes: "Mr. Speaker, that's the second time within three or four days that I've been covered by your notes, so I suggest you move your notes. What I'm asking you, Mr. Speaker, is some kind of guidance for those of us who labor

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in the trenches. And being more specific, I have a couple of Amendments on the Capital Development Board budget and also one on the Department of Transportation. I want to know from you how our individual Amendments are going to be protected if we go along with this effort on Representative Daniels to nonconcur in all these budgetary matters and then... and relegate them, I presume, with the future action of the Senate to refuse to recede and request a Conference Committee. How are we... what kind of a petition are we putting in as an individual Member's basis and what would you advise me to do in order to protect my Amendment and I may even ask is my Leadership is going to be there when we really need them?"

Speaker Greiman: "Mr. Daniels."

Daniels: "Representative Van Dwyne, I'm sure your Leadership will be there when you really need them. And let me tell you, bring the Amendments over, let us see them and we'll do what we can to assist you, to represent your district as you do so well on so many occasions. We'll make sure that your Amendments are considered as part of the Conference Committees. And, you are one of the very important parts of the appropriation process. Our sole effort right now is to move as fast as we can to complete the budget which is the most important thing we have to do here, in Illinois, right now. And that's why we're trying to put 452 and the other Bills that I listed into Conference Committee to give you an opportunity to present your Amendments, if you desire, to the conferees. Ours are... will be appointed as soon as they're done. So, with that assurance, Mr. Van Dwyne, we'll be happy to listen to you. He'd like to move this in a Conference Committee. We're refusing the House Amendments which would, then, give Representative Van Dwyne an opportunity to talk about the Amendments he wants to

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talk about."

Speaker Greiman: "Mr. Van Duyne, to the Motion."

Van Duyne: "Well, the only thing that I really would like to address, not necessarily to this Bill, but necessarily to all of them. You know, we do go to Committee and we do present our Amendments and we do go and talk to our Leadership, and we do present our problems to the Leadership. At the time that the Amendment is adopted, everybody is in agreement. And I would just like to have some kind of an assurance that that agreement still stands and we won't be shot down some kind of a greased tube."

Speaker Greiman: "Mr. Huff."

Huff: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just want to let Representative Van Duyne know that he was heard, and I also want to concur with him in this expressed concern about these Amendments."

Speaker Greiman: "The question is, 'Shall the House refuse to recede from Senate Amendments #1, 2... from House Amendments #1, 2 and 3 to Senate Bill 452?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does refuse to recede from House Amendments #1, 2 and 3 and a Conference Committee is requested. I just thought the House might like to see somebody who may be alive at the end of the time we pay off all these bonds. My grandson, two month old grandson. Yes, Mr. Vinson."

Vinson: "Does he live near Wrigley Field?"

Speaker Greiman: "Mr. Vinson, he does. He lives in the shadow of Wrigley Field and if they would have all those games, it'll wake him up. Mr. Daniels."

Daniels: "Are you ready for the other Bills? Could we do them all at once?"

Speaker Greiman: "No, we're going to go to the Special Call on

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Elections, Mr. Daniels."

Daniels: "May I just suggest in the interest of saving time, that if we put these all in Conference Committee, our conferees can be working on the budget, which after all, is the most important item and we... you know, I'm trying to help you to get your business done."

Speaker Greiman: "Right. I know... I know that you're trying to help and..."

Daniels: "We only have a few hours left."

Speaker Greiman: "I know that. Thank you. I appreciate your cooperation this morning. I do, indeed."

Daniels: "Okay, will you let me..."

Speaker Greiman: "So, we'll... We'll..."

Daniels: "You'll give me a call when you're ready to call this for nonconcurrence?"

Speaker Greiman: "Oh, we'll be back to those. Oh, yes."

Daniels: "Alright."

Speaker Greiman: "You can go back to the office."

Daniels: "Could you just tell me what Order of Business you intend to move to?"

Speaker Greiman: "Yes, we're going to go to Order of Elections."

Daniels: "And are all the election Bills and the election on that Special Order, like 2475?"

Speaker Greiman: "I don't know. I assume... I don't know, but I assume they are. But in any event..."

Daniels: "House Bill 2475, will you call that, the important election Bill that Representative Olson is on?"

Speaker Greiman: "I only have in front of me the Order that we're going to. And the first Bill is 882..."

Daniels: "We're going to have those other Bills on there?"

Speaker Greiman: "...And I am the Sponsor, so we'll take that out of the record."

Daniels: "Mr. Speaker, can we have Representative Olson... Oh,

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24... 2475 is the one we're going to work..."

Speaker Greiman: "The second one, is the Order of Elections - Special Call, is 2184, Mr. Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1 to House Bill 2481. House Bill 2481 provided that... excuse me, 2184. 2184 is the number of the Bill. That provided for discovery recounts in fewer than four precincts, if that was the part of the election jurisdiction. I believe it passed out of the House on the Consent Calendar or if it didn't, it passed out by unanimous vote. The Senate added an Amendment to provide... they had Representative O'Connell's Bill which was House Bill 1102 onto 2184, after Representative O'Connell's Bill failed to receive the requisite number of votes because of some Amendments which had been placed on it in the Senate which didn't really pertain to it. Representative O'Connell's Bill provides that when an electronic voting system is used, which utilizes a ballot label booklet and where candidates for office appear on a page of the booklet where no names... where no other candidates for other office appear and where less than half of the page is utilized, the name of no candidate shall be printed on the lower half of the page. That Bill passed this House by an overwhelming Majority, and I believe that this would be a good Bill to concur in and I would ask Members of the House to concur and be happy to answer any questions."

Speaker Greiman: "The Gentleman from DeKalb moves that the House concur in Senate Amendment #1 to House Bill 2184. On that, the Gentleman from Cook, Mr. O'Connell."

O'Connell: "I would agree with Representative Countryman and request that the House concur in Senate Amendment #1, and I would also like to extend my appreciation to Representative

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Countryman and Senator Kustra for placing the Amendment on House Bill 2184."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2184?' All those 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', none voting 'present'. This Bill, having received the Constitution... No, the House does concur in Senate Amendment #1 to House Bill 2184, and this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Special Call - Election, appears Senate Bill... I'm sorry, House Bill 2378. Mr. Parke."

Parke: "Thank you, Mr. Chairman (sic - Speaker), Members of the Assembly. I ask that Senate Amendment #1 be concurred. The Bill itself requires that judges print their name and the precinct in which they are serving. And the Amendment states that the judge of election shall give the number of the road district on which he or she serves if there is an appropriate road district in which they're serving."

Speaker Greiman: "The Gentleman from Cook, Mr. Parke, moves that the House concur in Senate Amendment #1 to House Bill 2378. And on that, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1?' 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? Mr. Clerk, take the record. On this question there are 117 voting 'aye', none voting 'no', 1 voting 'present'. This Bill, having... And the House does concur in Senate Amendment #1 to House Bill 2378, and this Bill, having received the

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Constitutional Majority, is hereby declared passed. Alright, we will return to the other Bill on the Order of Nonconcurrency. Mr. Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would renew the inquiry, Mr. Speaker, of Minority Leader Daniels as to the posting of 2475. It does not appear on the Calendar. In view of the fact that the principle issues of that Bill passed overwhelming out of this House and the Senate, my inquiry to you, Sir, is why it is not posted?"

Speaker Greiman: "Oh, it's on page six of the Calendar."

Olson: "It's not on the Special Order of Elections, Sir."

Speaker Greiman: "Oh. Well, we could put it on there and we could go to another Order of Business, then."

Olson: "Will you put it on the Special Order of Elections?"

Speaker Greiman: "But we'll go to another Order of Business. So..."

Olson: "But when you come back to it, will you put it on?"

Speaker Greiman: "Well, we'll see. When we get back to Elections, we'll see."

Olson: "Are you saying, Sir, that you're not..."

Speaker Greiman: "I'm saying, we'll see, Mr. Olson. Mr. Vinson."

Vinson: "Madam Speaker or Mr. Speaker, whichever it might be today."

Speaker Greiman: "Well, if you have ambiguity... If I'm ambiguous, go ahead, Mr. Vinson."

Vinson: "Why is it that you're afraid to go to a Bill that would enlarge the number of voters in the State of Illinois?"

Speaker Greiman: "Mr. Vinson, do you have a point of order to make? If you make the point of order, make the point of order, then."

Vinson: "Yes. My point of order is why..."

Speaker Greiman: "You are recognized for a procedural point of

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order. You are not recognized for a political diatribe.
If you have an order... a point, state it, Sir."

Vinson: "Okay. Very good. My point of order is this, why is it
you're afraid to go to a Bill that would enlarge the number
of voters in Illinois?"

Speaker Greiman: "Hardly a point of order. Mr. McCracken."

McCracken: "Parliamentary inquiry."

Speaker Greiman: "Surely."

McCracken: "Why is 2475, a Bill of such importance, left off the
Special Calendar, Order of Election Law? Why is it not
being called? I mean, what... do we have to go through
today what we went through yesterday? Let's just call the
Bill. You've got the votes..."

Speaker Greiman: "Mr. Davis. Mr. Davis, your light is on. State
your point if you have a parliamentary point."

Davis: "Well, yes, Mr. Speaker, my point is we have a Calendar
with 20 Bills on it, no more than that at this point in
time. Twenty Bills. We can dispose of them in probably an
hour. You know it and I know it. Start at the top, let's
go down through the Bills and call them. Now, the Speaker
is against election reform. What's he going to be against
this afternoon?"

Speaker Greiman: "Now, alright. I think we've concluded with
this subject matter. Mr. Van Dwyne, yes. Still searching
for answers."

Van Dwyne: "No. My wife got me up this morning very early to go
to church. I was here late yesterday listening to all this
balderdash that went on. This House is composed of 67
Members of the Democratic Party and 51 Republicans, and I
just cannot see why that you constantly keep recognizing
those poor people over there when you know exactly what
they're going to say to you. Now, you surely wouldn't want
the downstate Democrats to keep doing this all day long,

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would you? Because it would be in concert with what they want. And if you want me to take over that Chair and call them out of order and make it stick, just let me go up there for about 10 minutes."

Speaker Greiman: "Well..."

Van Duynes: "You know, politeness has already seen its route, and I think you should be a little bit firm, you ambiguous one."

Speaker Greiman: "Thank you for the advice, Mr. Van Duynes. Appreciate it. Yes, Mr. Ewing, Gentleman from Livingston, on a point of order."

Ewing: "Yes, did you indicate that you were going to start with concurrences and work through? I thought I heard you say that."

Speaker Greiman: "No, I did not indicate that, and you did not hear that."

Ewing: "Yes."

Speaker Greiman: "On the Order of Nonconcurrency, Mr. Bullock. On Senate Bill 14, Mr. Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move the House refuse to recede from Amendment #1 to Senate Bill 14 and that a Conference Committee be appointed."

Speaker Greiman: "The Gentleman from Cook, Mr. Bullock, moves that the House refuse to recede from House Amendment... from House Amendment #1 to Senate Bill 14. And on that, is there any discussion? The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Yes, Mr. Speaker, I think it would be appropriate if Members would state what the underlying Bill did and what they're refusing to recede from."

Speaker Greiman: "Yes, Mr. Bullock, you've heard Mr. Vinson's request."

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Bullock: "Yes, Representative Vinson, this Bill dealt with Grant Park and the designation of portions of the Lakeshore Drive east of Lakeshore Drive due to the straightening of the S curve. The Amendment that went on was somewhat technical in nature. We want to clean up in Conference Committee. I'm doing this at the request of the Senate Sponsor."

Speaker Greiman: "Alright, Gentleman from Cook, Mr. Bullock, moves the House refuse to recede from House Amendment #1 to Senate Bill 14. Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does refuse to recede from House Amendment #1 to Senate Bill 14. And a Conference Committee is requested. Page two, Concurrence, House Bill 374. Out of the record. House Bill 409, Ms. Frederick. The Lady from Lake, Ms. Frederick."

Frederick: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 409 deals with emergency aid for a school district when there has been a disaster, such as a fire or an earthquake or tornado. Senate Amendment... and I move that we do concur with Senate Amendment #1. This Amendment eliminates the referendum provision and for the tax levy that should be levied to pay back these state monies. The tax will be levied every year, according to this Amendment, until the total grant from the state is paid back. I move concurrence."

Speaker Greiman: "The Lady from Lake, Ms. Frederick, moves that the House do concur in Senate Amendment #1 to House Bill 409. On that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Greiman: "Indicates that he will. She will."

Cullerton: "Representative Frederick, does this Bill only apply to certain taxing districts?"

Frederick: "Pardon me, to what?"

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Cullerton: "It only applies to certain school districts. Is that correct?"

Frederick: "Right."

Cullerton: "And..."

Frederick: "School districts that have been involved in an emergency, actually."

Cullerton: "Could that include school districts even in Chicago?"

Frederick: "Yes."

Cullerton: "And the Bill authorized a taxing... property tax increase with a back door referendum with Representative Cowlshaw's Amendment. Is that correct?"

Frederick: "That was the way the Bill passed out of the House. However, the Senate Amendment removes that referendum provision."

Cullerton: "Right. So, now what we'd be voting on is final passage of a Bill that would provide for a tax increase without a referendum at all."

Frederick: "That's correct."

Cullerton: "Okay. I... It's fine with me. You know... you know, my attitude about raising money for good purposes. The purposes here would be relocation expenses when an educational facility has been damaged due to fire, right? Or other disaster?"

Frederick: "Yes."

Cullerton: "And, I just want to alert those people in the General Assembly who don't wish to vote for tax increases without referendums that this is one such Bill. Is that fair?"

Frederick: "That's correct, but it's for a very worthy cause."

Cullerton: "And I... I'll vote for it. That's fair too?"

Frederick: "Yes."

Cullerton: "But there are certain people on this side of the aisle that don't like to vote for tax increases without referendum, and I'm just alerting them. Maybe the people

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on your side of the aisle will vote for it anyway because you're such a nice Sponsor."

Frederick: "Well, thank you very much. We'll see."

Speaker Greiman: "Ms. Frederick, to close. Excuse me, Ms. Frederick. The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to support Representative Frederick on her Motion. The Body should understand that we have the appropriation Bill to provide the money... monies for the local district for the relocation costs and those expenses for the unfortunate fire or emergency that may happen to a school district. So, what we're doing by this Bill is making certain that those local districts pay back. It's a mandatory pay-back to the state. If you don't vote for this, the state would bear the burden. So, what we're doing is making certain that the local districts pay back the State of Illinois. I'm sure that you don't want your taxpayers to pay the burden. You want the local school district to pay the burden. By voting for this, we make certain that happens, and I urge your support."

Speaker Greiman: "Further discussion? The Lady from Lake, to close."

Frederick: "I just move that we concur with Senate Amendment #1."

Speaker Greiman: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 409?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all... Mr. Clerk, take the record. On this question there are 62 voting 'aye', 48 voting 'no', none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 409. And this Bill, having received the Constitutional Majority, is hereby declared passed."

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Just... Mr. McGann. Yes, Mr. McGann, on 374."

McGann: "Yes, Mr. Speaker."

Speaker Greiman: "You're moving to nonconcur?"

McGann: "Yes. That is correct."

Speaker Greiman: "Mr. McGann. Gentleman from..."

McGann: "Mr. Speaker, I'm moving to nonconcur on Amendments #1, 2, and 3 on House Bill 374, which is a pension Bill which is involved with the... for the police and the widows. And that we are assured that this is going to be coming out in a better form for the widows of the Chicago policemen and also for the police officers themselves in their pension rights. So, I move to nonconcur."

Speaker Greiman: "The Gentleman from Cook, Mr. McGann, moves that the House nonconcur in Senate Amendments #1, 2 and 3 to House Bill 374. Mr. Mulcahey. The question is, 'Shall the House nonconcur in Senate Amendments #1, 2 and 3 to House Bill 374?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does nonconcur in House... Senate Amendments #1, 2 and 3. On the Order of Concurrence appears House Bill 510, Mr. Dunn. Out of the record. On the Order of Concurrence appears... For what purpose does the Minority, the distinguished Minority Leader seek recognition?"

Daniels: "Well, I'm next on the Bill. I was... I put it on because you were going to call 569."

Speaker Greiman: "No. We're doing substantive..."

Daniels: "Oh, I thought you said we were going to go right down the Calendar."

Speaker Greiman: "We will go to... we'll go back to your other Bills."

Daniels: "Alright, I'm ready on 569 as soon as you are."

Speaker Greiman: "Alright, on the Order of Concurrence appears House Bill 578, Mr. Curran."

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Curran: "Mr. Speaker, I wish to nonconcur in Senate Amendment #2 to House Bill 578. There's a technical problem with that Amendment."

Speaker Greiman: "Gentleman from Sangamon, Mr. Curran, moves that the House do nonconcur in Senate Amendment #1 to House Bill 578. And on that, is there any discussion? The Gentleman from DuPage, Mr... I'm sorry, #2. Mr. McCracken."

McCracken: "Yes, would... Do you know what the technical correction is, Representative? I mean, we're not opposing it. We just want to know what the... what we're getting ourselves into."

Curran: "Yes, Tom, apparently, there is a problem with setting aside federal funds for the purposes outlined in this Bill. And we need to check on that."

McCracken: "Thank you."

Speaker Greiman: "Alright. The question is, 'Shall the House nonconcur in Senate Amendment #2 to House Bill 578?' Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does nonconcur in Senate Amendment #1... I'm sorry, Senate Amendment #2 to House Bill 578. On the Order of Concurrence appears Senate (sic - House) Bill 703, Ms. Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. One more time, I'm going to suggest to this Body that this House concur in Senate Amendment #1 to House Bill 703. We discussed the Bill last night and the House decided not to concur by one vote. Let me explain the history. The Bill itself allows for county-by-county planning for solid waste management. It impose... it allows the counties or the municipality working with a joint municipal... a joint agreement with their county to charge a fee to cover the cost of the planning and the implementation of any program that might come about from the planning. The reason it was

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amended in the Senate was to allow the... a collection fee to be paid to those people that have to collect it from the facility that actually has to do the collection of the fee, and that was the two and a half percent collection fee. I understand that's very common and so we agreed to do it. The Bill was introduced in March. In April, we went to Committee. The Bill came out of Committee on a partisan Roll Call because it was a mandated program. In May, this House amended the Bill so that it was permissive only. Counties could do it if they wanted to do it. In May when it was amended, we went to the City of Chicago knowing that they were working hard on solid waste management plans and we said, 'We want to draft language that is acceptable to you, that fits into whatever your scheme is that you are working with'. They agreed. The language that went on that was acceptable. And this House passed the Bill on May 22nd with over ninety... with 97 votes. The Bill went through the Senate - went through the Senate Committee, came out to the House floor. And on June 19th, the City came to me and said, 'We have a problem with your Bill. We don't know exactly how we are... we want permission to impose the fee ourselves as a city, rather than going through the County with a joint agreement'. So, I said, fine. Go over to Senator Sangmeister in the Senate, put the Amendment on there and we will concur. That's fine. I saw Senator Sangmeister a few days later. He said, 'Your Bill just passed the Senate'. I said, fine. Did you get the Amendment on that the City wanted? And he said, 'What Amendment?' Nobody had gone to him from the City and suggested an Amendment, and the Bill came out of the Senate and came back to here with only that one Amendment that got put on for the collection fee. So, the Bill appeared on our Order of Concurrence. Friday, two days ago, the City

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came to me and said, 'We didn't get the Amendment on over there. Can we work out an arrangement?' I said, sure. Whatever you want to do. You draft the language and get back to me. This... I shouldn't say that was Friday. That was about Monday. By Friday, I had been taking the Bill out of the record. By Friday, they came back to me and said, 'The City and the County are going to try to work out an arrangement. We're going to ask that you nonconcur so that we can get an Amendment together and work out an arrangement, and the County said we will try. We will contact George Dunn and see if he will agree.' Yesterday the County came back to me and said, 'There will be no agreement. We are not at all interested in this project. We are not interested in an Amendment. There will be no agreement on the part of the County. So, go forward with your Bill.' And I presented that to you last night, the concurrence as it was originally planned, only on the collection fee issue. Since that time, the City has come to me with an Amendment that they drafted, that specifically took Cook County out of the Bill so that they could not plan and impose a fee for solid waste management and allowed the City to do it itself. However, they tell me that that still does not satisfy them and they're going to oppose the Bill. The reason they gave was because of the fee. The fee is on landfills. The philosophy for raising the money to cover the plan by putting a fee on the landfills is because we want to discourage landfilling. That's the philosophy. The reason landfilling for solid waste has been attractive to municipalities and to industries, alike, is because it has been inexpensive. So, anytime we can add to the cost of it, we discourage landfilling and encourage other alternative forms for dealing with waste. So, I say to you, if you want...

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first of all, if you believe that counties ought and municipalities ought to be planning for solid waste management, you should vote to concur in this Amendment. If you don't think it's an issue, if you don't think it's important, you should vote 'no' and kill the Bill. If you think a landfilling fee is an appropriate way to raise money for the program, you should vote for the Bill. If you think that's an inappropriate manner for funding the program and funding the plan, then you should vote 'no'."

Speaker Greiman: "Bring your remarks to a close, Ms. Breslin."

Breslin: "If you think that this is a good Bill, you should vote to concur and send it to the Governor. If you think that we ought to nonconcur and put this Bill in a Conference Committee, I only advise you as to this, once the Bill goes to a Conference Committee, I have no control over it. No individual Member has control over it. I cannot guarantee to you what it will be when it comes back. I can't guarantee that it will satisfy the problems of the county. I can't guarantee that DuPage County will like it. I can't guarantee that Lake County will like it. I can't guarantee that the League of Women Voter or... League of Women Voters or environmentalist will like it. I'm just telling you the facts. I plan to vote to concur. I'm doing what I think is right. You do what you think is right. I move to concur."

Speaker Greiman: "The Lady from LaSalle moves that the House do concur in Senate Amendment #1 to House Bill 703. And on that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, the Sponsor yield?"

Speaker Greiman: "Indicates she'll yield."

Cullerton: "Just a, really a procedural question, Representative Breslin. If.. if this concurrence vote fails as it did last night and you don't ask to nonconcur, then it stays on

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the Calendar. Is that correct?"

Breslin: "That's correct."

Cullerton: "And it would not go to a Conference Committee. Is that correct?"

Breslin: "That's correct."

Cullerton: "And... So, my question to you is if this Conference Committee... I'm sorry. If this Motion fails, is it your intention to nonconcur and send it to a Conference Committee?"

Breslin: "I have no decisions. Remember, of course, that the Bill stays on the Calendar and I cannot always move to concur."

Cullerton: "So, you would still have control of the Bill if this Bill should fail?"

Breslin: "Until it goes to a Conference Committee. That is correct."

Cullerton: "And, do you... Are you saying now that you are not going to send it to a Conference Committee?"

Breslin: "I haven't decided."

Cullerton: "Okay. Thank you."

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

Braun: "Thank you. Will the Lady yield?"

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

Braun: "Representative Breslin, you indicated in your remarks that the county... the counties were permissive, could participate under this program on a voluntary basis. Is that your intent?"

Breslin: "Yes."

Braun: "And with regard to counties of populations in excess of a million have they signed off... I mean, are you... is the Northwest Municipal Conference still in opposition to this legislation?"

Breslin: "I never knew that they ever were."

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Braun: "Okay."

Breslin: "They never ever contacted me or told me that they were not. Ever."

Braun: "Alright, no further questions. Thank you."

Breslin: "The Gentleman from Winnebago, Mr. Hallock."

Hallock: "Thank you, Mr. Speaker, Members of the House. I was pleased to vote in favor of this Bill last night. And although it failed by 59... with only 59 votes, I wonder if the Sponsor can indicate to this side of the aisle how one goes about getting a Bill called twice, which is in its identical form."

Breslin: "Representative, the Bill is on the Calendar. It's at the top of the Call. It's a Motion to concur. It's the same as every other Bill."

Hallock: "I acknowledge that, Assistant Leader, but I would just point out this; that many of us on this side of the aisle have had a hard time getting a Bill called even once."

Speaker Greiman: "Mr. Ewing."

Ewing: "Would the Sponsor yield?"

Speaker Greiman: "Indicates that she will."

Ewing: "Representative Breslin, you mentioned that the Bill might increase the costs of landfills or..."

Breslin: "It could in individual counties that chose to impose the fee. Chose to... First of all, do planning and impose the fee in order to cover the cost of the planning."

Ewing: "Does the EPA or do facts show that landfills are bad, that we want to increase the costs? I mean, I'm concerned about that. You said, if we wanted to increase the costs and look for other methods, and I'm not opposed to other methods, but I'm wondering if we want to... if there is good reason to increase the costs of landfills."

Breslin: "Absolutely. We want to discourage landfilling, I think. I think that should be a policy of the State of

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Illinois. There... Quite frankly, we are running out of space to landfill in. There are several counties in the state who have charted that they have very few left to... few years left in which they could landfill. So, we want to encourage them to find alternatives."

Ewing: "Of course, if we do that, then that is an extra cost to industry, too."

Breslin: "It could be."

Ewing: "Yes, okay. And it is still permissive, though?"

Breslin: "It is completely permissive, yes."

Ewing: "So, a county can decide to do it or not do it. If you have a lot of areas you want to fill, you can go on with your landfill and not be promoting."

Breslin: "That's correct."

Ewing: "Thank you."

Speaker Greiman: "The Gentleman from Grundy, Mr. Christensen."

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

Speaker Greiman: "The Gentleman from Grundy has moved that the main question be put. Those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the main question be put. Ms. Breslin, to close."

Breslin: "I think you all know what the circumstances are. I encourage an 'aye' vote. You vote your conscience."

Speaker Greiman: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 703?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Gentleman... Mr. O'Connell, to explain his vote."

O'Connell: "Thank you, Mr. Speaker. In explanation of my vote, I was going to ask a question with regards to the status of the Metropolitan Sanitary District of Chicago. I'm concerned that they be able to be imposed the same fees as

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any private landfill operator. I'm particularly concerned with the question of sludge. The other question I would have had was the status of the Northwest Municipal Conference on this Bill. My understanding is that they had opposed this Bill and I wish to verify that with the Sponsor of the Amendment. I tend to vote 'no'."

Speaker Greiman: "Ms. Satterthwaite, one minute to explain your vote."

Satterthwaite: "Mr. Speaker and Members of the House, I urge more 'yes' votes on this Bill. In Champaign County, for instance, we know that we've already had to have intergovernmental agreements between the City of Champaign and Urbana in order to use a very small area that will soon be filled, and the landfill question will be upon us again. In the meantime, if we had this Bill in place, it would provide an additional funding source to design alternative kinds of programs to reduce the refuse and to extend the life of landfills substantially. We would also, I would hope, in that process, be able to utilize what is now waste material in a more efficient fashion, either to recycle them or to provide for a new energy source. And for those reasons, it seems to me that all of us should be supporting this legislation. It means only that your county will have the option to decide to use it if it is beneficial to them."

Speaker Greiman: "Lady from Cook, Ms. Parcels."

Parcels: "Thank you, Mr. Speaker."

Speaker Greiman: "One minute to explain your vote."

Parcels: "There seems to be a question about the Northwest Municipal Conference and as of last night, they were opposed to this Bill. They're not opposed to the concept, but they say there is a better Bill out there than this one. This would be not only detrimental to the city with

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whom I am joining in my negative vote here, but also to the County of Cook. And they urge that we vote for another Bill, not this one."

Speaker Greiman: "Ms. Zwick, one minute to explain your vote."

Zwick: "Thank you, Mr. Speaker. I also rise in support of this excellent measure. I'd like to ask all of you to use your own minds, rather than who supports it and who oppose it and think about the problems that you're having in your own districts. Now, that we have to have local approval for land siting, the fact of the matter is, that we're simply not able to get new sites for landfills. We have to figure out something else to do with our garbage. We have to figure what our long range plan should be. We have to extend the life of those existing landfills. And this is the only way that we have of doing it without having the state pour money into doing something like making long range plans. This is the appropriate way to go at this time. I would urge you to think about some of those things and vote 'yes' on this fine Bill."

Speaker Greiman: "The Gentleman from McHenry, Mr. Klemm, one minute to explain your vote."

Klemm: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in support of the Bill, 703. You know, many times in the counties that I've been going through and represent, one of the biggest problem we've had for several years is where to put our garbage. And very honestly, our county has received the petitions willy-nilly, where you don't have a real plan of where they should really go. So, we end up people saying that put it across the county or put it someplace else, but don't put it next to me. And I guess this is a common practice of not wanting it there. This would at least allow the counties to have a comprehensive plan of where the people

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can get involved and where they would be acceptable to have their garbage disposed and recycled and the whole environmentally protective type of procedure. We're lacking this in our law. This would certainly do that. I certainly stand in support and ask for your help."

Speaker Greiman: "Have... Yes, the Gentleman from Will, Mr. Van Duyne."

Van Duyne: "Yes, thank you, Mr. Speaker. You know, it's a kind of a shame that when we debate something like this that we really should be thinking in terms of what's good for our people in our county and, indeed statewide; that we always get bogged down by the interest of the haulers and the disposers of waste management among other people. And, you know, in my own particular county, we have every kind of waste there is. We have high level. We have low level. We have toxic. We have the regular kind of the waste, and we've only been able in all the years that I've been in the General Assembly to come up with... to be equal partners in the siting with the EPA and that's the only hurdle that we've ever been able to get across in terms of gaining money in order to be able to control these people; make them pay their permits, their licensing, I mean, and also being able to have people represent the county as far as monitoring and inspection of these landfills and other toxic waste dumps. We've never been able to get over that, because it seems that always the private interest of the entrepreneurs who do the disposing of this always come to the front, and they do a very, very successful job of lobbying our people under the guise of charging our people more garbage fees, et cetera, et cetera, et cetera. I wonder if we really have... if that's a very good comparison. You know, if the health of your people comes in comparison or to be judged on a basis of whether it goes

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up a dollar or two or who's going to pay the cost or whether they end up with warts all over their body or some kind of a long standing illness. I really think that the welfare of our people should be paramount. I think we should be thinking of them. And I've been trying to do this for 11 years that I've been in this House, to try to make some kind of beneficial language in our law that would be of benefit to our people and sort of ensure the future of not only them, but the ones that come after them."

Speaker Greiman: "Bring your remarks to a close, please. More than one minute has elapsed."

Van Dyne: "Thank you. And with that, I just... I would suggest an 'aye' vote."

Speaker Greiman: "The Gentleman from Coles, Mr. Weaver, one minute, one minute to explain your vote."

Weaver: "Thank you, Mr. Speaker. Unless I'm sadly mistaken, this Bill is strictly permissive in nature. It allows counties to do something that they are already able to do, to conduct studies on solid waste management. But the basis of this Bill is simply to allow the counties to pass on the fee for establishing that management to the landfill operators. This, in effect, is making landfill operators tax collectors for the county. If this isn't a back door referendum, I don't know what is. I think we ought to avoid this thing."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 56 voting 'aye', 30 voting 'no', 26 voting 'present'. And the House does not concur in Senate Amendment #1 to House Bill 703. 720. Out of the record. On the Order of Concurrence appears House Bill 882. Ms. Stern, would you take that, please? Yes, Ms. Stern. Ms. Stern."

Stern: "Mr. Speaker and Members of the House, House Bill 882 is

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an election Bill that requires election authorities to furnish to the State Board of Election an updated computerized voter registration list biannually in a standardized format developed by the State Board of Elections. There is nothing very complicated about it. Amendment #1 clarifies that the State Board of Elections is to provide the tapes of the voter registration to the state political committees and that the county clerks provide them to the local political committees. There is a Senate Amendment with technical changes that are of a nonsubstantive nature, and I urge concurrence."

Speaker Greiman: "The Lady from Lake moves that the House do concur in Senate Amendment #1 to House Bill 882. And on that, Mr. Daniels."

Daniels: "Yes, Sir, a point of order."

Speaker Greiman: "A point of order, Sir."

Daniels: "Would you like to move House Bill 720 or did you just pass it up by mistake?"

Speaker Greiman: "No, the Sponsor in chief took it out of the record."

Daniels: "Oh, okay. We just want to make sure that when you're ready to nonconcur in that, you can."

Speaker Greiman: "Mr. Madigan took it out of the record. There being any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 882. And on that, 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 115 voting 'aye', 1 voting 'present', and none... 1 voting 'no', none voting 'present'. This Bill... And the House does concur in Senate Amendment #1 to House Bill 882, and this Bill, having received the

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Constitutional Majority, is hereby declared passed. On the Order of Concurrence appears House Bill 1010. The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1010, the Senate Amendment only makes the language change; since, after June 30th, the Department of the State Police will be the correct title of that Department. I move to concur with Senate Amendment #1 to House Bill 1010."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich, moves that the House concur in Senate Amendment #1 to House Bill 1010. And on that, is there any discussion? The Gentleman from Cook, Mr. Piel."

Piel: "Would the Gentleman yield, please?"

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

Piel: "Representative, would you explain exactly what the Amendment does one more time, please?"

Matijevich: "Yes, Bob, all it does is make a language change. In the Bill, we referred to the Department of Law Enforcement and it is no longer that. It is the Department of State Police after June 30, 1985. That's all the Amendment does."

Piel: "The reason I asked the question, John, was because according to our analysis that it says, it provides that appropriation shall be made to the Law Enforcement Merit Board. And you said, the State Police."

Matijevich: "Yes. That's right. You would still have the Law Enforcement Merit Board, but the change is made in the... The Department is called the Department of Law Enforcement."

Piel: "Fine. Thank you very much."

Speaker Greiman: "There being no further discussion. The question is, 'Shall the House concur in Senate Amendment #1

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to House Bill 1010?' 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. I'm sorry, Mr. Tate, did you wish to speak? Mr. Clerk, take the record. On this question there are 115 voting 'aye', none voting 'no', none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 1010. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Concurrence appears House Bill 1440. Out of the record. I'm sorry, 1445, Mr. Curran."

Curran: "Thank you, Mr. Speaker. I move to nonconcur in Senate Amendment #2 to House Bill 1445. Frankly, this is for purposes of putting it into a Conference Committee. I ask for support."

Speaker Greiman: "Gentleman from Sangamon moves that the House do nonconcur in Senate Amendments #2 and 3 to House Bill 1445. And on that, the Gentleman from Cook, Mr. Piel."

Piel: "That was just a situation... Mr. Speaker, you corrected it. He said, Amendment #2. It would had to be 2 and 3 that he nonconcurred in."

Speaker Greiman: "Yes, 2 and 3. Alright. All in favor signify by... Yes, Mr. Vinson."

Vinson: "Mr. Speaker, I certainly wouldn't represent this as a party position, but I'd like a Roll Call vote on this because I'd like to vote 'no' on the nonconcurrence. I think the Senate Amendments are good Amendments."

Speaker Greiman: "Question is, 'Shall the House nonconcur in Senate Amendments #2 and 3 to House Bill 14... Mr. Curran. Mr. Curran, to close."

Curran: "Mr. Speaker, my... it is my intention to move to nonconcur in Senate Amendment #2 and to concur in Senate Amendment #3."

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Speaker Greiman: "Alright. So, you wish to nonconcur in Senate Amendment #2 and concur in Senate Amendment #3. Alright. So, accordingly, the Gentleman... The question is, 'Shall the House concur in Senate Amendment #3 to House Bill 1444... 45?' All those in favor signify by voting 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'aye', 1 voting 'no', none voting 'present', and the House does concur in Senate Amendment #3 to House Bill 1445. The Gentleman from Sangamon, Mr. Curran, now moves to nonconcur in Senate Amendment #2 to House Bill 1445. And on that, question is, all those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendment #2 to House Bill 1445. On the Order of Concurrence appears House Bill 1500. Mr. Keane. Out of the record. On the Order of Concurrence appears House Bill 1528, Mr. Hoffman. Out of the record. On the Order of House Bills Concurrence appears House Bill 1814. Alright. Out of the record. We'll be back to you. On the Order of House Bills... of Concurrence appears House Bill 1857. Out of the record. On the Order of Concurrence appears House Bill 1860. Out of the record. Oh, Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. I would rise to move to concur in Senate Amendment #1 to House Bill 1860. House Bill 1860 was the rewrite of the Illinois Notary Public Act. What the effect of Senate Amendment #1 was to increase the penalty from a Class B misdemeanor to a Class A misdemeanor."

Speaker Greiman: "Okay. The Gentleman from Cook, Mr... from Lake, Mr. Churchill, moves that the House concur in Senate Amendment #1 to House Bill 1860. And on that, is there any

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discussion? The Gentleman from Cook, Mr. Cullerton. Mr. Cullerton."

Cullerton: "Will the Sponsor yield? Representative Churchill, where are the offenses that are changed?"

Churchill: "I don't believe it changes any of the offenses. All the Amendment does from..."

Cullerton: "Or it changes the penalties?"

Churchill: "Changes the penalty, yeah, from a Class B to a Class A misdemeanor."

Cullerton: "For which offenses, I meant to say?"

Churchill: "I'm not sure. I just have a read-out on the Bill. I don't have the actual Bill in front of me."

Cullerton: "What does the read-out say? Does it say..."

Churchill: "Says it changes... all it does is change the penalties from a Class B to a Class A misdemeanor. So, in other words, whatever offenses were in this Bill as a Class B misdemeanor are now a Class A misdemeanor. Unfortunately, the Senate doesn't understand that we, in the House, take these increase in penalties a step at a time. And had they known this, they would have come back into the Judiciary Committee next year for this increase in the penalty."

Cullerton: "Well, no, no, that... They did it right, I think. Because B is one lower than an A. So, what they've done with their Amendment is increased it by one which is... which is what you're supposed to do. In fact, I'm somewhat pleased to see that they are adopting our theory of increasing criminal penalties."

Churchill: "I think it's a good theory."

Cullerton: "Right. Okay. So, I would be happy to agree with your concurrence."

Churchill: "Thank you."

Speaker Greiman: "Mr. Dunn."

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Dunn: "Sponsor yield for a question?"

Speaker Greiman: "Indicates he will."

Dunn: "If this Bill becomes law, what's the worst trouble a notary public could get into?"

Churchill: "I really don't know. I suppose at this point it's a Class A misdemeanor. A year in jail and a thousand dollar fine."

Dunn: "And under current law, what's the worst trouble a notary public can get into?"

Churchill: "Be six months in jail and a \$500 fine, Class B misdemeanor."

Dunn: "And, are there a lot of archfiends out there entitled to act as notary publics so that we need this to go after these criminals who are lurking in every corner of this state?"

Churchill: "That's a good question because most of us that practice law deal a lot with notary publics and have notary seals and we never see any event where something has turned out haywire. In my law office, we had a situation where a supposed husband and wife went in and signed a deed to some property and ran off with the money, only to find out that it wasn't really the wife. The notary should have requested information about the couple and never did or maybe did have some knowledge of what was going on. There has always been a question involved and we went back on the notary seals. So, I guess there are situations where the notary puts himself or herself into a position where there is some questionable transaction and it ought to be up to them to take a look at it."

Dunn: "Thank you, Mr. Speaker. I rise in opposition because I... I would guess that upward of 90% of a notaries public have their entitlement to be notary public and their seal as a courtesy for some group in the business office or complex

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where they work. They notarize documents as a convenience, courtesy and favor and I don't think they should be subjected to serious criminal penalties as a result of doing things that they do just as a convenience. So, I think we're taking a wrong, wrong turn here. We really don't need this Bill, and I would ask for 'no 'votes."

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

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to this Bill for similar reasons to that of Representative Dunn. I know Representative Churchill has every good intention in introducing and sponsoring this legislation, but we should look at this very carefully. Representative Dunn was very correct when he said that 90% of the current notary publics act as notaries for... as a courtesy to the people in the office or people who come through their office. In fact, there is legislation floating around to repeal the Notary Act entirely. And I think that would be appropriate legislation and was willing to go along with it until it was pointed out to me that notaries have a very lofty position in other countries and other countries might not accept documents unless they were properly notarized. However, notaries, in the State of Illinois and throughout the United States, do not enjoy that lofty position. And I would venture to say that probably 90% of the documents that are notarized, are not notarized because the affiant was in the presence of the notary at the time the affiant signed that document, nor did the affiant acknowledge to the notary that that was his or her signature. So, most of the times, in my opinion, that a notary affixes his signature to a document, he does so or she does so improperly. And to make that person now subject to a year in prison, is unconscionable. It doesn't make any sense

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and while it's well intentioned, I think it goes way too far and I hope people look at this carefully and vote 'no'."

Speaker Greiman: "Mr. Churchill, to close."

Churchill: "Thank you, Mr. Speaker. This is an Act which has been in existence for years, maybe a century or so. It's never been looked at. It's never been changed. It's never been rewritten. This is the rewrite of the Notary Public Act. The points which were brought up by the two previous speakers are not exactly correct. Senate Amendment #1 which makes this a Class A misdemeanor is for someone who knowingly and willfully commits any official misconduct or someone who recklessly or negligently commits official misconduct or any person who impersonates a notary public. What we're just saying is that the validity of documents in the State of Illinois, is attested to by the fact that someone witnesses the signature of those people who put their name on the dotted line. When we take a document, particularly deeds and transfers of property, transfers of interest in property. We want to make sure that it is the proper person who is the grantor in that deed and we do that. We make sure of that because of the fact that we can rely on the notary. If we can't rely on the notary, then the document may not be valid. I rise in strong support of this Bill because I feel that it is something that hasn't had a rewrite in a long time and it really needs to be placed into the record."

Speaker Greiman: "Question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1860?' 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 76 voting 'aye', 34

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voting 'no', 2 voting 'present', and the House does concur in Senate Amendment #1 to House Bill 1860. Mr. Hastert had asked that we take it out of the record and return just for a moment. So on that... On the Order of Concurrence 1814. With leave, we'll return to 1814. Leave. Mr. Hastert."

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I asked the... to concur with Amendment #3... Senate Amendment #3 and Senate Amendment #4 to House Bill 1814. As we know, 1814 is the write... rewrite of the telecommunications Bill. We had quite a bit of discussion on that previously when that Bill was before us, and let me explain briefly what the Amendments do. Amendment #3 makes technical and procedural and typographical changes suggested by the Illinois Commerce Commission. It clarifies the applicability of the regulations that do not extend the private provisions of telecommunications service, and permits a particular class of telecommunications carrier to be certified by the Commission and to provide special local services prior to January 1, 1989. These changes are all generally consistent with the Joint Committee's original policy orientation. Amendment #4 delays, until August of 1987, the opportunity for a telecommunications carrier to classify the service as competitive without prior Commission approval and requires the Commission to report to the General Assembly in early 1987 on the need to extend this prior approval requirement beyond August of 1987. This... This proposed delay does not depart significantly from the Joint Committee's recommended policy. The schedule was agreed to by all affected parties during the discussions in the Senate. These Amendments are agreed to and would be happy to ask... answer any questions."

Speaker Greiman: "The Gentleman from Kendall moves that the House

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do concur in Senate Amendments #3 and 4 to House Bill 1814.
On that, the Gentleman from Cook, Mr. Levin."

Levin: "Yeah, I would just join in concurring with Representative Hastert. I think that Senate Amendments 3 and 4 represent a reasonable compromise of some of the concerns expressed by MCI, Sprint, as well as the private interconnect industry, and I think everybody's agreed to it, and I would urge concurrence in Amendment 3 and 4."

Speaker Greiman: "The question is, 'Shall the House concur in Senate Amendments 3 and 4 to House Bill 18.. 1814?' All those in favor signify by voting 'aye'... Yes, Mr. Cullerton? Your light was not on, Sir."

Cullerton: "I know. I know. That's why I was yelling."

Speaker Greiman: "I couldn't tell where the yelling was coming from."

Cullerton: "I wasn't at my desk to put my light on. Will the Sponsor yield for a question?"

Speaker Greiman: "Mr. Cullerton, the Sponsor will yield for a question."

Cullerton: "I'm going to ask two questions, and if you give the wrong answers, we'll have to ask them over again. Is there any provision in this Bill intended to modify the Illinois Commerce Commission's current policy concerning the private resale of telecommunications services?"

Hastert: "Well, as you know, Representative, the Commission's current policy with respect to private resale largely relies on the public use doctrine, the statutory basis for which this is found in the definition of 'public utility'. It is neither the intent nor the effect of this Bill, House Bill 1814, to extend the regulatory jurisdiction of the Commission to include any business or economic activity which are not now for public use."

Cullerton: "Same as first draft. So that current services

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provided to the financial community in Chicago by the Chicago Board of Trade and the Midwest Stock Exchange would be considered private and not subject to regulation. Is that correct?"

Hastert: "As I am aware, the Chicago Board of Trade does own and operate telecommunications facilities, and that in the opinion of the Commission, its activities fall outside the scope of state regulatory jurisdiction, since they are not for public use. Should that remain the case, then I believe the answer to your question would be yes."

Cullerton: "Thank you. No further questions."

Speaker Greiman: "The question is, 'Shall the House concur in Senate Amendments #3 and 4 to House Bill 1814. All those in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'aye', none voting 'no', 1 voting 'present'. And the House does concur in Senate Amendments #3 and 4 to House Bill 1814. And this Bill, having received a Constitutional Majority, is hereby declared passed. Yes, Mr. Friedrich, for what purpose do you seek recognition?"

Friedrich: "Mr. Speaker, I'm a hyphenated Cosponsor on 1500. Representative Keane's off the floor, but this is an Audit Commission Bill and I'll be glad to handle it if you want me to."

Speaker Greiman: "Well, we'll get back to that. On the Order of Concurrence appears... appears House Bill 1919, the Gentleman from Will, Mr. Davis."

Davis: "Well, thank you, Mr. Speaker. I'm absolutely struck by your generosity in calling the Bill and your change of heart. I apologize to the Body for the demonstrations yesterday regarding this Bill. And if the Body will just

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pay attention to me for a moment..."

Speaker Greiman: "Oh. I didn't realize that you wanted it called."

Davis: "Oh, really? Yeah, I want it called."

Speaker Greiman: "Mr. Cullerton."

Cullerton: "Yes, before..."

Speaker Greiman: "For what purpose do you seek recognition, Mr. Cullerton"

Cullerton: "Before Representative Davis continues in his apology, I would make a parliamentary inquiry. I believe that the Senate Amendment #2 to this Bill is not germane to the Bill, and I would ask the Parliamentarian to consider that Motion."

Speaker Greiman: "We will look at the Bill, Mr. Cullerton. You may stand at ease, Mr. Davis. We'll be back with you in a minute. Alright. Ladies and Gentlemen, if the Chair could have your attention for this ruling. Amendments under our rules, as well as Robert's Rules of Order, must meet the test of germaneness. This Bill before us, and I would tell you that it must always... Robert's Rules provides that it must always be germane so that the germaneness test is not lost. This Bill originally had, as its title, an Act to amend the Unified Code of Corrections and the State Printing Contracts Act, which was changed to an Act in relation to state finance. That was changed at that time. Thereafter, an Amendment was made deleting the title and inserting that it be an Act to amend the Code of Criminal Procedure of 1963. It is clear that that Senate Amendment is ungermane. There is a historic precedent for this rule... for the ruling that I am about to make. In 1977, on another Bill, the Speaker... the then Speaker of the House ruled that an Amendment of the Senate on a House Bill was not germane, that the question of germaneness had

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not been raised in the second chamber and, accordingly, could be ruled ungermane. Accordingly, with that precedent and based upon these Amendments as the Chair sees them, I hereby rule Amendment #2 to be ungermane. Now, on the Order of Concurrence appears... Oh. Oh, yes. Alright. The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Mr. Speaker, I'm not deeply surprised by your ruling because I notice that the real Speaker came out and whispered in your ear. I do remember in the days when Speaker Redmond made that famous ruling. I remember that for some time before that the current real Speaker sat in his office and tried to persuade him not to make that ruling because it was nonsense. More important than that, at least Speaker Redmond had the courage to sit in the Chair and make that ruling. It's amazing that the real Speaker doesn't have the courage to sit in the Chair and make the ruling, as ludicrous as it is. It's appalling. What it really does is to demonstrate again that the real Speaker is trying to kill the opportunity for criminal law reform in Illinois. I suppose what he's doing is protecting the Grey Lord judiciary."

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

McCracken: "Thank you, Mr. Speaker. Typically, the Chair has ruled on germaneness based upon the Chapter amended or the Act amended or both, and you'll note that all of the Amendments or all of the actions relative to this Bill have been to Chapter 38 which contains not only the Unified Code of Corrections, but also the Code of Criminal Procedure and also the Criminal Code. So, I respectfully submit that your ruling is inconsistent with your precedence set many times on many occasions during this Session as well as others relative to this issue of germaneness and I ask you to... or strike that. I move that the rule of germaneness,

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which is only a House rule, be suspended, which I believe requires 60 affirmative votes. And I would defer to my colleague to speak to the issue of my Motion."

Speaker Greiman: "No, that's... that Motion would be out of order. And in response, however, to your statements, we do not allow West Publishing Company that prints the Illinois Revised Statutes to designate the germaneness. But your Motion as stated is improper. Mr. Mays."

Mays: "Thank you very much, Mr. Speaker. I do not generally enter into the ethereal field of parliamentary inquiry, but it would seem to me that... Is the basis for your ruling the fact that the Senate did not rule on the germaneness of this Amendment when it was before the Senate?"

Speaker Greiman: "No, the basis of the ruling is that it is... that it is a nongermane Amendment, Mr. Mays."

Mays: "If... If the House, when a House Bill came up, placed an Amendment on and the germaneness was not questioned at that time and it went over to the Senate and is coming back in Conference or something like that, how then would this rule that you're citing apply to that question?"

Speaker Greiman: "What?"

Mays: "If we did not question the germaneness of an Amendment on a House Bill when it was before us, it went over to the Senate and it's coming back and it's going back and it's going into Conference and such, how then would be... you know, would we be able to question germaneness of that?"

Speaker Greiman: "You could have questioned it initially."

Mays: "I know."

Speaker Greiman: "You could have raised the question when it was on the House floor."

Mays: "And they could have raised the question on this Bill over in the Senate, and they chose not to. So, we're addressing it now."

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Speaker Greiman: "They could have. They would have had... But they would have had... they may have differing rules of germaneness."

Mays: "Okay."

Speaker Greiman: "Mr. Hallock. Yes, Mr. Hallock."

Hallock: "Thank you, Mr. Speaker. I'm aware back in 1977 that that ruling was made, but I'm also aware, and I think this Body is also, that since that time the Chair has ruled on many occasions that you, in fact, cannot rule on the germaneness of another chamber's decision. If you truly want to follow precedent, we all know what that means. You go back to the most recent precedent because that has overruled those before and act accordingly. According to that policy then, therefore, you should not be able to rule on germaneness of this issue."

Speaker Greiman: "Mr. Hallock, thank you. Mr. Davis."

Davis: "Well, Mr. Speaker, I knew you would be creative. I did not think you would go back to one of the most controversial single precedents that was made by Speaker Redmond in 1977 over the objections of the current Speaker on determinant sentencing. I'm shocked. There are, this year, probably hundreds of rulings that that Chair has made with you in it, Mr. temporary Speaker, that contradicts the ruling that you just made. And while our House rules govern the procedure on germaneness and on other things in a superior position to Robert's Rules, which you indicated was part of your ruling, I would suggest to you that it is appropriate at any time, with a Constitutional Majority in this House of 60 votes, to suspend and change that particular rule. The Senate has endorsed this plan, as you well know, the same issue you spoke to, the hollow issue of a prior single precedent in 1977 when I was serving in this chamber. The Senate has endorsed this. The

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underlying Bill is Chapter 38. You know this Bill is germane, and you're hiding behind this ruling. I think Representative McCracken's move to suspend the particular or whatever rule that is applying to germaneness in this House is appropriate at this time, Mr. Speaker. And I would renew that Motion at this time. And barring you're telling me I'm not recognized for that purpose or it's not timely, I would simply say to you - and would you entertain that Motion, Mr. Speaker?"

Speaker Greiman: "Mr. Davis, the Chair would respond in two... to two points you have made. Firstly, in the three years that the current Speaker has been the Speaker, I have spent a great deal of time in this Chair and I have never been called upon to rule on the germaneness of a Senate Amendment. So that the fact that this is done in a routine way is absolutely a false statement or at least mistaken statement. However, be that as it may, the Motion that you have put is still out of order. Mr. Madigan. Speaker Madigan."

Madigan: "Mr. Speaker, for the purpose of the record, Mr. Redmond never spoke to me in advance about his ruling. He spoke with others like Representative Katz; and, to the best of my recollection, I never objected to the Speaker's ruling or his action in that matter. Thank you."

Speaker Greiman: "Yes, Mr. Davis."

Davis: "I'm not quite through, Mr. Speaker. Barring the heavy handedness of this current creative activity on your part, I now move to appeal the ruling of the Chair."

Speaker Greiman: "Mr. Davis, that is the correct... Now you've got it. Yes, Mr. Davis, so that we can ascertain the extent of my friends in the House, under our Rule 31, that can only be done if you are joined with six others. Well, alright. Apparently you have. So, Mr. Davis... Mr.

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Davis, on the question of whether the Chair should be overruled. Proceed, Sir. It is a debatable Motion."

Davis: "Mr. Speaker, I move to overrule the Chair simply because the Chair, in this case, has acted with an inordinate desire to bottle up an issue that has captured the attention of the law enforcement community in this state. I don't know how many people, since we've never debated it on this floor, understand what it's all involved here and why this ruling will wound and thwart the efforts of eleven million people in this state to a fairness and an equity in the judicial system, but necessarily I think you should know that we have been arguing for months now and even years over a one line change in the Criminal Code that says unless the state and the defendant have each waived a jury trial in writing, there shall be a jury trial. It is commonly known as the state's right to a jury trial."

Speaker Greiman: "Excuse me."

Davis: "I'm not debating the..."

Speaker Greiman: "Let me just... so that we understand the ground rules, Mr. Davis. The question is on whether the Chair should be overruled. The subject matter of that is the ruling of the Chair. You may, of course, refer to the underlying legislative matter, but it should be referred to only in so much as you need it to explain wherein you believe the ruling to be incorrect, rather than to debate the Bill. I will hold... I will hold the speakers on both sides of this issue accountable to that ruling."

Davis: "Well..."

Speaker Greiman: "And with those parameters, you may proceed."

Davis: "Well, apparently, you've set very narrow parameters for us, as... and your intention is to do that. You don't want this issue heard. It's obvious. But it is also obvious that your ruling, isolated to a single precedent

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that was incorrect, and everybody knew it at that time, where you have ruled time and again on germaneness issues that favored your positions this year from the Chair, you have contradicted yourself inconsistently on the merits of an issue that the Judiciary in the 1st District in Cook County want passed and that George Dunn and Richie Daley and 'Cumberland' and everybody else in this state want passed. You're just going to thwart the entire law enforcement community with this action. And you're going to continue the practice of Judge shopping and corruption in the judicial system in this state by your action. The Senate endorsed this with 54 votes and unanimously on the Amendment and sent it over to us without raising a question of germaneness. It's absolute lunacy what you've done, Mr. Speaker, and you know why you've done it. You've done it because you want to use the system, because someone wants to use the system the way it is without the state having equity as 31 other states and the Federal Government do right now in utilization of this procedure. You should stop Judge shopping. You should stop the leniency and latitude within the system and the Judiciary of this state wants that done. Mr. Speaker, I would never, and I have never made a rule... a Motion to overrule the Chair. I have only seen one succeed in ten years. This one might not, too. But to my Democrat friends who tend to support their Speaker, and they should, there comes a time of overriding public policy, overwhelming evidence that this particular issue needs full debate and needs passage and become the law of the State of Illinois. So I move to overrule the Chair on the lunacy of the ruling that the Chair just made"

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

Matijevich: "Speaker, Ladies and Gentlemen of the House, the only

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issue is shall we overrule the ruling of the Chair. The policies that come from a Chair which lead to a ruling of a Chair are embodied in our rules, in Robert's Rules and in the precedent of that Body. That is how a Speaker comes to a decision in making a ruling. The Speaker has done that properly; and, because he has done it properly, I think that this Body should support him and vote against the Motion to overrule the Chair. I think the last speaker has gone beyond the debate in the ruling of the Chair, but the Chair has given him a lot of latitude. He's been able to go even beyond the point, and I think we should limit this to the ruling of the Chair. And I urge the Members to vote 'no'."

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

McCracken: "Thank you, Mr. Speaker. I also will limit my remarks to the Motion. And as you've conceded, in order to understand the Motion, we have to understand whether or not the issue of germaneness was properly decided. And oftentimes, the issue of germaneness has been decided, in the time I've been here, on the basis of the Chapters, as I indicated earlier, whether West is responsible for the Chapters or not. Now, within Chapter 38, there are a number of Sections. One of them is the Unified Code of Corrections, which this Bill originally dealt with when it was in the House. Also, within Chapter 38 and within the scope of criminal justice generally is the Code of Criminal Procedure and Criminal Code of 1963. Now, all of those are in a single Chapter for a reason. They're in a single Chapter because they all relate to each other. They're all part of the criminal justice system. Representative Davis comes to you with a Senate Amendment whose germaneness was not questioned by that Body, brings it back to the House and only after working on this issue for days have we been

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able to get the Motion heard. Now we're told that it's not germane because of some Senate Amendment put on. Well, if the right to jury trial is not germane and if the Code of Criminal Procedure or Criminal Code is not germane to the Unified Code of Corrections, I don't know what is. There have been numerous rulings, too numerous to enumerate even, in which similar rulings have been made. Now the Chair has conceded already that it has never decided the issue of the germaneness of a Senate Amendment to a House Bill when considered on concurrence. I respectfully submit to you that the standard by which you should judge this issue is the same by which you judge the germaneness of House Amendments to House Bills. And I respectfully submit that I have stated to you the basis on which you do that. Generally, it is Chapter or subject matter. The subject matter is germane. It is related. We're talking about the right to a jury trial and whether that's germane to the Code of Corrections or Code of Criminal Procedure. And for that reason, I would ask 60 Members to join in voting with us on this issue. This is not a partisan issue. We're not talking about a Republican Bill. We're not talking about a Republican issue."

Speaker Greiman: "The Gentleman from DeWitt, Mr. Vinson"

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly, I will keep my remarks on this issue both brief and to the Motion."

Speaker Greiman: "Thank you, Sir."

Vinson: "A 'no' vote on the question about to presented to you is a vote to let a criminal with a well connected lawyer get off on some easy procedural ruling by a Judge and to avoid going to a jury of his peers. A 'no' vote on the Motion is an effort to protect a corrupt criminal justice system."

Speaker Greiman: "Was that going to be to the Motion? I think,

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Mr. Vinson, you are... you began nicely. You said that you were going to speak to the Motion."

Vinson: "Yes."

Speaker Greiman: "I hardly think your remarks are to the Motion. Please confine your remarks to the Motion, Sir."

Vinson: "I will. What the Motion does, what a green vote means on the Motion is that you care about your constituents' concern about crime in Illinois. You want to put criminals in jail."

Speaker Greiman: "Mr. Vinson, you are out of order. The Lady from..."

Vinson: "I urge an 'aye' vote on the Motion."

Speaker Greiman: "Excuse me. The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker... Mr. Speaker, Members of the House, in all the time I've been in the General Assembly, which is considerable, I don't think I've voted more than two or three times to overrule the Chair. I'm reluctant to do it now, because I think the Chair has to run the House. However, I think the Chair also has a responsibility to be fair. I have the feeling, because of the things that have gone on in the last few days, that there's some reluctance on the other side of the aisle to have this Bill heard at all. And I think there's some relationship between your ruling, Mr. Speaker, and your decision to call this Amendment not germane. And I think that's wrong. I'm not sure what you're afraid of. If you believe in letting the people vote and let the people's Representatives votes, why don't you let it come to a vote? If you think it's a bad Bill, vote against it. But don't do it on a technicality. Vote this up or down. And so for that reason, Mr. Speaker, I'm going to have to say that I think your ruling is done on a political basis and not on the basis of fairness, and

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that's the reason I'm going to vote against you."

Speaker Greiman: "The question is, 'Shall the Chair be overruled?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Sixty votes are required. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 52 voting 'aye', 60 voting 'no', 1 voting 'present', and the Chair... and the Motion fails and the Chair is not overruled. Mr. Davis."

Davis: "I'd like a Poll of the Absentees. There are still five out there and there's time for people to recognize the error of their ways."

Speaker Greiman: "I've ruled on it."

Davis: "But my light was on, and I was seeking recognition."

Speaker Greiman: "I didn't see your light, Mr. Davis. I've ruled on it. Mr. Davis. Mr. Davis, the Chair... the Chair doesn't want to treat you unfairly, improperly. Mr. Clerk, poll the absentees."

Clerk Leone: "Poll of the Absentees. Virginia Frederick. Johnson. McAuliffe. Mulcahey."

Speaker Greiman: "Mulcahey votes 'no'."

Clerk Leone: "And Satterthwaite."

Speaker Greiman: "On this question... Ms. Satterthwaite votes 'no'. On this question there are 52 voting 'aye', 62 voting 'no', 1 voting 'present'. The Motion fails, and the ruling of the Chair is sustained. On the Order of Concurrence appears House Bill 2022. Mr. Davis. Mr. Churchill, you are next up to bat on 2022."

Davis: "Well, Mr. Speaker, I was going to nonconcur in the Amendment, but I don't think I will. I'll just let it set here."

Speaker Greiman: "Thank you, Mr. Davis. We've passed the Bill now. Mr. Churchill, on 2022."

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Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to concur in Senate Amendments #1 and 2 to House Bill 2022. The original Bill was a Bill which was similar to that of Representative Breslin's allowing municipalities and counties to enter into a permissive agreement for the disposal of solid waste. This is a Bill that does not have a fee structure in it. Senate Amendment #1 was an Amendment that was put on at the request of the Municipal League requesting that we delete a portion about siting objections within one and one-half miles of a municipality. Amendment #2 was put on at the request of the City of Chicago to make the effective date July 1, 1986 to allow the city to take a look at the total Bill and how it would impact on the city. I rise, at this point, to concur in both Amendments."

Speaker Greiman: "The Gentleman from Lake, Mr. Churchill moves that the House concur in Senate Amendment # 1 and 2 to House Bill 2022. And on that, is there any discussion? There being none, the question is, 'Shall the House concur in Amendments #1 and 2?' 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 113 voting 'aye', 1 voting 'no', none voting 'present', and the House does concur in Senate Amendments #1 and 2 to House Bill 2022. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Breslin, in the Chair."

Speaker Breslin: "House Bill 2023, Representative Daniels. Out of the record. House Bill 2062, Representative Churchill."

Churchill: "Thank you, Madam Speaker. This is House Bill 2061."

Speaker Breslin: "Excuse me. House Bill 2061."

Churchill: "Madam Speaker, Ladies and Gentlemen of the House, I

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rise to concur in Senate Amendment #1 to House Bill 2061. The original Bill was a Bill regarding fees assessed to those who generate low-level radioactive wastes. In that Bill there was a House Amendment placed on to create a flat fee assessment. When we got it over to the Senate, it was discovered that there's a portion of the Bill that was still included on the fee that was charged and was not included in the total assessment. So, the Senate Amendment says that those fees are not to be assessed for wastes incinerated on site. I move to concur."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 2061. Is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2061?' 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 116 voting 'aye', none voting 'no' and none voting 'present', and the House concurs in Senate Amendment #1 to House Bill 2061. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2108, Representative DeLeo."

DeLeo: "Thank you, Madam Speaker, Members of the House. I rise to concur on Senate Amendment #1. The original Bill amends the School Code regarding the Chicago Board of Education requiring school principals to report incidents of intimidation. Senate Amendment #1 is just a technical... technical Amendment, and it deletes the definition of intimidation in the Bill and refers to the definition of the Criminal Code. I move to concur."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 2108. And on the question, the Gentleman from Cook, Representative Cullerton."

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Cullerton: "Yes, Madam Speaker, I just wanted to make an observation with regard to this Bill. It is June 30 and the Sponsor of this Bill has been so successful in his legislation that they've all been on the Consent Calendar. So, this is Representative DeLeo's first Bill if we were to concur. So, I think we should keep that in mind when we're voting on final passage."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2108?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? On this... On this Members first Bill, have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 115 voting 'aye', 2 voting 'no' and none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 2106 (sic - 2108). And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2115, Representative Ropp."

Ropp: "Thank you, Madam Speaker. The Senate changed House Bill 2115. It changed the title and deleted everything after that and stated that the State Board of Education shall cause audits to be made of the financial records of the regional superintendents of schools and also the state will pick up the small cost to that. I urge concurrence to Senate Amendment 1 to House Bill 2115."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 2115. And on the question, Representative Cullerton."

Cullerton: "Yes, could you tell us what the original Bill did?"

Ropp: "Yeah. The original Bill stated that in any school that receives state funds, the American flag and patriotism should be so instructed."

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Cullerton: "And what did the Senate Amendment do to that?"

Ropp: "They struck that down with great haste."

Cullerton: "Why wouldn't you want to go to a Conference Committee and have that retained?"

Ropp: "Because, as was mentioned originally, that it was a general feeling that those schools were currently providing that information to the students that they were instructing."

Cullerton: "And what did the Senate Amendment do?"

Ropp: "Now, for the second time?"

Cullerton: "Well, I'm sorry. I didn't hear you the first time."

Ropp: "Okay."

Cullerton: "And I might ask a third time."

Ropp: "Stated that the State Board of Education shall audit the financial records of regional superintendents of schools. It's a good... good idea to make sure that those financial dollars that the state provides them are being spent properly and in a manner to state law."

Cullerton: "Okay. Thank you for answering the question."

Speaker Breslin: "Is there any further discussion? Repeat Sir - is your Motion to concur or to nonconcur? Representative Ropp."

Ropp: "Madam Speaker, I move to concur in Senate Amendment #1 (sic - #2)."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #2 to House Bill 2115. 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 118 voting 'aye', none voting 'no' and none voting 'present', and the House concurs in Senate Amendment #2 to House Bill 2115. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2165,

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Representative Berrios. Representative Berrios."

Berrios: "I move to concur on Senate Amendment #1 to 2165. 2165 merely provided that the Chicago Board of Education should provide counsel on a ratio of 250 to 1. The Senate Sponsor and I agreed that this couldn't be done by that time, and we're encouraging them to do that through Senate Amendment #1."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 2165. Representative Cullerton, on the question. Excuse me. The Gentleman indicates he does not wish to speak. Does anyone else? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2165?' 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 102 voting 'aye', 15 voting 'no' and none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 2165. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2199, Representative Frederick."

Frederick: "Madam Speaker, Members of the House, I move the House concur with Senate Amendment #1 on House Bill 2199. All the Amendment does is exactly what I promised we would do when this Bill passed out of the House and that's eliminate the half cent EAV tax for operating expenses for a water district."

Speaker Breslin: "The Lady moves to concur in Senate Amendment #1. Is that correct? She does. And on the question, is there any discussion? The Gentleman from Knox, Representative Hawkinson."

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

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Speaker Breslin: "She will."

Hawkinson: "Virginia, are there any non-referendum taxes in this Bill now?"

Frederick: "No."

Hawkinson: "Thank you."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2199?' 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', 1 voting 'no' and none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 2199. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2219, Representative Flowers."

Flowers: "Madam Speaker, Ladies and Gentlemen of the House, I move to concur with Senate Amendment #1 to House Bill 2219. House Bill is... Senate Amendment #1... Senate Amendment #1 provides that the school board shall maintain records and reports on annual statistics as to the rate of student turnover at each grade level, deletes the provision in 2299 that requires publication as to the rate of students dropout at each grade level. Senate Amendment #1 also provides that the publication requirements in House Bill 2219 shall be in newspapers of general circulation in the district rather than simply in the local newspapers. And I move to concur. Thank you."

Speaker Breslin: "The Lady moves to concur in Senate Amendment #1 to House Bill 2219. Is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2219. 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

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who wish? The Clerk will take the record. On this question there are 113 voting 'aye', 1 voting 'no' and none voting 'presnt', and the House does concur in Senate Amendment #1 to House Bill 2219. And this Bill, having received... Representative Anthony Young wishes to vote 'aye'. There are, therefore, 114 voting 'aye', 1 voting 'no' and none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 2219. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2232, Representative Parke."

Parke: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to concur with Amendments 1 and 2 to House Bill 2232. The Bill itself requires the regional superintendent to publish an annual accounting of receipts and distribution from the Institution Fund. Amendment 1 requires the accounting to be published in the newspaper or general circulation which is published in the region of circulation. And Amendment 2 further states that it revises the manner in which vacancies in the office of regional superintendent of schools are filled, deletes the provisions of existing law providing regional superintendents to fill the vacancy, places the county boards, rather than the regional boards, as school trustees the power to fill vacancies by appointment to serve until a new regional superintendent is elected."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendments #1 and 2 to House Bill 2232. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Parke: "Yes."

Cullerton: "This Bill deals with the filling of a vacancy in the

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regional superintendent's office?"

Parke: "That is one of the Amendments."

Cullerton: "So... And that's the Amendment I'm addressing my questions to."

Parke: "Yes, that is correct."

Cullerton: "Amendment #2, offered by Senator Philip."

Parke: "Yes, that is correct."

Cullerton: "This... Does it deal with all regional superintendents?"

Parke: "Yes."

Cullerton: "In the entire... In the entire state?"

Parke: "No. Outside of Cook County. Cook County is not included."

Cullerton: "Okay. So, this would apply to, say, DuPage County, for example."

Parke: "It certainly does."

Cullerton: "And could you tell me who appoints the vacancy right now?"

Parke: "Currently when some... when the regional superintendent cannot fill that vacancy, he leaves it, the assistant superintendent fills it."

Cullerton: "So, it is a person who is familiar with the department, the assistant to the regional superintendent, a person who is... has been working within the educational system who automatically, under current law, fills the vacancy, correct?"

Parke: "Well, that's one interpretation. Sometimes you'll find that there's lots of people that are involved in one particular department that have capabilities that may very well be more advantageous to fill that position. So, it doesn't necessarily mean that the assistant always has all the tools and qualifications to do the job."

Cullerton: "Right. So, the tools... the one who's going to

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determine who the tools... the tools and the qualifications for the job will end up being the boss, the political boss, of the county board who's going to make the decision as to who shall be the regional superintendent."

Parke: "I don't remember seeing that in this Amendment. It states that the county board makes that determination. I don't see anywhere where it says county boss. That's not part of the Amendment, Representative."

Cullerton: "Well, Representative, I think that I would personally like to get some assurances from Senator Philip, who put this Amendment on in the Senate, to get some assurances, at this point in the day, to get some assurances from him before I would support this Motion to concur. Because, if it could be used as a political... to political advantage for, say, a county board to appoint a political... you know, their political person to fill a vacancy, as opposed to assurances that we'd know it would be a good educational person, someone who's been... has worked within the system. As long as I know it's not some kind of a political power play, I can't support it. However, it's possible that once we get those assurances, that it might be the type of a Bill that's worthwhile to support. It's for that reason, I would encourage, at this point in the day, for people to vote against this particular concurrence with Senate Amendment #2."

Speaker Breslin: "The Gentleman from Will, Representative Van Dwyne."

Van Dwyne: "Thank you, Madam Speaker. I just want to rise to reassure everyone that what Representative Cullerton says is true. I am living proof, from being from Will County, that that could very well be the case. We have a Democratic county superintendent of schools who has an assistant and we do have a Republican county... controlled

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county board with a Republican county chairman. And this county chairman has already shown that it is not without his providences to do things like this. In fact, we have a case that's being litigated right now by our Democratic county chairman in the case of the nomination to a person to replace a vacancy, a Democratic vacancy, on the board of review. And they have, in fact, placed a former Democrat who has suddenly turned Republican on as a member and who, in fact, did sign in at a Republican township convention, and we are going through that. So, it is not without chance and substantial chance that we may run into this, and I agree with Representative Cullerton. And not only that, if we don't get this Amendment taken off, why then I am going to be circulating a request from our Members to vote against the Bill."

Speaker Breslin: "The Gentleman from Knox, Representative Hawkinson."

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

Speaker Breslin: "He will."

Parke: "Yes."

Hawkinson: "Representative, how will this work in a multi-county situation where a vacancy occurs and, say, three counties are served by a regional superintendent?"

Parke: "I'm sorry. I do not have an answer to that question. Perhaps someone else familiar with this might be able to answer that."

Hawkinson: "Second question. Does the appointee have to be a member of the same political party as the person who originally held the office?"

Parke: "I'm sorry. If you could hold that second question, I'd like to address your first question. I have been given... Staff has given me information. In a multi-county region,

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the chairman of the included county board shall jointly appoint a replacement with the vote of each weighted in accordance to the number of votes received by the departing regional superintendent in each county of the last election. That answers your first question. Now..."

Hawkinson: "As to the first question then, the county boards themselves do not have to approve, only the county board chairman."

Parke: "That's correct."

Hawkinson: "And they do it by a weighted vote in the last election, which, I suppose, implies the answer to my second question that it would have to be a member of the same political party."

Parke: "Yes."

Hawkinson: "Does this Bill, as amended, change the qualifications that a regional superintendent must have to fill this office in any way?"

Parke: "Not..."

Hawkinson: "Lessen those requirements?"

Parke: "Not at all, as far as I am aware."

Hawkinson: "Thank you."

Parke: "You're welcome."

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

Leverenz: "Sponsor yield?"

Speaker Breslin: "He will yield."

Leverenz: "Thank you. Does this have anything to do with an operation that was stretched between Cook and DuPage County and that a gentleman by the name of Jones used to run?"

Parke: "I... the Senate Sponsor did not give me the names of personalities. He saw this as a problem and asked if he would allow... if I would allow him to put this Amendment on to address an issue that I'm not really familiar with."

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Leverenz: "You're allowing county boards to pick an individual, and how is it current?"

Parke: "How is it what?"

Leverenz: "How is done currently? What is this replacing? If you want the county board to pick an individual, how do you do it now?"

Parke: "Well, I had mentioned earlier in my statement that it is chosen... the person who is the assistant automatically would move into the regional superintendent."

Leverenz: "Does this have anything to do with the educational regional operation that a gentleman by the name of Jones used to run who the Auditor General and the Attorney General have found that those operations in the first place are illegal?"

Parke: "Representative, I'm not familiar, as I stated earlier, on what the background. It was brought to my attention there was a problem, and we're trying to address the problem of succession, not personalities. Madam Speaker, may I have this Bill taken out of the record?"

Leverenz: "Well, if that... Madam Spea..."

Speaker Breslin: "Take the Bill out of the record at the request of the Sponsor. House Bill 2275, Representative Weaver."

Weaver: "Thank you, Madam Speaker. House Bill 2275 originally set up the Literacy Advisory Board to review and recommend funding proposals to the State Library and to conduct local literacy programs. Senate Amendment #1 simply brings this Bill into accord with Senate Bill 1279 by adding one additional citizen member to this Literacy Advisory Board, taking it from eight to nine. I would move that we concur with Senate Amendment #1."

Speaker Breslin: "The Gentleman moves to concur with Senate Amendment #1 to House Bill 2275. And on the question, Representative Cullerton."

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Cullerton: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "Representative Weaver, this is the Bill that we talked about earlier, isn't it?"

Weaver: "Several times, yes."

Cullerton: "Right. This is the one... Is this your first Bill?"

Weaver: "Yes, and it's come back again. We get to vote on my first Bill twice."

Cullerton: "Right. This is where you had a great idea and then you got a call from the Governor and they told you that they wanted you to amend it?"

Weaver: "No, there was no such call."

Cullerton: "Who told you to amend it?"

Weaver: "Divine intervention might speak well to that."

Cullerton: "Divine intervention. Okay. Now then, the Senate made a small modification here, right?"

Weaver: "Correct."

Cullerton: "They changed the number of people who serve on the State Library Advisory Committee?"

Weaver: "Yes, from an even number to an odd number."

Cullerton: "And that was Senator Karpel's Amendment?"

Weaver: "I believe so."

Cullerton: "And who makes the appointment to the State Library Advisory Committee?"

Weaver: "The Secretary of State, acting as the State Librarian."

Cullerton: "And do you have any idea, today when we... on final passage, whom might be the additional citizen member to that..."

Weaver: "No, but if you're still interested, I'd be glad to put in another word for you."

Cullerton: "But the decision will be made by Secretary of State Edgar?"

Weaver: "Yes, it will."

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Cullerton: "You know, normally, when we add members, we usually do it in threes or fours so that we can work out compromises. Do you know if there's been any such compromise worked out with regard to this?"

Weaver: "I'm unaware of any."

Cullerton: "And how much would the Bill cost?"

Weaver: "Roughly two million."

Cullerton: "Have you cleared this with Representative... Is this for education?"

Weaver: "Yes, it is. Well, it's to educate those adults who do not have currently a five grade or higher reading level."

Cullerton: "Okay. So, this has been cleared with Representative Vinson then. We can spend this two million dollars because it's going for education?"

Weaver: "Well, I haven't talked to him personally about it, no."

Cullerton: "This is in the Governor's budget?"

Weaver: "Yes, it is."

Cullerton: "And you're telling me that you don't know who this appointment is going to be at this point in time?"

Weaver: "No, I have not been informed."

Cullerton: "Okay. Thank you."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2275?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final passage. Have all voted who wish? The Clerk will take the record. On this question there are 103 voting 'aye', 4 voting 'no' and 1 voting 'present', and the House does concur in Senate Amendment #1 to House Bill 2275. And this Bill, having received the Constitutional Majority, is hereby declared passed. May I have your attention please, Ladies and Gentlemen? The... We have a very exciting announcement. The press has just informed me that they have just learned

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that all of the hostages have been released and are on a plane in Germany on their way home. Representative Parke, for what reason do you rise?"

Parke: "Thank you, Madam Chairman... Speaker. I was wondering if you have the count. Was the six that were captured earlier through the... beginning of last year also released with that group?"

Speaker Breslin: "We don't have information at this time on that."

Parke: "Thank you."

Speaker Breslin: "We just know that all the ones that were on the plane have been released."

Parke: "I hope they are all.... I hope those six were released also."

Speaker Breslin: "Yes. The next Bill is House Bill 2349, Representative Hallock."

Hallock: "Thank you, Madam Speaker, Members of the House. House Bill 2349 establishes the Illinois Addiction Research Institute at the University of Illinois. The Bill passed the House unanimously. It came back from the Senate with an Amendment which merely moves the Institute to the Department of Alcohol and Substance Abuse. This is the way the U of I wanted to do it. It's a good Bill, and I ask for your support."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 2349. Representative Cullerton, on the question. He indicates he does not wish to speak. The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2349?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Representative Phelps, would you vote my switch 'aye', please? Have all voted who wish? The Clerk will take the record. On this question there are 111

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voting 'aye', none voting 'no' and none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 2349. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2378, Representative Parke. Representative Parke."

Parke: "Madam Speaker, this Bill was already concurred."

Speaker Breslin: "Thank you. House Bill 2397, Representative Madigan - Currie - Bowman. Representative Currie, are you going to present House Bill 2387 for Representative Madigan?"

Currie: "Thank you, Madam Speaker and Members of the House. I move the House do concur in Senate Amendments 1, 2 and 3 to House Bill 2387. The underlying Bill is the Bill providing a structure for the continuing evaluation of public school teachers in the State of Illinois. The Senate Amendments clarified some questions about due process and other issues that remained in the Bill as it left this chamber. I would be happy to answer your questions, and I would appreciate your support for the concurrence Motion."

Speaker Breslin: "The Lady moves to concur in Senate Amendments #1, 2 and 3 to House Bill 2387. Representative Pullen, on the question."

Pullen: "I'd like to ask a question or two, please. May I ask a question?"

Currie: "I'm happy to answer your questions, Representative."

Pullen: "You indicated that it provides certain details regarding the evaluation plans for certificated personnel in schools."

Currie: "That's right."

Pullen: "Does Amendment #2 specify that collective bargaining agents, which means, I suppose, union leaders, may participate in the development of the evaluation plan?"

Currie: "As I understand the Amendment, while it is true that

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peers will participate in the... in the evalu... the remediation activity, it will not be peers who make the decision whether somebody is dismissable or, and otherwise, actually involved in the evaluation. So, the peer will help remediate but not decide whether the teacher has met the evaluation standards."

Pullen: "That's not my question."

Currie: "Well, I thought it had to do with the collective bargaining issue, and I would have thought that a peer of a teacher who works under a collective bargaining contract would, him or herself, also be under the collective bargaining contract and, therefore, would meet the definition in your question of someone who is part of the collective bargaining process, i.e., a union member."

Pullen: "Does it permit collective bargaining agents to participate in developing the evaluation plan?"

Currie: "It does not."

Pullen: "Are we talking about Senate Amendment 2?"

Currie: "It is the school district, the school board, that develops the evaluation plan."

Pullen: "Madam Speaker, I wish to speak to the question, please."

Speaker Breslin: "Representative Currie, are you answering a question?"

Currie: "I believe..."

Pullen: "Madam Speaker, I wish to address the question."

Speaker Breslin: "Please do."

Pullen: "This Bill... This Bill concerns itself with evaluating certificated personnel, i.e., teachers, requires school boards to establish programs for evaluating teachers. That's a noble goal. According to the analysis before me, which has been carefully drawn, the effect of the second Senate Amendment is to permit collective bargaining agents to participate in the development of the evaluation plan

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and specifies that consulting teachers will not perform evaluations unless the collective bargaining agreement of that unit permits them to do so. This is a serious blow to the intent of this Bill. In fact, it renders it useless. And, although the original Bill was a very good idea, I strongly urge that we not concur with the Senate Amendment, send it back and tell the Senate that they should pay attention to the will of this House in this matter and not ruin what was a good idea to begin with when it passed this House. Thank you."

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

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 2387, as it left this House, under the sponsorship of Speaker Madigan, was one of the finest elements of an education reform package that could possibly be adopted in any state in the United States. The Senate Amendments do nothing to improve what was essentially a perfect Bill when Speaker Madigan sponsored it. In respect for Speaker Madigan's brilliant ideas, as set forth in House Bill 2387, when it was originated, I urge that we refuse to concur with the Senate Amendments."

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

Mulcahey: "Would the Lady yield for a question?"

Speaker Breslin: "She will."

Mulcahey: "Representative Currie, there's a... I see there's a State Mandates Act and a fiscal note was attached to this. If this, indeed, were to pass, what would be the cost to the parties involved?"

Currie: "I believe that under the... under the fiscal note that I have access to it looks as if in Fiscal '86 there would be overall 208 plus 40... 248,000 dollars."

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Mulcahey: "For Fiscal '86."

Currie: "For Fiscal '86."

Mulcahey: "Now, what provisions have we made to provide funds... funding for that... this... this Amendment?"

Currie: "Well, my understanding is that as the appropriations people are busy working on levels of appropriation, they are likely to allocate some 250,000 dollars for this program, 248,000."

Mulcahey: "I hope they are likely to come up with this money, because I am not going to support anymore mandates, as you very well know, without the funding behind it."

Currie: "That's right."

Mulcahey: "I hope by the time this comes back that we'll have a... if we do concur, of course, I hope somewhere down the line we're going to have that funding in place."

Currie: "Yeah, no. My understanding, Representative, is that as the Bill is drafted, it is likely to constitute a mandate on local government and the state will pick up that cost. The fiscal note finds no local costs in this program."

Mulcahey: "I understand."

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

Brunsvold: "Will the Lady yield?"

Speaker Breslin: "She will."

Brunsvold: "Representative, is this the same provisions that were incorporated in the education reform package?"

Currie: "My understanding is that the education package proposals were approved with language like this. Whether these particular proposals are a part of the comprehensive package that is presently being drafted, I don't know. But I do know that there was agreement on language like this for this proposal as part of the signoff on education reform."

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Brunsvold: "So, as far as you're aware, this language is almost identical to what's in the reform package that we'll probably see before midnight."

Currie: "Okay. Why don't we take this out of the record at this point then. Madam Speaker, may I take this out of the record?"

Speaker Breslin: "Surely. Out of the record. Ladies and Gentlemen, the Chair is prepared to go to the Order of Nonconcurrences, appropriation matters only. The first Bill... Representative Friedrich, for what reason do you rise?"

Friedrich: "I'd like to request a Republican Conference for 45 minutes in Room 118 immediately."

Speaker Breslin: "Surely. The Gentleman has requested a Republican Conference in Room 118 for 45 minutes. It is now a quarter after 3:00. Return to the floor at 4:00. Republican Caucus in Room 118. Return to the floor at 4:00. Committee Reports."

Clerk O'Brien: "Representative Wyvetter Younger, Chairwoman of the Committee on Urban Development, to which the following Resolution was referred, action taken June 30, 1985, reported the same back with the following recommendation: 'be adopted as amended' House Resolution 595."

Speaker Breslin: "... Resolutions."

Clerk O'Brien: "House Resolution 630, offered by Representative Homer; 631, by Johnson - et al; 632, Bowman; 633, Bowman; 634, Ropp; 635, Madigan; 636, McNamara; 637, Brookins and Washington; 639, Pangle; 640, Wyvetter Younger; 642, Harris; 643, Pullen."

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

Giorgi: "Madam Speaker, 630, by Homer, congratulates Elizabeth Rafferty; 631, by Johnson - Tate - Woodyard - Ronan, pleads

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for stability in the time zones; 632, by Bowman, recognizes the Wild Bunch; 633, by Bowman, honors Marina Louise Eovaldi, Joe Lucco's daughter, the all American fame coach; 634, by Ropp, commends Milner Library; 635, by Madigan, congratulates Richard Weldon; 636, by McNamara, recognizes the City of Blue Island."

Speaker Breslin: "Excuse me. Representative Giorgi, we have had a call from Representative Daniels. He objects that the House continue this Order of Business while they are not here. So, please take it out of the record."

Giorgi: "Very good, Madam Speaker."

Speaker Breslin: "Out of the record. The House will come to order. Agreed Resolutions."

Clerk O'Brien: "House Resolution 630, offered by Representative Homer; 631, by Johnson - et al; 632, Bowman; 633, Bowman; 634, Ropp; 635, Madigan; 636, McNamara; 637, Brookins and Washington; 639, Pangle; 640, Wyvetter Younge; 642, Harris; and 643, Pullen."

Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker, 630, by Homer, congratulates Elizabeth Rafferty; 631, by Johnson - Tate - Woodard - Weaver, pleads for stability in our time zones; 632, by Bowman, recognizes the Wild Bunch; 633, by Bowman, honors Mrs. Lucco (sic - Eovaldi), Joe Lucco's daughter; 634, by Ropp, commends Milner Library; 635, by Madigan, congratulates Richard Weldon; 636, by McNamara, recognizes the City of Blue Island; 637, by Brookins - Washington, congratulates Ann Williams; 639, by Pangle, honors a 4-H Club; 640, by Younge, commends George Hudson; 642, by Harris, recognizes Justin Harris; and 643, by Pullen, commends Thomas Rooney. I move for the adoption of the Agreed Resolutions. And there's also a Resolution that I'd like the Clerk to read. I'd like the Clerk to read some of it in honor of one of

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our honored people today."

Speaker Breslin: "Mr. Clerk, on a special Resolution, read in full."

Clerk O'Brien: "House Resolution 641, by Representative Giorgi. Whereas, the 'Cake Lady', Olida Doris Ray, wife of Harold Ray, secretary treasurer of the Illinois AFL-CIO, started several years ago to bake scrumptiously delicious cakes for homesick State Legislators, staff, lobbyists, groupies and doormen; and whereas, she has continued to bake 150 to 200 cakes per Session, mainly in the last weeks of June; and whereas, her recipes, which have included the usual ingredients of flour, sugar, milk, eggs, butter, vanilla, raisin, vodka, orange shreds, chocolate chips and peanuts, as well as pork and beans, tomato soup and saur kraut, are voraciously consumed by the hungry Legislators; and whereas, copies of her recipes in response to requests for her secret family recipes hundreds of years old are constantly printed for Legislators and lobbyists' groups to take home to mama; and whereas, Doris, who bore all expenses out of her own pocket, no doubt acquired back aches from the kneading table and at times unbearable heat from the oven; therefore, be it resolved by the House of Representatives of the 84th General Assembly of the State of Illinois, that we hereby extend our deepest thanks to Doris Ray for carrying us through the long Session by providing us with her delicious cakes and be it further resolved that a suitable copy of this Preamble and Resolution be presented to Doris Ray as a lasting record for our remembrance of her culinary prowess."

Speaker Breslin: "Represe... Representative Giorgi, on the Resolution."

Giorgi: "Madam Speaker and Members of the House, I know Members of the General Assembly for years have been enjoying cakes

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the last weeks in June for my office, and I thought you ought to meet the cake lady, Doris Ray, up in the gallery."

Speaker Breslin: "On behalf of all of us, thank you, Mrs. Ray. The Gentleman has moved the adoption of the Agreed Resolutions. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Agreed Resolutions are adopted. Representative Vinson, the Chair is ready to go to those Motions on the Order of Nonconcurrency that Representative Daniels had indicated you were ready to go with. Are we ready to proceed?"

Vinson: "No, Madam Speaker, we are not prepared to proceed on those at this time."

Speaker Breslin: "Okay. Please let us know as soon as you are. General Resolutions."

Clerk O'Brien: "House Joint Resolution 88, offered by Representative Homer."

Speaker Breslin: "Committee on Assignment. Ladies and Gentlemen, on the Order of Speaker's Table, appearing on page nine on your Calendar, there appears Senate Joint Resolution 31, Representative Greiman."

Greiman: "Thank you, Speaker. This sets up a Committee of House Members and Senate Members to meet jointly with the members of the Supreme Court. It has no staff. It has no... no cost at all to the state, but it provides for a liaison between Members of the General Assembly and the Supreme Court. And I think it is a good idea for us to have that liaison. I ask for its adoption."

Speaker Breslin: "The Gentleman moves to adopt Senate Joint Resolution 31. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House adopt Senate Joint Resolution 31?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is

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open. Have all voted who wish? The Clerk will take the record. On this question there are 80 voting 'aye', 38 voting 'no' and none voting 'present', and the House does adopt Senate Joint Resolution 31. Ladies and Gentlemen, appearing on the Order of Nonconcurrency, on page six on your Calendar, appears Senate Bill 91, Representative Dunn - Greiman. Representative Greiman."

Greiman: "Thank you, Speaker. I would ask the House refuse to recede from Senate Bill... Amendments 1 and 2 to Senate Bill 91. This... the Amendments we put on are 2 and 5 which relate to, in part, the scope of the... of the child support and what the court can consider. And apparently there has to be some change in those Amendments, and I would ask, therefore, that we refuse to recede and go into a Conference Committee."

Speaker Breslin: "The Gentleman moves to refuse to recede on Senate Amendments #2 and... House Amendments #2 and 5 to Senate Bill 91. Is there any discussion? Hearing none, the question is, 'Shall the House refuse to recede on Senate Amendments #2 and 5 to Senate Bill 91?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede on Senate Amendments... House Amendments #2 and 5 to Senate Bill 91 and a Conference Committee shall be appointed. Senate Bill 200, Representative Braun. Out of the record. On page eight on your Calendar, on the Order of Nonconcurrency, appears Senate Bill 847, Representative Saltsman. Representative Saltsman. Is the Gentleman in the chamber? This is on the Order of Nonconcurrency, Representative."

Saltsman: "Can I take it out of the order for a minute?"

Speaker Breslin: "Surely. Out of the record. Senate Bill 1004, Representative Homer."

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Homer: "Thank you, Madam Speaker. Would you just take that from the record, please?"

Speaker Breslin: "Out of the record."

Homer: "Madam Speaker..."

Speaker Breslin: "Excuse me."

Homer: "This is on the Order of Nonconcurrency, is that correct?"

Speaker Breslin: "That's correct. You may either recede or refuse to recede and ask for a Conference Committee."

Homer: "Alright. Well, let's take it out of the record for the time being. Thank you."

Speaker Breslin: "Out of the record. House Bill 1010, Representative Huff."

Huff: "Yes, Madam Speaker, Ladies and Gentlemen of the House, I move to refuse to recede from House Amendments 10 and 11 to Senate Bill 1010 and request the convening of a Conference Committee. You may recall that House Amendment 10 was replaced by House Amendment 11. All it does is creates the advisory councils committee providing oversight of the district superintendents' discretionary fund, also provides oversight to the principals' discretionary funds and creates a state task force on encouraging citizens' involvement in education. The dispute is postulated on some technical lanaguage that needs clarification."

Speaker Breslin: "The Gentleman has moved to refuse to recede from Senate Amendments #... from House Amendments #10 and 11 to Senate Bill 1010. Is there any discussion? Hearing none, the question is, 'Shall the House refuse to recede from House Amendments #10 and 11 to Senate Bill 1010?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendments 10 and 11 to Senate Bill 1010 and a Conference Committee will be appointed. Senate Bill 1345, Representative Curran."

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Curran: "Madam Speaker, can we take this out of the record? We'll get back to it in just a couple minutes."

Speaker Breslin: "Surely. Out of the record. Senate Bill 1379, Representative Davis. Representative Davis. Out of the record. With leave of the House, we'll go back to Representative Curran's Bill, Senate Bill 1345. Representative Curran."

Curran: "Madam Speaker, I move to refuse to recede from Amendment #1 to House Bill... Senate Bill 1345 for purposes of sending it to a Conference Committee."

Speaker Breslin: "The Gentleman moves to refuse to recede from House Amendment #1 to Senate Bill 1345. Is there any discussion? Hearing none, the question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 1345?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendment #1 to Senate Bill 1345 and a Conference Committee will be appointed. Messages from the Senate."

Clerk O'Brien: "A Message from the Senate, by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of their Amendments to the following Bills: Senate Bills 944 and 1452, adopted by the Senate June 30, 1985. Kenneth Wright, Secretary.' A Message from the Senate, by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in adoption of their passage of House Bill 2525, together with their Senate Amendment #1, passed the Senate as amended June 30, 1985. Kenneth Wright, Secretary.' Message from the Senate, by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of

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Representatives that the Senate has adopted the following Senate Joint Resolutions, the adoption of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Joint Resolution #84, Senate Joint Resolution #80, Senate Joint Resolution #82, Senate Joint Resolution #81, adopted by the Senate June 30, 1985. Kenneth Wright, Secretary."

Speaker Breslin: "Ladies and Gentlemen, going back to the Order of Nonconcurrency, on '... Representative Van Dwyne, for what reason do you rise?"

Van Dwyne: "Well, thank you... thank you very much, Madam Speaker. I really don't know how to say this, whether it's informational or whether it's public notice or whether it's my edict to my own party or whatever, but I've been here 11 years and, for whatever reason, I've been chosen to be being put on to two or three or four Conference Committees this year as compared to some of the years before when I was not. I was just approached by staff for me to, quote, 'I need your signature'. There was no meeting. I don't know what's going on. But I can tell you right now, if I'm going to rob a bank, I at least want to take part in it and get away with some of the cash. Now, I am not signing anymore... or any, I should say. I haven't signed any yet, and I'm not going to sign anymore Conference Committees where there was no Conference. That's ridiculous. It's a usurpation of the power, the prestige and the honor of the individual Members. It's ridiculous for the staff and the Speaker's Office to take over this prerogative of the Members. If you're going to have a Conference Committee, why in the good God don't you at least give the Members a chance to go back in the back over here and talk it over, rather than just have the staff come over and say, 'Here, we need your signature?' So, I'm just saying to the

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Speaker, please don't put me on anymore Conference Committees."

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

Friedrich: "Just in response to that. When we had a Republican Speaker, we had open meetings and the public was invited and given notice."

Speaker Breslin: "Ladies and Gentlemen, we are going to the Order of Nonconcurrency. On page eight on your Calendar appears Senate Bill 847, Representative Saltsman."

Saltsman: "Thank you, Madam Speaker. I refuse to recede from Senate Bill 847 and the Amendment."

Speaker Breslin: "Can you tell us what the reason is?"

Saltsman: "Yes. The reason is the Governor's staff has asked to put some different language into it, and it's been agreed upon between their staff and ours."

Speaker Breslin: "The question is, 'Shall the House refuse to recede in Amendment #4 ... in House Amendment #4 to Senate Bill 847?' And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Okay."

Speaker Breslin: "The Gentleman from Peoria, Representative Tuerk, on the question."

Tuerk: "Well, Madam Speaker, I'm trying to find that and see what the Amendment is. Is it the fourth Amendment?"

Speaker Breslin: "Yes. It's Amendment #4. House Amendment #4."

Saltsman: "It's not the prevailing wage Bill, Fred."

Tuerk: "What? No, I know, but I... Is this... does this have to do with bonds or..."

Saltsman: "No, this was increasing the size of the Illinois Development Finance Authority and it's asked for by the Governor's staff to have some different language put into it."

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Tuerk: "I see."

Saltsman: "In a Conference Committee."

Tuerk: "Thank you."

Saltsman: "The Authority is asking for this, and it's been okayed by our staff."

Speaker Breslin: "The question is, 'Shall the House nonconcur in House Amendment #4 to Senate Bill 847?' And on the question again now, Representative McCracken."

McCracken: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Saltsman: "Yes."

McCracken: "Representative, is... You're refusing to recede on 4 only or on all Amendments?"

Speaker Breslin: "All there are are four..."

Saltsman: "Just on 4 only. Just so it gets to a Conference Committee. This is what the Finance Authority is asking with Senator Weaver."

McCracken: "Okay. And what's the purpose of the Conference Committee? What is it that the Finance Authority doesn't like about the current status of the Bill?"

Saltsman: "They like the Bill, but there's some legalities in there. There's some two and three word changes that they would like to have made."

McCracken: "Does it affect the bonding authority? Is that it?"

Saltsman: "No, it does not affect the bonding authority itself. It's a matter of who's on the board and ... well, it's also, as far as the bonding authority towards the courthouses and jails, which is in Amendment #3, that... no, excuse me - it's Amendment #4, it's not actually in that itself. It's up in the front part of the Bill where they want some of the... about four different words they want changed in it."

McCracken: "Okay. Thank you"

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

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

Speaker Breslin: "He will."

Harris: "Representative, Amendment #4, in my analysis, may be incorrect. Perhaps you could help me. Does that permit counties to tax... levy any sort of a tax for correctional facilities and courthouses?"

Saltsman: "No, it allows them to go through the Authority to get bonds from them. We've got 42 correctional... jails in different counties that the Department of Corrections said need to be replaced. And if the funding isn't there, they can't get these bonds through the Illinois Finance Development Authority. This was settled in the last Amendment and was discussed on the floor. It doesn't give the county the power."

Harris: "Thank you. To the Motion, Madam Speaker. Regarding the Gentleman's recent comments, staff informs me that it does indeed allow a tax, local county tax, subject to a back door referendum, and I just bring that to the Body's attention when they vote on this Motion."

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

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

Speaker Breslin: "He will."

Saltsman: "Yes."

Piel: "Where are we as far as Floor Amendments 1, 2 and 3?"

Saltsman: "2 was tabled. 3 was passed and 4 was passed."

Piel: "So, what is the current status of 1... What about... First of all, what about #1? Has 1 passed also?"

Saltsman: "Yes."

Piel: "But you are just moving on #4. You're nonconcurring on

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#4. What about 1 and 3?"

Saltsman: "Well, Amendment #4 was needed. We put in three different Amendments for the Authority. We were doing this for them, themselves, when they brought the Amendments to me. And if Amendment 2 would have been adopted, we would have needed a fifth Amendment to make it what both sides of the aisle agreed to. This was all agreed legislation, Bob."

Piel: "But my question is, what about... you know, you're moving to nonconcur on #4. What is the status then of 1 and 3? Have we already moved to concur on 3? I don't think... I don't think we have. That's the reason I'm asking where we're at on those..."

Speaker Breslin: "The Senate has already agreed on those two Amendments. The only Amendment before us, Mr. Piel, is Amendment #4."

Piel: "Excuse me for one second. Okay. In reference to... I would still think Madam Speaker, that we would have to concur on 1 and 3, even if they've already concurred."

Speaker Breslin: "No, these are House Amendments."

Piel: "Oh, okay. I'm sorry."

Speaker Breslin: "The Senate concurred in those House Amendments."

Piel: "Okay."

Speaker Breslin: "The only one left in controversy is the Amendment before us, Amendment #4."

Piel: "With the composition, in reference to #4 then, you know, the composition of the present board is changed how with Amendment #4 on? Do you plan on... Do you plan on... if this goes to Conference Committee, changing the composition of the board?"

Saltsman: "I don't. No."

Piel: "Has this been mentioned at all, the changing of the

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composition of the board?"

Saltsman: "Well, in Amendment #1 it increased the voting..."

Piel: "Number one..."

Saltsman: "All it did was increase the voting for a number of eight for a passage of any resolutions that would come out of there because they increased the board from 13 to 15. You know, the former number was seven."

Piel: "Isn't it..."

Saltsman: "They are strictly technical Amendments. Up till now, they have informed me that these are nothing more than technical Amendments. Really, the Governor could have put them in in an amendatory veto. They could have put them in in an amendatory veto, but they thought, to get it done quicker, we'd be better off if we took it to a Conference Committee."

Piel: "Don, would you mind taking this out of the record momentarily so we can come back to it? We'll come back to it. Just till we clarify this one point, please?"

Saltsman: "Okay."

Piel: "Thank you."

Speaker Breslin: "Out of the record. Ladies and Gentlemen, going back to the Order of Concurrences, where we left off, on page six on your Calendar, appears House Bill 2387, Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. Before we took the Bill out of the record, so as to be able to honor the request for a Republican Caucus, we had a fair amount of discussion on the underlying Bill and on the Senate Amendments. This is the program calling for continuing evaluation of public school teachers. The Senate Amendments, I believe, were agreeable to the Education Committee Members of the House where first this program surfaced. The point was to ensure that the

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teachers, the peers, in effect, of those who are evaluated are involved in remediation programs and are not themselves doing the evaluating. There was further language establishing that the Bill does not invade due process rights elsewhere granted in the School Code. I would encourage your support for a Motion to concur in Senate Amendments 1, 2 and 3 to House Bill 2387. And if the Clerk could change the board. It says Senate Bill, and I believe it's a House Bill."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendments #1, 2 and 3 to House Bill 2387?' Is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "I'll keep it brief, because I know there was discussion. However, I'd like to remind this side of the aisle that we supported this as it left the House the first time. And as it comes back from the Senate, it comes back with a lot of different collective bargaining agent rights in it which, in effect, strip the Bill of much of its efficacy and I will incorporate by reference and remind my Membership that this is opposed by our education spokesman and many others. So, thank you."

Currie: "No, no, no. Excuse me. If I might close."

Speaker Breslin: "The question is... Representative Currie, to close."

Currie: "To close on the Motion. My understanding is that the education spokesman of the other side of the aisle does not oppose this Bill. There may be those who think that the Senate Amendments were somewhat weakening. I don't agree. Obviously, people can have different perspectives on that question. But my understanding is that there is support from the education spokesman on that side of the aisle for this Bill."

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Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendments #1, 2 and 3 to House Bill 2387?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Vinson, one minute to explain your vote"

Vinson: "Yes, Sir... Madam Speaker, I would strongly urge a 'no' vote on this. If we're going to have education reform, we ought to have a complete package before us. This is nothing like a complete package. As a matter of fact, this is something on the order of a sellout, and I would ask for a verification if it should appear to get the right number of votes."

Speaker Breslin: "Have all voted who wish? This is final passage. Have all voted who wish? The Clerk will take the record. On this question, there are 68 voting 'aye', 45 voting 'no', and 2 voting 'present'. And Representative Vinson has requested a verification. Representative Currie requests a Poll of the Absentees. Poll the absentees, Mr. Clerk."

Clerk Leone: "Poll of the Absentees. Johnson. Krska. And Leverenz."

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

Clerk Leone: "Poll of the Affirmative. Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Bullock. Capparelli. Christensen. Cullerton. Curran. Currie. DeJaegher. DeLeo. Farley. Plinn. Flowers. Giglio. Giorgi. Greiman. Hallock. Hannig. Hartke. Hawkinson. Hicks. Homer. Huff. Keane. Kirkland. Kulas. Laurino. LeFlore. Levin. Matijevich. McGann. McNamara. McPike. Nash. Oblinger. O'Connell. Olson. Panayotovitch. Pangle. Phelps. Preston. Rea. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Slater. Soliz. Steczo. Stern. Sutker. Terzich. Turner. Van Duyne. Vitek."

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Washington. White. Wolf. Anthony Young. Wyvetter
Young. And Mr. Speaker."

Speaker Breslin: "Representative Vinson, do you have any
questions of the Affirmative Roll?"

Vinson: "Many, Madam Speaker."

Speaker Breslin: "Proceed."

Vinson: "Mr. Bowman."

Speaker Breslin: "Representative Bowman, as you know, has been in
a conference all morning and all afternoon."

Vinson: "Then he shouldn't be voting. I question Mr. Bowman."

Speaker Breslin: "Representative Bowman. Representative Bowman.
Is the Gentleman in the chamber? Remove him from the Roll
Call. Representative Hallock, for what reason do you
rise?"

Hallock: "Please change me to 'no'."

Speaker Breslin: "Change Representative Hallock from 'aye' to
'no'. Proceed, Mr. Vinson."

Vinson: "Representative Braun."

Speaker Breslin: "Representative Braun is in her chair."

Vinson: "Representative Bullock."

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

Vinson: "Representative Capparelli."

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

Vinson: "Where?"

Speaker Breslin: "In the back."

Vinson: "Representative DeLeo."

Speaker Breslin: "Representative DeLeo is in the back."

Vinson: "Representative Flowers."

Speaker Breslin: "Representative Flowers is in her chair."

Vinson: "Representative Hartke."

Speaker Breslin: "Representative Hartke is by his chair."

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Vinson: "Mr. Hicks."

Speaker Breslin: "Representative Hicks. Representative Hicks.

Is the Gentleman in the chamber? He is."

Vinson: "Mr. Homer."

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

Vinson: "Mr. Keane."

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

Vinson: "Mr. Preston."

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

Vinson: "Mr. Ronan."

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

Vinson: "Mr. Van Duyne."

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

Vinson: "Mr. Young."

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

Vinson: "Ms. Younge."

Speaker Breslin: "The Lady's in her chair."

Vinson: "Representative Nash."

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

Vinson: "Representative McNamara."

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

Vinson: "Representative Dunn."

Speaker Breslin: "Representative Dunn. The Gentleman voted
'no'."

Vinson: "Representative Giorgi."

Speaker Breslin: "Representative Giorgi. Representative Giorgi.
How is the Gentleman recorded?"

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

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

Vinson: "Representative Matijevich."

Speaker Breslin: "Representative Matijevich. Representative

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Matijevich. How is the Gentleman recorded?"

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

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

Vinson: "Representative Phelps."

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

Cullerton: "Yes, I wanted to inquire, was Representative Bowman verified off?"

Speaker Breslin: "Yes, he was."

Cullerton: "Well, Madam Speaker, I believe that we had a discussion about this yesterday, concerning people who are dealing with the appropriation process. Representative Hastert and Barnes, Bowman and Leverenz. And their... their switches are voted, and they're not here, because they're in a meeting. And I don't think that it's proper to have Representative Bowman verified off, under those circumstances. Matijevich is at that meeting, as well."

Speaker Breslin: "Mr. Clerk, can you tell us if Representative Hastert or Representative Barnes are recorded?"

Clerk Leone: "Representative Hastert is recorded as voting 'no'. Representative Barnes is recorded as voting 'no'."

Speaker Breslin: "Representative Vinson, was there such an agreement?"

Vinson: "I'm not aware of any such agreement, and he has no authority to verify the Negative Roll Call."

Speaker Breslin: "There wasn't request for a verification. He is... He is noting a previous agreement. If you are not aware of the agreement, I think we have to go forward, Representative Cullerton. Do you have any further questions of the Affirmative Roll?"

Vinson: "Representative Phelps."

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

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Vinson: "Representative Berrios."

Speaker Breslin: "Representative Berrios is in the chamber.
Representative Hicks has returned to the chamber."

Vinson: "You already added him back on."

Speaker Breslin: "Okay."

Vinson: "Representative Terzich."

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

Vinson: "Representative Saltsman."

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

Vinson: "Rep ... "

Speaker Breslin: "Pardon?"

Vinson: "Representative Farley."

Speaker Breslin: "Representative Farley. Representative Farley.
Is the Gentleman in the chamber? Representative Farley.
How is the Gentleman recorded?"

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

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

Vinson: "Representative Shaw."

Speaker Breslin: "The Gentleman... Representative Shaw is in the
chamber. Representative Giorgi has returned to the
chamber. Add him to the Roll Call."

Vinson: "Representative Christensen."

Speaker Breslin: "Excuse me. Representative Bowman has returned
to the chamber. Add him to the Roll Call. And
Representative Bullock. Was Representative Bullock removed
from the Roll Call, Mr. Clerk?"

Clerk Leone: "Representative Bullock has been removed."

Speaker Breslin: "The Gentleman has returned to the chamber. Add
him to the Roll Call. Representative Matijevich has
returned to the chamber. Add him to the Roll Call.
Representative Leverenz has returned to the chamber. Add
him to the Roll Call."

Clerk Leone: "Representative Leverenz was not voting."

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Vinson: "He's not voting."

Speaker Breslin: "Excuse me. Representative Leverenz was not voting. Representative Leverenz, for what reason do you seek recognition?"

Leverenz: "Please record me as voting 'aye'."

Speaker Breslin: "Representative Leverenz votes 'aye' and asks leave to be verified, and he has been verified."

Vinson: "No further questions."

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

Didrickson: "Madam Speaker, please record me from a 'no' to an 'aye'."

Speaker Breslin: "Representative Didrickson changes her vote from 'no' to 'aye'. Representative Mautino changes his vote from 'no' to 'aye'. Representative Christensen asks leave to be verified. Is that correct, Sir? Representative Christensen is in the chamber. Was the Gentleman removed from the Roll Call, Mr. Clerk?"

Clerk Leone: "The Gentleman has not been removed from the Roll Call."

Speaker Breslin: "The Gentleman was not removed from the Roll Call. Representative Harris, for what reason do you seek recognition? Representative Harris changes his vote from 'no' to 'aye'. Representative Mulcahey changes his vote from 'no' to 'aye'. Representative Krska wishes recognition and to be recorded as voting 'aye'. Representative Krska votes 'aye'. Representative Tate changes his vote from 'no' to 'aye'. What is the count, Mr. Clerk? The Gentleman from DuPage, Representative Hensel, for what reason do you rise?"

Hensel: "Thank you, Madam Speaker. Will you change my vote to 'aye'?"

Speaker Breslin: "Change Representative Hensel from 'no' to

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'aye'. Representative Ryder, for what reason do you rise? Change Representative Ryder's vote from 'no' to 'aye'. On this question, there are 75 voting 'aye', 39 voting 'no', and 2 voting 'present'. And the House does concur in Senate Amendments #1, 2 and 3 to House Bill 2387. And this Bill, having received the Constitutional Majority, is hereby declared passed. While we are on this Order of Business, there is a request to go to Representative Hoffman's Bill, which amends the School Code, House Bill 1528. Is there leave? There is leave. House Bill 1528 appears on page five on your Calendar on the Order of Concurrence. Representative Hoffman."

Hoffman: "Thank you very much. Thank you very much, Madam Speaker of the House. When I originally prepared House Bill 1528, I neglected to put an effective date on it. Senate Amendment #1 puts an effective date into 1528, and I would move for the adoption of... I would move the concurrence with the Senate Amendment to House Bill 1528, which is the Bill that we passed in the House 110 to some, and in the Senate, to address the current formula."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1528. And on the question, the Gentleman... the Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Madam Speaker, Members of the House. Representative Hoffman is absolutely correct. House Bill 1528 went out here with 110 'aye' votes. There was no effective date. It was part of the school consolidation program. It was the carrot and the stick approach. It rewards unit districts to a greater extent than today, and it hurts those dual districts that I happen to represent as a suburban Legislator. We have, in the omnibus education Bill coming before us, a demand that a new school aid

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formula be in place by August 1, 1987. This Bill is premature. Many of us trusted when it went over to the Senate, it was a good idea, but it didn't have an immediate effective date. What this does is, July 1, 1985, of this year, my dual districts, my elementary schools get hurt. At a time when they've had to go through declining enrollment, we'll be looking at full day kindergarten and trying to fund that. We'll be looking at a formula that exists today that rewards those schools with increased enrollment, and my school districts can't afford it. I'm speaking for myself on this Bill, because I understand Representative Hoffman has worked very hard on this. I... Just for the sake of the record, I am a 'no', and I will have to be a 'no' if this passes out on the education reform package."

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

Satterthwaite: "Madam Speaker and Members of the House, I don't feel that this does, in fact, give an advantage to unit districts. What it really does is to give equity at long last. Elementary and... high school districts run separately have long had an advantage in the formula. All we are doing with this formula revision is to bring equity into it so that, in fact, the unit districts will no longer be disadvantaged. And for that reason, I think that the Members of the House should strongly support House Bill 1528 and move to concur in Senate Amendment #1 so that the Bill can go to the Governor's desk."

Speaker Breslin: "There being no further discussion, Representative Hoffman, to close. Excuse me... Excuse me. Representative Mautino wishes to discuss the question. Proceed."

Mautino: "The... Will the Gentleman yield?"

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Speaker Breslin: "He will."

Mautino: "I'm sorry, Representative, that I missed part of the prior speaker's questioning. Your concurrence and the formula embodied in that concurrence is one that changes the funding formula to the betterment of the unit districts as opposed to the dual districts. Is that correct?"

Hoffman: "The formula... The formula reduces the qualifying rate necessary to participate at the maximum level in the formula, and that is correct."

Mautino: "Alright. I hope that all downstaters are listening very well to this concurrence. And I know that there's been an agreement on this particular concurrence, but it is not in the beneficial interest of those Legislators on both sides of the aisle that have schools in rural areas. I recommend most highly that the vote on this question is a 'no' vote, send it back to Conference Committee. Let's take another look at Representative Steczo's formula reconstruction that is much more beneficial to the downstate school districts, and I ask for a 'no' vote on concurrence."

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

Klemm: "Thank you, Madam Speaker. I rise in opposition to concurring with 1528. Probably the reason I do is, quite simply, I have more high school and elementary districts... schools in my district than I have unit districts. And it's quite simple that if you have unit districts, you'll gain more by changing the formula, but if you have more high school and elementary, you'll lose money for them. I have two unit districts. One gains \$15,000 only, but I've got districts of high school and elementary that simply will not receive anywhere near what it would do if we did not have the provisions of 1528. As much as I'd like to

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support a colleague's Bill, when I find out of 16 school districts in my district, only two gain - one marginally - and 14 lose, I certainly have to vote for my district as a whole, and I would have to oppose this. Thank you."

Speaker Breslin: "The Gentleman from Jefferson, Representative Hicks."

Hicks: "Yes, Madam Speaker, Ladies and Gentleman of the House, with all due respect to the fine Sponsor of the Bill, a similar type measure in House Bill 935 in the fact that it was killed in the Senate recently, would have done somewhat the same type of situation in keeping consolidation of schools. This is going to do somewhat the same thing, in the end at least wise, by forcing those dollars not to be there for schools to stay open and in my area of the state. And I'd urge all of you from downstate to take a very serious look at this and the dollars that are involved and the loss of the dollars involved in your school districts. It's going to be a tremendous loss of dollars for my school district, and I would urge those people to take a serious look and vote 'no' on this Bill."

Speaker Breslin: "I hate to interrupt, Ladies and Gentlemen, but we have a distinguished visitor, the Governor of the State of Illinois. Welcome. We are discussing the formula for funding education, Mr. Governor. And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "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 'nos' have it, and the main question is not put. The Gentleman from McLean, Representative Ropp."

Ropp: "Yeah, thank you, Madam Speaker and Members of the House."

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I think, in almost every attempt to address education, we have had some winners and some losers. Tragic as it is, we have also had a concern about consolidation for the best interests of young people. In my area, this will be a plus. Those areas that feel that we have not addressed the consolidation issue correctly, seems to me that money is a way that we can do that somewhat effectively. This is an approach that I am going to support, and I urge your support, too."

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

Mulcahey: "Madam Speaker, did we move the previous question, or not?"

Speaker Breslin: "We did not. Speak to the question."

Mulcahey: "Thank you, Madam Speaker and Members of the House. Don't be misled by some of the comments you heard regarding downstate. This is not an issue between Chicago and downstate. As a matter of fact, this is a time where Chicago and downstate are together in many, many of the districts. Many of the downstate schools that are unit districts are going to profit by this. They're the ones that the unit districts now are going to be equalized out with the dual districts and the high school districts. It's going to be to our advantage for the first time in a long time, gang, and it's my understanding that the Governor said that he, indeed, would sign this Bill if it should pass. I encourage you downstaters with the unit districts or more unit districts, you have dual districts, to support this legislation. It's a good Bill, and it's about time."

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

Vinson: "Yes, Madam Speaker. I want to exercise the same

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privilege you did and introduce another infrequent visitor to the House floor, Representative Madigan, the Speaker, on that side."

Clerk Leone: "Supplemental 1 to the House Calendar is now being distributed."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1528?' 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 81 voting 'aye', 36 voting 'no', and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 1528. And this Bill, having received the Constitutional Majority, is hereby declared passed. The next Bill, Ladies and Gentleman, appears on page six on your Calendar, House Bill 2450, Representative Parke."

Parke: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I concur with Senate Amendment #1. The... House Bill 2450 allows handicaps to... persons to take deer with a crossbow. The Senate Amendment simply further defines what 'handicap' is to make it more restrictive to people who can take advantage of this. I may remind everybody that we're only talking about 20 to 25 people in the whole State of Illinois. I ask for your support."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 2450. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "Well, first of all, Representative, the... the proper... I really object to the use of the term 'handicapped' in the Bill. The proper terminology, the

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proper buzz word, is persons who happen to have a disability. In your Bill, apparently the Senate Amendments don't change that. But the Bill itself allows for people who happen to have a disability to go hunting deer with a crossbow. Is that correct?"

Parke: "That is correct."

Cullerton: "Now, do you have any intention of expanding this so that people who have impaired eyesight, perhaps, give them a machine gun so they can... make it easier for them to go out and hit the deer? Do you have any intentions of expanding this Bill to that concept?"

Parke: "Well, for those people that are handicapped that this applies to - and we had one come in - that they may not feel... "

Cullerton: "Disability. Disability. People who happen to have a disability."

Parke: "Physically disabled."

Cullerton: "There you go."

Parke: "You're welcome... would not think that this is an amusing matter."

Cullerton: "I'm not... I'm not trying to make fun of it."

Parke: "Okay. Well, thank you. I'm glad to hear that, but we have defined this so that it only applies to those people who are disabled with a wheelchair or crutches are required, or any upper limb amputees with one hand or more missing. So, we have no intentions of expanding it to machine guns."

Cullerton: "I... This Bill allows for people in a wheelchair to go out hunting deer?"

Parke: "With a crossbow."

Cullerton: "With a crossbow?"

Parke: "Right. I may remind you, Representative, that this passed out of the House with a large Majority, as well as

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passing out of the Senate with a large Majority."

Cullerton: "I know. I voted for it. I just... I just want to know under what circumstances do people go hunting deer in a wheelchair?"

Parke: "Well, obviously, you must not have ever hunted deer before, but quite frankly, whether it's in a wheelchair or not, you need any number of people, at least two people to go in. If anybody happens to be lucky enough to get a deer, one person couldn't carry out a deer anyway."

Cullerton: "Alright. What is a crossbow?"

Parke: "What is... "

Cullerton: "What is a crossbow?"

Parke: "Well, it's defined in the... in any kind of dictionary and that... I don't have the exact definition for you."

Cullerton: "Well, I mean, is it some kind of a real powerful bow and arrow, or is it mechanical?"

Parke: "Well, it's not a bow and arrow. It's a crossbow."

Cullerton: "Well, is it... Does it have bullets in it?"

Parke: "I believe it has arrows."

Cullerton: "Okay. It's got arrows."

Parke: "Yes."

Cullerton: "And is it mechanical? Does it have... "

Parke: "Yes, it's mechanical. It's pulled with a trigger."

Cullerton: "And the Director of the Department of Conservation gets about 15 requests per season for people to go out and... hunt?"

Parke: "I think last year they had 18 or 20 requests on it. That's was all... for handicapped people to hunt."

Cullerton: "Physically disabled."

Parke: "Thank you. Physically disabled."

Cullerton: "Okay. So... "

Speaker Breslin: "The Lady... "

Cullerton: "I... I would... I would have to agree that the Senate

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Amendment seems to improve the Bill. So we can allow people in wheelchairs or crutches... people in wheelchairs or crutches to go out hunting deer with a crossbow."

Parke: "I appreciate that. Thank you."

Speaker Breslin: "The Lady from Cook, Representative Pullen, on the question."

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

Speaker Breslin: "He will yield."

Pullen: "I'm concerned, to be sure, that these people who are in wheelchairs would actually be free to use the crossbow properly, and I wonder whether you can tell me, do they have to be wearing a seat belt when they're doing this?"

Parke: "There is no stipulation in my Bill to require wheelchairs to have seat belts."

Pullen: "So, you're pro-freedom then, Sir."

Parke: "I'm pro-freedom? You'll have to define that."

Pullen: "You are in favor of people being free to do this sort of thing without having to be strapped in."

Parke: "I would presume that my intent has... would concur with that."

Pullen: "Thank you."

Speaker Breslin: "The Lady from Cook, Representative... Excuse me. The Lady from Lake, Representative Stern."

Stern: "Madam Speaker and Members of the House, I did not rise to add to the jocularity of the occasion. I simply wanted to define... tell Mr. Cullerton what a crossbow was. It is a very dangerous weapon, indeed, that shoots a steel arrow, usually, from a mechanical device and it goes very much more rapidly than a wooden arrow, and it can do considerable damage if not appropriately aimed. I, to tell you the truth, thought this whole project was sort of a joke, because I think a crossbow is a deadly weapon. I think I'm going to vote 'no'."

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Speaker Breslin: "The Gentleman from... "

Parke: "May I respond to that... "

Speaker Breslin: "I'm sorry. That was not a question, Sir. You can address her remarks in your close. The Gentleman from Cook, Representative Kubik."

Kubik: "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 Parke, to close... and Representative Giglio in the Chair."

Parke: "Whether it's a crossbow or a longbow, both of them are dangerous and need to be handled properly. We have, though, a situation where there are people in the State of Illinois who wish to have the ability to do the same thing that any other person in Illinois has, and that is the ability to go out and hunt, and because of their disability, they are not able to go out and do it with a longbow. I ask for your support for this legislation."

Speaker Giglio: "The Gentleman moves that the House do concur to Senate Amendment #1 to House Bill 2450. All those in favor signify by voting 'aye', those opposed vote 'nay'. The voting is open. Representative Ropp, to explain his vote."

Ropp: "Well, Mr. Speaker, I was speaking in support. This is probably not the biggest Bill in the world, but it does provide that handicap because of their inconvenience and the usage of a crossbow, which Representative Cullerton did not understand, is a very good weapon for the handicapped to use in order to make sure the deer would be killed, rather than just partially wounded."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Representative Brunsvold. Representative

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Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Last month in Outdoor Life magazine there was an editorial dealing with crossbows and hunting in the same area and the same positions with longbow hunters, and they compared the crossbow with a rifle. So I think when you're voting with this Bill, you should be aware than even though they're handicapped, you're turning, in an area of bow hunters, someone loose with a weapon that will be equivalent, almost, to a rifle, that has a shoulder mount and it has a scope and can cause almost as much damage as a rifle. So I would make you aware of that situation, that this is a very dangerous precedent by putting people with these type weapons in the same woods with people with longbows."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Flowers votes 'no'. On this question, there are 93 voting 'yes', 18 voting 'no', and none voting 'present'. And the House does concur to Senate Amendment #1 on House Bill 2450, and this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Nonconcurrency on page eight of the Calendar appears Senate Bill 847, Representative Saltsman. Representative Olson, for what purpose do you rise?"

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The... The next Bill to be called in this Order of Business of Concurrence was House Bill 2475. It is a significant election Bill. It contains elements of two Bills that passed this House with a margin of 60 votes, moved back out of the Senate with a margin of 37 votes, and I would just like the Chair to advise me when that Bill will be called."

Speaker Giglio: "We're... We're not on that Order of Business,

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Representative Olson, and we'll be going back to it in a very short time. Representative... Representative Saltsman on Senate Bill... Representative... Representative Vinson, for what purpose do you rise?"

Vinson: "Why did you take that Bill out of the record?"

Speaker Giglio: "It wasn't in the record, Representative Vinson. We're not on that Order of Business."

Vinson: "You called 2475."

Speaker Giglio: "No, we did not."

Vinson: "You called 2475, Mr. Speaker."

Speaker Giglio: "Senate Bill 340... 347, Representative Vinson."

Vinson: "No, you called 2475. That's what the transcript will show. Now, when you call a Bill... I mean, I know that the Speaker's told you to hold that Bill, but when you called it, you called it."

Speaker Giglio: "The Bill was not called, Representative Vinson, and we're not on that Order of Business. Representative Saltsman, on Senate Bill 347. Representative Saltsman?"

Saltsman: "Yes, Mr. Speaker. This Bill was pulled out of the record for the other side of the aisle. This... Yes, Mr. Speaker. We asked to come back to this Bill, because we pulled it out of the record for that side of the aisle. We pulled it out to satisfy an Amendment the Governor wants. This is the only reason we're coming back to it. I asked to come back to it. It was put... This Bill was just pulled out of the record about 15 minutes ago, and it's coming back because both sides of the aisle, their staffs got the thing arranged where it's right. Take it out of the record, then."

Speaker Giglio: "Take... Take the Bill out of the record, and we'll... we'll go back to 2475. We never went to it. We will call it. House Bill 2475, Representative Daniels - Olson."

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Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Thank you very much, Mr. Speaker, for giving us an opportunity to present this Bill. This Bill contains elements of the original Bill, Minority Leader Daniels, that makes absentee ballot applications available for public inspection from the time they're received by the election authority until 30 days after election, except, of course, from the time when they are sealed and when they are in the hands of the election judge. House Bill 2477, a Mautino - Olson initiative, moved out of this House 81 to 26, and that contained three significant elements which makes the Election Code in Illinois of meaning to all of us. First of all, it means that we will have a vote registration verification by non-forwardable mail. This Bill, at the same time, permits a canvass, but it mandates non-forwardable mail, which is used virtually everywhere except in Cook County. It also provides for affidavit voting, and it does it by means of having a suspended file. What has allegedly happened in years passed is many people have been driven off the rolls, and as a consequence, when they went back down to vote, they were not permitted to vote, but were instructed to go back and see their county clerk. The safeguards in the affidavit voting are significant. In addition to that, the other element of the Amendment - Senate Amendment #1 - which I'm going to move for concurrence, provides that, indeed, it provides that when the election authorities return ballot boxes to central counting stations there will be something in them. It means that, before an election judge is given a receipt for that box, it will have to be inventoried. Those are the elements of this Bill. Let me rephrase them very quickly for you. The original Bill provided for the inspection of absentee ballot applications. Amendment #...

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Senate Amendment #1, adopted in the Senate 47 to 7, provides for a mail canvass, affidavit voting, and a verification of what is contained in ballot boxes. I would move for concurrence to Senate Amendment #1 in House Bill 2475, and I would be pleased to answer questions."

Speaker Giglio: "On that question, Representative Stern. Representative Breslin in the Chair."

Stern: "Madam Speaker, Mr. Speaker and Members of the House, this Bill has some Democratic support. I don't know how much. We will see, but there are things in this Bill that are good government concepts. The by mail canvass is one that we used in Lake County for many years with great success. There are other aspects of it, like ensuring that the ballots are, in fact, within the box being returned to the election authority, which is simply a good government safeguard. Much in this Bill can be supported by everybody, and I urge an 'aye' vote."

Speaker Breslin: "The Gentleman from DeWitt, Representative Vinson. The Gentleman indicates he does not wish to speak. The Gentleman from Cook, Representative Bullock, on the question."

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

Speaker Breslin: "He will."

Bullock: "Representative Olson, this Amendment that the Senate put on, I have a couple of questions about it. I think there's some confusion about it. Maybe you can clear up that confusion for us. Is it your understanding that if this Amendment is adopted through concurrence, that individuals who are purged from the voting poll as a result of the mail verification, that if they show up on election day and wish to exercise their vote and by affidavit and have voter in the precinct with that affidavit, that they

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still could be denied the right to vote?"

Olson: "If they... If they've been notified, they will not be able to vote."

Bullock: "So, if a person, because of happenstance, either moves or does not get the mail within the 15 day period, and it's not clear in the Amendment if that 15 day period means after the registration polls are closed in Chicago, and I think, across the state, that 30 days prior to election, you must be registered, and that if an individual inadvertently did not get the registration and they showed up at the poll, even though they'd voted for 30 years, and there are people in that precinct that swear that they registered, that that person still could not vote. Is that correct?"

Olson: "Representative Bullock, they will be able to vote now, because there will be a suspended file, and they will be able to vote by affidavit. Let me just point something out to you... "

Bullock: "Notwithstanding the fact that the voter of the election judges may choose to deny them that. According to the Amendment, it says the judges of election, five of them voting together can deny them the right to vote."

Olson: "They'd be very hard pressed to deny them to vote, because it takes three election judges who have to state that they do not recognize their application for an affidavit ballot. Let me just answer your question a little bit more in detail. In 1982, the grand jury indictments in Cook County spoke specifically to the major problem, and that is the grand jury report on page seven, as the door-to-door canvass is the major cause for some of their problems. What this will still provide for would be a mail canvass. They might also have a door-to-door canvass, as is currently the custom in Cook County, and as a consequence,

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what we are seeking to do, Representative Bullock, is to return people to the rolls, not to drive them off the rolls."

Bullock: "Well, Representative Olson, notwithstanding what your staff person told you, and the editorial comments you make, buttressed by the fact that I serve on the Committee on Honest Elections, one of the few Democrats on that body in Cook County, I don't think anywhere would that body advocate that if people coming to affidavit and swear to vote, that the judges could deny them that right. And that, in effect, is what your Amendment does. If a voter who is prohibited from voting, if a majority of election judges certified that the information on the affidavit is false, that person, in fact, cannot vote. I could see in a county like DuPage County wherein individuals are appointed Republican and Democrat almost by the same party, that that party could deny the Democrats the right to vote merely because they didn't get the notice on time."

Olson: "Every county, Representative Bullock, with the exception of Cook, has mail canvass. It seems to work quite well. What this Bill would permit would be a precinct door-to-door canvass, as suggested by your board of election commissioner's chairman, together with what we do here. We're seeking to return people to the rolls, not to drive them off."

Bullock: "Well, Representative Olson, let me ask you one question before I address the Bill. Do you also philosophically support mail voter registration?"

Olson: "I certainly do not."

Bullock: "Why not?"

Olson: "I do not support it because it has elements which have been demonstrated in other states, to have an opportunity to create much confusion and vote fraud at the site and the

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day of election."

Bullock: "Well, Madam Speaker, to the Gentleman's Motion, he has prima facie indicated to this Body that he thinks there's an element of fraud in the mail and postal process. He would advocate that it's good enough for us to knock people off the rolls by the mail, but it's not good enough for us to put people on the rolls by the mail. I find that somewhat paradoxical, Representative Olson, and perhaps the staff can explain to me at a later time how you can be for one and against the other."

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

Young: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Olson: "Yes, thank you."

Young: "I'm a little confused as to the affidavit portions on this voting. Could you explain, if I am purged off of the ballot and show up on election day and wish to vote but am no longer listed on the rolls, what will happen?"

Olson: "Well, first of all, you'll have a suspended file there, Representative Young, as opposed to the ordinary binder in which your name will appear. Secondly... "

Young: "Excuse me, Representative. Is a suspended file something new, brought about by this Amendment?"

Olson: "It will be in place."

Young: "What is a suspended file, Representative?"

Olson: "A suspended file would be the files that would have the names of the people and the signatures who have been struck from the rolls."

Young: "And if my name is in that suspended file but not in the binders, how will I be allowed to vote, or will I be allowed to vote?"

Olson: "By means of identification, a piece... a piece of mail, someone who can vouch who you are, a social security card,

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a driver's license."

Young: "There's... Our analyses indicate that someone whose name is in the suspended file still may not be allowed to vote if a majority of the election judges certify. Will they have to fill out some type of affidavit also?"

Olson: "Well, if three of your judges have personal knowledge that they are not who they allege themselves to be, then of course, they would be driven off."

Young: "Thank you, Mr. Olson. Madam Speaker, Ladies and Gentlemen of the House, to the Bill. I think this is a good Amendment, particularly in places such as Cook County, where voter purges have wide... widespread publicity. Many of my constituents are frequently purged from the rolls without knowledge, show up to vote election day, and cannot vote without going down to the election board. I think this is a good Amendment. I think it corrects a longstanding problem in Cook County, and I support it."

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

Olson: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I would just very quickly rephrase the principle part of this Bill, which is the Amendment. Number one, it provides for a mail canvass in Chicago, that is Cook County, which is the only county which currently does not offer that. Number two, it still permits - and I repeat, it still permits - a canvass as in place with the Chicago Board of Election commissioners, and we have had discussions with the Chicago Board of Election commissioners' chairman on making that at the administrative judge... more meaningful. It provides for affidavit voting. It also provides for the integrity of the ballot box. It significantly means that when the election judge returns it, it has to have something in it

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before he gets a receipt. This is a good Bill. We would urge an 'aye' vote."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2475?' 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 87 voting 'aye', 23 voting 'no', and 3 voting 'present'. And the House concurs in Senate Amendment #1 to House Bill 2475. Representative O'Connell, for what reason do you rise?"

O'Connell: "Would you please record me as voting 'aye'?"

Speaker Breslin: "Change Representative O'Connell from 'present' to 'aye'. There are, therefore, 89 voting 'aye', 23 voting 'no', and 2 voting 'present', and this House does concur in Senate Amendment #1 to House Bill 2475. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Nonconcurrency on page eight on your Calendar appears Senate Bill 847, Representative Saltsman."

Saltsman: "Thank you, Madam Chairman. I refuse to recede to Senate Bill 847. Ask that it go to a Conference Committee."

Speaker Breslin: "The Gentleman moves to refuse to recede from Senate Amendment #4... rather, from House Amendment #4 to Senate Bill 847. Is there any discussion? The Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Madam Speaker. I support the Gentleman's Motion."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #4 to House Bill... to House Amendment #4 to Senate Bill 847?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House

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Amendment #4 to Senate Bill 847. On page nine on your Calendar appears Senate Bill 1379, Representative Davis."

Davis: "Thank you, Madam Speaker. I move to nonconcur in the Senate Amendment... or in the House Amendment to... Wait a minute. What am I doing? It's nonconcurrence. I refuse to recede and ask that a Conference Committee be appointed."

Speaker Breslin: "The Gentleman moves to refuse to recede from House Amendment #1 to Senate Bill 1379. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House refuse to recede in House Amendment #1 to Senate Bill 1379?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede in House Amendment #1 to Senate Bill 1379, and a Conference Committee will be reported... will be initiated. It should be noted that a Conference Committee will also be created for Representative Saltsman's Bill, Senate Bill 847. Representative Vinson, the Chair is again ready to go the Order of Concurrence on appropriation Bills. Are... Are you ready?"

Vinson: "If you will get back to me in just a minute, I think we can do that, but give me a minute."

Speaker Breslin: "Very good. Ladies and Gentlemen, on the Order of Concurrences there appears House Joint Resolution 13. It's on page six on your Calendar. Representative Mautino. Representative Mautino. Representative Mautino, this is your Joint Resolution. House Joint Resolution 13, Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. I move... I believe it's under the position of concurrence, if I'm not mistaken? It's under concurrence, if I'm not mistaken."

Speaker Breslin: "It's on the Order of Concurrence."

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Mautino: "Yes, I move to concur on House Resolution 13. It sets up the... states the provisions and the intent of the Department of Conservation and wildlife habitat in this state, and I move for adoption and concurrence."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Joint Resolution 13. Is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Joint Resolution 13?' 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 116 voting 'aye', none voting 'no', and none voting 'present'. And the House does concur in Senate Amendment #1 to House Joint Resolution 13, and this Resolution is adopted. Representative Vinson?"

Vinson: "Yes, Representative."

Speaker Breslin: "A few moments have gone by, and I'm getting back to you. Are you ready?"

Vinson: "Representative Daniels is on his way to the floor and will be prepared to handle those in just a few minutes."

Speaker Breslin: "Very good. Ladies and Gentlemen, on the Order of Nonconcurrency, on page seven on your Calendar appears Senate Bill 403, Representative Leverenz."

Leverenz: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I would move to refuse to recede in House Amendments 1, 2, 4, 5, 6 and 7 to Senate Bill 403 and request a Conference Committee be appointed."

Speaker Breslin: "The Gentleman moves to refuse to recede to House Amendments #1, 2, 4, 5, 6 and 7 to Senate Bill 403. Is there any discussion? Hearing none, the question is, 'Shall the House refuse to recede on House Amendments #1, 2, 4, 5, 6 and 7 to Senate Bill 403?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of

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the Chair, the 'ayes' have it, and the House refuses to recede to House Amendments #1, 2, 4, 5, 6 and 7 to Senate Bill 403, and a Conference Committee will be appointed. Senate Bill 449, Representative Leverenz."

Leverenz: "Thank you, Madam Speaker. Again, I would refuse to recede in House Amendment #1 in Senate Bill 449 and request a Conference Committee be appointed."

Speaker Breslin: "Representative Leverenz moves to refuse to recede on House Amendment #1 to Senate Bill 449. Is there any discussion? Hearing none, the question is, 'Shall the House refuse to recede in Senate Amendment #... House Amendment #1 to Senate Bill 449?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede in House Amendment #1 to Senate Bill 449, and a Conference Committee will be appointed. Representative Cullerton is recognized for a Motion."

Cullerton: "Yes, and I also wanted to point out that the Cubs won again today. I would... I would move to suspend Rule 79(d) which requires that we have the Supplemental Calendars on our desks for one hour. The Supplemental #1 has been on the desks for 45 minutes, so we're only really suspending the last 15 minutes of the rule."

Speaker Breslin: "The Gentleman moves to suspend Rule 79(d)... "

Cullerton: "For Supplemental 1 only."

Speaker Breslin: "For Supplemental 1 only so that the Chair can go to the Order of Supplemental 1 immediately. Is there any discussion? The Gentleman from DeWitt, Representative Vinson."

Vinson: "Madam Speaker, I would support the Gentleman's Motion so that we can move quickly and in an orderly fashion."

Speaker Breslin: "The question is, 'Shall the House suspend Rule 79(d)?' All those in favor say 'aye', all those opposed

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say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the rule is suspended. Ladies and Gentlemen, going to the Order of Supplemental #1, under the Order of Concurrences there appears House Bill 2525, Representative Tuerk."

Tuerk: "Madam Speaker and Members of the House... "

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

Cullerton: "Yes, if Representative Tuerk could give us about five more minutes on that. As he knows, it's a real thick Bill, and we just need about five more minutes to... "

Speaker Breslin: "Okay. The Gentleman takes the Bill out of the record. On Supplemental #1 under nonconcurrences there appears Senate Bill 944, Representative Panayotovich. Representative Levin is a hyphenated Sponsor. Representative Levin."

Levin: "Alright, I would move to refuse to recede and ask for a Conference Committee Report with respect to Senate... Senate Bill 944."

Speaker Breslin: "Can you tell us why?"

Levin: "The Senate refused to accept our good Amendment and... that we put on in the House and worked hard on, and maybe we can get them... to convince them to accept it in Conference Committee."

Speaker Breslin: "The Gentleman moves to refuse to recede from House Amendment #1 to Senate Bill 944. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 944?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House refuses to recede from House Amendment #1 to Senate Bill 944, and a Conference Committee will be appointed. Senate Bill 1452,

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Representative Hastert. Representative Keane.

Keane: "Madam Speaker, Representative Hastert and Representative Bowman are both in meetings. I believe... they've asked me... Representative Bowman asked if I'd handle the Bill, the nonconcurrency. I'm a hyphenated Sponsor."

Speaker Breslin: "Does the Gentleman have leave? He has leave, and Representative Hastert is back, if there any questions? Proceed, Representative Keane."

Keane: "We refuse to recede and ask for a Conference Committee. There are two cleanups that we would like to add to the Bill, one dealing with CUB, and one requested by People's Gas. I am told that both of the cleanup additions that would come out in a Conference Committee would be technical."

Speaker Breslin: "The Gentleman moves to refuse to recede from House Amendment #1 to Senate Bill 1452. And on that question, is there any discussion? Hearing none, the question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 1452?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendment #1 to Senate Bill 1452, and a Conference Committee will be appointed. The Gentleman from Kendall, Representative Hastert."

Hastert: "Yes, just a point of personal privilege."

Speaker Breslin: "State your point."

Hastert: "For the record, I am no longer Chief Hyphenated Sponsor of 1452. I'm removed so Representative Keane and Representative Bowman are... he has the ability to move the Bill."

Speaker Breslin: "Are the Chief Sponsors. Very good, thank you. Ladies and Gentlemen, on Supplemental Calendar #1 under Conference Committee Reports there appears House Bill 48,

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Representative Dunn."

Dunn: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 48... Conference Committee Report on House Bill 48 essentially does two things. It contains the original subject matter of House Bill 48, which was an enterprise zone Bill providing for Illinois income tax investment credits for Subchapter S corporations and partnerships. Under current law, corporations and individuals are entitled to these investment credits, but Subchapter S corporations and partnerships are not. So, the original content of House Bill 48 was to treat everybody alike in that regard. Also, House Bill 48 contains a fairly technical Amendment which would amend the Enterprise Zone Act to provide for exemptions within enterprise zones to corporations which either, number one, make investments causing the creation of at least 200 full-time jobs in Illinois or, number two, make investments leading to the retention of at least 2,000 full-time jobs in Illinois. The qualification for the exemption must be certified by the Department of Commerce and Community Affairs pursuant to local ordinance and after application to DCCA. DCCA will determine the pendency of each exemption certificate. The exemption certificate shall not exceed 20 years. The major purpose of the Amendment to House Bill 48 in this regard is to provide assistance to LTV Steel in Chicago... "

Speaker Breslin: "Excuse me, Representative Dunn. There's been a request by the Republican side of the aisle to take this Bill out of the record momentarily so that they can look it for a longer period of time."

Dunn: "It is fairly complicated."

Speaker Breslin: "Okay."

Dunn: "It's fine with me. I think they'll like it when they see

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it, however. It's a good Bill."

Speaker Breslin: "Okay. Very good. Out of the record. Thank you, Representative. House Bill 204, Representative Cullerton. Representative Cullerton?"

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Bill... by the way, first of all, a Conference Committee... all a Conference Committee does is to... is take the House Bill and add the Senate Amendment which Senator Keats drafted. I originally nonconcurrred in the Senate Amendment because I thought that there was some opposition from some of the banking interests, and we met with them - credit unions, mortgage bankers and savings and loans - and they all signed off on the language that the... that the Senate adopted. This Bill deals with the instance where, during a closing, a seller closes in the first part of the month, and the banks or the savings and loans were charging interest on the whole month, even though the seller had paid off the loan in full. And I found out about this practice from a friend of mine who was doing a closing, and I... it came to my attention that... that this was the practice and it's something that should be outlawed. Now, Representative McCracken, I believe, worked with me on Amendments to make sure that it was clear that it only applied to residential real estate and also that it does not affect existing contracts that have been negotiated between lenders and borrowers concerning the right to collect interest on money which is not even being lent. So, I can assure you that there is no one that I know of that's opposed to the Bill that should be. It's a very good Bill, and I would move for the approval of the First Conference Committee Report on House Bill 204. I'll be happy to answer any questions."

Speaker Breslin: "The Gentleman moves to adopt Conference

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Committee Report #1 to House Bill 204. And on the question, the Gentleman from DuPage, Representative McCracken."

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

Speaker Breslin: "He will."

McCracken: "Representative, I've looked very quickly at Senate Amendment #1, and I see that it does, in fact, explicitly relate only to contracts entered after the effective date of the Act. Is that correct?"

Cullerton: "Yes."

McCracken: "And there is no difference in its application from the Bill as passed the House, relative to contracts already entered into?"

Cullerton: "That's correct."

McCracken: "And... "

Cullerton: "Keeps that language."

McCracken: "Okay. It's just a cleaner form of our work in the House?"

Cullerton: "Right."

McCracken: "Okay. Thank you."

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

Williamson: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Williamson: "Representative Cullerton, is this a 'Tom Moore' Bill?"

Cullerton: "Yes."

Williamson: "I encourage an 'aye' vote."

Cullerton: "Thank you."

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

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

Speaker Breslin: "He will."

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Wolf: "Representative Cullerton, I understand what you're doing insofar as the elimination of the charging of the interest from the time that the loan is paid in full. On the other hand, does... would this have the effect of prohibiting the inclusion of a prepayment penalty in any mortgage issued after this date?"

Cullerton: "No, and of course, that's what the meetings were with all of the various interest groups. It does not in any way change the law with regard to their ability to charge a prepayment penalty, if that's what is contracted for."

Wolf: "Thank you."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 204?' 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, and on this question, there are 117 voting 'aye', none voting 'no', and 1 voting 'present'. And the House does adopt Conference Committee Report #1 to House Bill 204. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 344, Representative Peterson."

Peterson: "Thank you, Madam Speaker and Members of the House. First Conference Committee Report on House Bill 344 deals with annexations and incorporations in some very limited circumstances. The original Bill passed out of the House with limited or no opposition. The other items, I understand, have no opposition, and I would move for approval of the First Conference Committee Report on House Bill 344."

Speaker Breslin: "The Gentleman moves to adopt the First Conference Committee Report on House Bill 344. And on that question, the Gentleman from Bureau, Representative

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Mautino."

Mautino: "Will the Gentleman yield?"

Speaker Breslin: "He will."

Mautino: "Representative Peterson, the added language concerning the parcel of less than 10 acres bounded by a municipality and interstate highway looks to me like the area at an exit or an interchange. Is that correct?"

Peterson: "Not to my knowledge."

Mautino: "Well, what, then, is a triangular parcel less than 10 acres bounded by an interstate highway system owned in fee by the state and bounded by a frontage road?"

Peterson: "It has to do with a parcel in Lake... in Cook County in Northfield Township along Edens Expressway."

Mautino: "And what is it going to be... And under this Conference Committee, what will be done with that property?"

Peterson: "The village would be able to incorporate that piece of property."

Mautino: "Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 344?' 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 114 voting 'aye', none voting 'no', and none voting 'present'. Representative Huff, why do you seek recognition?"

Huff: "Thank you, Madam Speaker. It's just my desire to express, for the record, to be voted 'aye' on Senate Bill 2475."

Speaker Breslin: "I'm sorry, Representative Huff. We're in the middle of another Roll Call. You'll have to wait until your remarks are in order. On this question, whether or not the House will adopt Conference Committee Report #1 to House Bill 344, there are 114 voting 'aye', none voting

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'no', and none voting 'present'. And the House does adopt the... Representative McNamara wishes to be recorded as voting 'aye'. There are 115 voting 'aye', none voting 'no', and none voting 'present', and the House adopts the First Conference Committee Report to House Bill 344. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Huff, for what reason do you rise?"

Huff: "Yes, Madam Speaker, I just want to state for the record, that I would have like to have been voted on Senate Bill 2475."

Speaker Breslin: "Your remarks will be recorded for the record. House Bill 605, Representative Ropp. Representative Ropp."

Ropp: "Thank you, Madam Speaker. House Bill 605, First Conference Committee Report, states that the Senate will recede from their Senate Amendment #2."

Speaker Breslin: "Excuse me. There is an inquiry of the Chair. Is the report printed and distributed, Mr. Clerk? I'm sorry, Representative Ropp. It has not been printed and distributed. We'll take this Bill out of the record. House Bill 809, Representative Rea. Out of the record. House Bill 888, Representative Madigan - Daniels - Bowman. Is Representative Bowman in the chamber? Out of the record. House Bill 1182, Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. I move for the adoption of the First Conference Committee Report on House Bill 1182. This Bill delays the effective date of the Speedy Trial Act for juveniles which we passed last Session. That is supposed to go into effect tonight at midnight along with the Mandatory Seat Belt Law. The Cook County State's Attorney's Office indicated that they needed more time to hire new employees and provide for more court support so as

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to accommodate and accomplish the goals of the... of the Bill. The original agreement was to extend it till January 1, 1986. There... The State's Attorney's Office wanted July 1, 1986, and we reached a compromise to delay the effective date till April Fool's Day, 1986 - April 1. So I believe we should pass this Bill and have it certified quickly and see if the Governor could sign it tonight, before the Speedy Trial Act goes into effect. Be happy to answer any questions."

Speaker Breslin: "The Gentleman... The Gentleman has moved to adopt the First Conference Committee Report on House Bill 1182. And on that question, the Gentleman from Marion, Representative Friedrich."

Friedrich: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Friedrich: "Do you think they'll need a little more time on the Seat Belt Law to get some more cash registers?"

Cullerton: "Well, that's not included in this... in this Bill."

Friedrich: "Okay. Thank you."

Speaker Breslin: "There... The Gentleman from Knox, Representative Hawkinson."

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

Speaker Breslin: "He will."

Hawkinson: "Representative, is there another Bill that we dealt with in Judiciary that is also attached here that deals with the transfer of juveniles within the Department of Corrections?"

Cullerton: "Yes."

Hawkinson: "And is that in basically the form that we considered it in in Judiciary Committee?"

Cullerton: "Yes, I apologize. I did not have an analysis done on that. That's the inner-divisional transfer. You're

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absolutely correct. That's the inner-divisional transfer which was the subject matter of a Bill which passed out of Judiciary Committee, but which we never called, as I recall. It's endorsed by the Illinois State Bar Association and as well as being accepted by the State's Attorney's Office. Thank you for reminding me."

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

Ropp: "Would the Sponsor yield, please?"

Speaker Breslin: "He will."

Ropp: "Representative, in the back of this First Conference Committee, there is a Section dealing with corrections and vocational programs within the Department of Corrections. Can you explain what some of those might be?"

Cullerton: "Okay. If you'd just give me some time, because I don't have the analysis for that Bill. That's just one of the factors to be considered by the Director or his designee in determining whether there should be a transfer."

Ropp: "You mean a transfer into a program dealing... "

Cullerton: "If you look on page five of the Conference Committee, it says the Director or his designee shall be governed by the following factors in determining whether to authorize the permanent transfer of the person to the adult division, and then it lists five factors, and you're referring to the fifth factor."

Ropp: "Right. Okay."

Cullerton: "It's one of the considerations."

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

McCracken: "My understanding was that both the Department and the Bar were in favor of these standards, or at least the Department has no problem with these standards for

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inner-divisional transfer, and I believe I'm correct when I say that, and I'd ask for an 'aye' vote."

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

Young: "Thank you, Madam Chairman. Will the Sponsor yield?"

Speaker Breslin: "He will."

Young: "Is there any provision in this Bill for automatic transfer of...?"

Cullerton: "You know I wouldn't do that."

Young: "I was just making sure."

Speaker Breslin: "The question is, 'Shall the House accept... adopt, rather, the First Conference Committee Report on House Bill 1182?' 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 113 voting 'aye', 3 voting 'no', and none voting 'present'. And the House does adopt... Representative Tate, for what reason is your light on? Okay. On this question, there are 113 voting 'aye', 3 voting 'no', and none voting 'present', and the House adopts Committee... First Conference Committee Report to House Bill 1182. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Greiman in the Chair."

Speaker Greiman: "On the Order of Conference Committee Reports appears House Bill 1258. The Gentleman from Kane, Mr. Kirkland."

Kirkland: "Thank you, Mr. Speaker. I move that Conference Committee Report for House Bill 1258 be adopted. This Bill amends the Full Faith and Credit Tax Anticipation Note Act of Chapter 85 on Local Governments, and it implements some changes recommended by the local... by the Local Government Finance Study Commission of this Legislature in 1981.

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The... A major change made by the Conference Committee Report was to take out language that would have allowed notes and tax anticipation warrants to be issued... for notes to be issued in the same year that tax anticipation warrants were outstanding. That language has been deleted. We're back to the old law where no notes can be issued under that circumstance. The Bill, then, also incorporates interest and cost of issuance amounts with principle into the amounts of the notes that cannot exceed, in the case of notes paid back by real estate taxes, 85 percent of the tax levy or when paid back by personal property replacement tax funds, 75 percent of that entitlement. The Bill also - the Conference Committee Report also - brings both of these types of notes under the terms of the Public Corporation Interest Rate Act, also authorizes issuance of refunding notes for both type of notes. It allows... or it indicates that a local government should pass an ordinance... "

Speaker Greiman: "Excuse me."

Kirkland: "Yes?"

Speaker Greiman: "Excuse me. Mr. Clerk has the... is this Conference Committee being circulated? Mr. Kirkland, I'm sorry. It has not been... "

Kirkland: "It's alright."

Speaker Greiman: "... Placed on their desks, so we'll have to do that rap over again. On the Order of Conference Committee Reports appears House Bill 2440. Has that been circulated? Mr. Olson, the Gentleman from Lee. Apparently Mr. Olson's not here. Senate Bill 796. Out of the record. On the Order of Conference Committees appears Senate Bill 813, Ms. Oblinger. And it has been delivered. Is that correct? Alright. Ms. Oblinger. No? Excuse me, Ms. Oblinger."

Oblinger: "Yes. Yes, it has."

Speaker Greiman: "Apparently it has been circulated. Ms.

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Oblinger, proceed."

Oblinger: "I move to adopt First Conference Report on Senate Bill 813. Senate... The Conference Report adopts the two House Amendments. One was technical and one was that they could use the cars without lights when they were looking for people who were violating the hunting laws and the conservation laws of the state. We added on without endangering people, and then, Senate Bill 1237, which was never given a chance to be heard and which a number of people are interested in, was put into the Conference Report, and that is the Forestry Development Act. In the Forestry Development Act originally, the analysis on the Democrat side was wrong. It said it came out of GRF money as a... subsidizing. It is not. It comes out of the money that the forest development buyers put into it the four percent, and it allows more money to come to the people with the forest management plans. I'd be glad to try and answer any questions you have."

Speaker Greiman: "The Lady from Sangamon moves that the House adopt Conference Committee Report 1 to Senate Bill 813. And on that, is there any discussion? There being none, the question is, 'Shall.. Shall the House adopt the First Conference Committee Report for Senate Bill 813?' Those 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 111 voting 'aye', 2 voting 'no', none voting 'present'. The House does adopt the First Conference Committee Report on Senate Bill 813. And this Bill, having received a Constitutional Majority, is hereby declared passed. We'll go back and pick up some that have been taken out of the record. On the Order of Conference Committee Reports appears House Bill 48, Mr.

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Dunn, the Gentleman from Macon."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Back to Conference Committee Report #1 on House Bill 48, which was taken out of the record a moment ago. To review very briefly, the original contents of House Bill 48, which provide for Illinois income tax investment credits in enterprise zones for Subchapter S corporations and partnerships is still in the Bill. The... Senate Amendment #1 is almost identical to Senate Amendment #1 when... which this chamber voted on overwhelmingly earlier this week and then, it was called to my attention that I had not properly followed my marching orders, that there was a technical change needed in the Amendment, and I needed to take it to Conference Committee, so we moved to reconsider, reconsider, brought the Bill back, took it into Conference Committee and provided for a provision that allows the county or municipality to have the sole determination as to whether the local portion of the sales tax shall be involved in this exemption that is called for in this legislation. So, I would ask for adoption of Conference Committee Report #1 to House Bill 48."

Speaker Greiman: "The Gentleman from Macon moves that the House adopt First Conference Committee Report to Senate Bill 48. And on that, is there any discussion? There being none, the question is, 'Shall the House adopt Conference Committee Report #1?' 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', none voting 'no', none voting 'present'. And the House adopts the First Conference Committee Report to House Bill 48. And this Bill, having received a Constitutional Majority, is hereby

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declared passed. Yes, Mr. Davis?"

Davis: "Thank you, Mr. Speaker. Would the Journal reflect that I was not at my switch, that I would have voted 'aye' on House Bill... or, on 48?"

Speaker Greiman: "The transcript will so reflect. Alright, on the... on another Bill that was taken out of the record is House Bill 888. It's my understanding that Ms. Currie is taking that. Leave for Ms. Currie to take the Bill. Ms. Currie. The Lady from Cook, Ms. Currie on House Bill 888."

Currie: "Thank you, Mr. Speaker and Members of the House. House Bill 888, sponsored by Representatives Madigan and Daniels, is an Environmental Barriers Act, a replacement of the Existing Facilities for the Handicapped Act. This Bill was discussed substantially in the House. When the Senate dealt with the Bill, they added two Amendments. The first was technically deficient. The second was fine. House action really intended to see to it that Senate Bill... that the Senate Amendment 2 would have been adopted. The reason that we're in a Conference Committee is only because there was a... an inappropriate signal, and the Conference Committee makes no substantive change in the language, but merely makes sure that the Amendment that the Senate adopted that is not technically deficient is the Amendment that is adopted to this Bill. I'd be happy to answer your questions, and I would appreciate your support for adoption of the Conference Committee Report #1 on House Bill 888."

Speaker Greiman: "The Lady from Cook, Ms. Currie, moves that the House adopt the First Conference Committee Report to House Bill 888. There being no discussion, the question is, 'Shall the House adopt Conference Committee Report #1?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have

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all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'aye', 7 voting 'no', 1 voting 'present'. And the House does adopt First Conference Committee Report on House Bill 888. And this Bill, having received a Constitutional Majority, is hereby declared passed. Supplemental Calendar #1. On the Order of Concurrence appears House Bill 2525, the Gentleman from Peoria, Mr. Tuerk. Mr. Tuerk, returning to his seat."

Tuerk: "Thank you, Mr. Speaker. Mr. Speaker and Members of the House, House Bill 2525 is the usual revisionary Bill from the Legislative Reference Bureau. Corrects a lot of technical aspects of the statutes. It gets to be a copious type of Bill which is very technical in nature. It passed the House and the Senate unanimously. The Senate attached an Amendment to it which made some further changes. Adding to the changes are just technical in nature, no particular problem with the Amendment, as I see it. I would move to concur."

Speaker Greiman: "The Gentleman from Peoria, Mr. Tuerk, moves that the House concur in Senate Amendment #1 to House Bill 2525. And on that, the Gentleman from Cook, Mr. Cullerton. Alright. No, there being no further discussion, the question is, 'Shall the House concur in Senate Amendment #1?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this will be final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112... 115 voting 'aye', none voting 'no', and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 2525. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, have they now distributed Committee...

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Conference Committee Reports on 1259? Yes? Constitutional Amendments First Reading."

Clerk O'Brein: "Senate Joint Resolution #11, offered by Representative Pangle in the House. Resolved by the Senate of the 84th General Assembly of the State of Illinois, the House of Representatives concurring herein, that there shall be submitted to the electors of the state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution a proposition to amend Section 6 of Article IX of the Constitution to read as follows: Article IX, Section 6. Exemptions from Property Taxation. The General Assembly, by law, may exempt from taxation only the property of the state, units of local government and school districts and property used exclusively for veterans' organizations, agricultural or horticultural societies and for school, religious, cemetery and charitable purposes. The General Assembly, by law, may grant homestead exemptions or rent credits. Schedule. This Constitutional Amendment takes effect upon the adoption by the electors of this state. First Reading of the Constitutional Amendment."

Speaker Greiman: "Committee on Assignment. General Resolutions."

Clerk O'Brien: "Senate Joint Resolution #70, offered by Representative Matijevich."

Speaker Greiman: "Committee on Assignment. ... Vinson, yes, for what purpose do you seek recognition?"

Vinson: "Mr. Speaker, could I suggest that while we're waiting for the paper to catch up with the process that perhaps on page two of the Calendar you might consider Constitutional Amendments Second Reading and get those out of the way so they can be moved to Third and maybe we could deal with those in the fall?"

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Speaker Greiman: "You may suggest it. ... Kirkland, for what purpose do you seek recognition?"

Kirkland: "Just an inquiry. The last issue of the Cubbie news has just been distributed. I wonder if I could go forward with my Bill now that that..."

Speaker Greiman: "Surely. It has been distributed, is that right?"

Kirkland: "The last issue of the Cubbie news, yes."

Speaker Greiman: "On the Order of Conference Committee Reports appears House Bill 1258. Mr. Clerk, has the Conference Committee been distributed? Not been distributed, Mr. Kirkland. Mr. Friedrich, for what purpose do you seek recognition? Mr. Friedrich."

Friedrich: "I had filed a Motion with the Clerk, Mr. Speaker, with regard to an Order of Business. Would you want to consider that, please?"

Speaker Greiman: "Well, we... I... I haven't seen the Motion. We haven't come to the Order of Motions. We'll get to that. We're on another Order of Business at this time. Mr. Tate, for what purpose do you seek recognition?"

Tate: "Well, thank you, Mr. Speaker. I also signed, and if you will look at that Motion, it was a bipartisan Motion which asks for us to go for immediate consideration of that Order of Business on Constitutional Amendments. And since we don't have any other thing to do at this moment and the Members are all present, I think it would be an appropriate thing for... to utilize the time of this chamber if we would go to that Order of Business."

Speaker Greiman: "Mr. Vinson."

Vinson: "Yes, Mr. Speaker, I believe that just as the Chair ruled some time ago, last week, that a Gentleman has a right to present a Motion, a Member has a right to present a Motion at any time. We're obviously not on any Order of Business."

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The Gentleman's presented a Motion. Like to go to an Order of Business, transact the business of the House. It's a bipartisan Motion. It's supported by Members of both sides of the aisle, and I don't see why you can't present the Motion."

Speaker Greiman: "Okay. I'm on the Order of Conference Committee Reports. Mr. Olson, you're prepared to proceed on 2440? Mr. Olson, on House Bill 2440."

Olson: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2440 dealt originally with the Boiler and Pressure Vessel Safety Act, a measure that was endorsed by the Fire Marshal and requested by them. Senate Amendment #1 provides that except in counties of more than a million dollars (sic - population), the fire marshal shall not have the authority to prohibit the operation of a service station on the sole basis that it is unattended. That is a concept which is gaining popularity in rural counties across the nation and some places in Illinois. I will move to concur in the adoption of the Conference Committee Report."

Speaker Greiman: "The Gentleman from Lee moves that the House adopt the First Conference Committee Report to House Bill 2440. And on that, is there any discussion? There being none, the question is, 'Shall the House adopt First Conference Committee Report?' 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 116 voting 'aye', none voting 'no', none voting 'present', and the House does adopt First Conference Committee Report to House Bill 2440. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Vinson."

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Vinson: "Well, Mr. Speaker, why don't you give Mr. Friedrich a chance to present his Motion and see if he's got the votes now?"

Speaker Greiman: "In due time. Ladies and Gentlemen, a Resolution that is... Yes, whose birthday is it? Mr. DeJaegher, happy birthday, notwithstanding the rules of the House. And Mr. Clerk, on a Resolution we have previously adopted, but, nonetheless, we all would like to hear. Mr. Clerk."

Clerk O'Brien: "House Resolution 463. Whereas, Thomas Rooney, of Evanston, Illinois, is a House Republican Page; and whereas, Tom is a senior in Evanston Township High School and an active member of the school's debate team; and whereas, Tom recently completed the National Forensic League National Championship in Eau Claire, Wisconsin; and whereas, students were judged on their ability and success to write, address and pass Bills in a mock Legislature form; and whereas, in this competition, Tom was selected President of the Senate and best Presiding Officer of the Student Congress; and whereas, of the 150 participants in this national competition, Tom was judged eighth best speaker overall; and whereas, it is refreshing and inspirational to the Members of this House to see promising young leaders in our state. Now, therefore, be it resolved by the House of Representatives of the 84th General Assembly of the State of Illinois that we do hereby congratulate Tom on his impressive and laudible achievements and wish him future success on his academic and professional future. And be it further resolved that a suitable copy of this Preamble and Resolution be presented to Tom Rooney."

Speaker Greiman: "Congratulations. The Gentleman from Fulton, Mr. Homer."

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Homer: "Thank you, Mr. Speaker. Although it is a violation of the House rules during the lull, but with your indulgence, Sir, we'd like to ... Representative Bob DeJaegher would like to invite all the Members over to share in a piece of his birthday cake, which says, 'You win, Bob. Happy Birthday.' And it has a picture of a horse defeating, by a nose, a greyhound, as they cross the finish line. And now we find out, however, after Representative DeJaegher had told us his birthday was April 1, that, in fact, his birthday is in December after the cake was already ordered which just goes to disprove that old addage that you can't have your cake and eat it too. But we would ask you to come over and have a piece of Bob's non-birthday birthday cake."

Speaker Greiman: "Mr. DeJaegher, the Chair is unable to leave his station. I want you to remember that. Mr. Preston, for what purpose do you seek recognition?"

Preston: "Mr. Speaker, I have an inquiry of the Chair. You indicated that it was out of order for Mr. DeJaegher to have a birthday? Is that... Was that the ruling?"

Speaker Greiman: "Well, I think it was to make a hoopla on the floor."

Preston: "Oh. But it is within the rules for him to celebrate... or to have a birthday."

Speaker Greiman: "Mr. Preston, you are under 50 and I am over 50. There are some times, after a while, when you just as soon forget the whole damn thing. And Representative Vitek concurs in that opinion. Representative Giglio in the Chair."

Speaker Giglio: "The Chair would like to make an announcement that the Cubs have won 9 to 2. White Sox, we don't know yet. Cardinals, we don't know it. Cardinals win 2 to 1. Representative Nash, for what purpose do you rise?"

Nash: "Mr. Speaker, Senator Lemke just came over to ask us to

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make an announcement that the hostages are in Germany."

Speaker Giglio: "Thank you. Representative Preston, for what purpose do you seek recognition?"

Preston: "Mr. Speaker, I'm trying to do this in a nice way, but there are lobbyists who, contrary to the rules of the House, are all over this floor like flies on some left over food and they don't belong on the floor. And I'd like the Speaker to please enforce the rules and ask the lobbyists to get off the floor."

Speaker Giglio: "You've heard the Gentleman's remarks. All those entitled... that are not entitled to the floor, please remove yourselves. Representative Kulas, for what purpose do you seek recognition?"

Kulas: "Thank you, Mr. Speaker. One of the previous speakers mentioned something about hostages being freed and being on their way home. Could you enlighten this Body when the Springfield 118 are going to be free and when we'll be able to go home?"

Speaker Giglio: "At the present time, we're still negotiating with the powers to be, and as soon as I find out, I'll be happy to inform the Body."

Kulas: "Are the Shiites still holding out? Is that... For every Democratic hostage released, we release one Republican hostage, is that the deal? Thank you, Mr. Speaker."

Speaker Giglio: "Representative Preston, for what purpose do you seek recognition?"

Preston: "Mr. Speaker, I would like to reverse my previous complaint and ask if the Chair might consider allowing the lobbyists to come in and letting us leave."

Speaker Giglio: "Representative Leverenz, for what purpose do you seek recognition?"

Leverenz: "Point of information."

Speaker Giglio: "Proceed."

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Leverenz: "Now?"

Speaker Giglio: "Not now. Representative Preston, for what purpose do you rise?"

Preston: "Mr. Speaker, on May 20th the House passed House Resolution 408, which was on the Agreed Resolution list and I didn't get an opportunity at that time to have my vote recorded as 'no'. So, I'd like to journalize, with your permission, that had I been voting individually, that I would have voted 'no' on that Resolution."

Speaker Giglio: "Be so noted."

Speaker Greiman: "Chair recognizes the Gentleman from Cook, Mr. Leverenz, for the purposes of a Motion."

Leverenz: "Now?"

Speaker Greiman: "Mr. Leverenz, on a Motion."

Leverenz: "I move to suspend the appropriate rule to take Senate Bill 173 from the table and consider it immediately."

Speaker Greiman: "And if amended, to move it to Third Reading for consideration?"

Leverenz: "That is correct. It is an appropriation."

Speaker Greiman: "Gentleman from... The Gentleman from Cook, Mr. Leverenz, moves that the House take Senate Bill 173 from the table and suspend Rule 37(g) and place it on the Calendar on the Order of Second Reading and, if amended, suspend Rule 37(C) so the Bill may be heard at this time."

Leverenz: "That is correct."

Speaker Greiman: "And on that, may we use... leave to use the Attendance Roll Call."

Leverenz: "Leave."

Speaker Greiman: "Leave is granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 173, a Bill for an Act making certain appropriations and amending certain Acts herein named. This Bill has been read a second time previously. Amendments #1, 2, 3, 5, 6, 7, 8 and 11 were adopted

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previously."

Speaker Greiman: "Mr. Leverenz. Leave for Mr. Leverenz to handle this Bill. Alright, Mr. Leverenz, leave is granted for you to handle the Bill. Mr. Clerk, this is on the Order of Second Reading, is that correct? Are there further Amendments?"

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

Leverenz: "Speaker?"

Speaker Greiman: "Excuse me. Mr. Leverenz."

Leverenz: "I would now move to reconsider the vote by which Amendmet #12 failed, having voted on the prevailing side."

Speaker Greiman: "The Gentleman from Cook, Mr. Leverenz, moves to reconsider the vote by which Amendment #11 failed, having voted on the prevailing side."

Leverenz: "12."

Speaker Greiman: "12. Amendment #12 failed. On the Motion to reconsider, is there any discussion? The Gentleman from Cook, Mr. O'Connell. Mr. O'Connell. Question is, 'Shall the House reconsider the vote by which Amendment #12 failed?' All in favor say... Yes, Mr. Brunsvold."

Brunsvold: "Could the Gentleman explain the Amendment?"

Speaker Greiman: "Mr. Leverenz."

Leverenz: "Yes, it was Representative Tate, my good friend's Amendment, for 23,000 dollars in which I asked you to vote red and knock it down so that we now can do it right, because I now support the Amendment for 23,000 dollars. I would appreciate your support."

Speaker Greiman: "Gentleman from Macon, Mr. Dunn."

Leverenz: "For Sarasota, Florida."

Dunn: "If we reconsider this, then what are we going to do?"

Leverenz: "Going to adopt it."

Speaker Greiman: "Then we'll reconsider it."

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Dunn: "What about after that, if the Sponsor cares to tell us."

Leverenz: "Oh, I'm sorry, yes. We will adopt further Amendments that are filed, 12, 13 and 14, at least, up through 16 and move the Bill to Third and pass it this evening."

Dunn: "And where are these Amendments?"

Leverenz: "They're on your desks."

Dunn: "No, they're not."

Leverenz: "We'll get a suitable copy delivered to your desk momentarily."

Speaker Greiman: "Mr. Van Duyne."

Van Duyne: "Well, thank you, Mr. Speaker. Mr. Leverenz, do you have any idea where other Amendments that are near and dear to our hearts are right now and what this is going to do to those?"

Leverenz: "One thing at a time."

Van Duyne: "You are going to take care of necessary things that need to be taken care of."

Leverenz: "You have not spoken to me about anything in the FY '85 budget. This is a supplemental for the Body, must be enrolled and engrossed and signed before midnight."

Speaker Greiman: "Further discussion? Question is, 'Shall the House reconsider the vote by which Amendment #12 was adopted (sic - failed)?' Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment will be reconsidered. Mr. Clerk."

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

Speaker Greiman: "Gentleman from Macon, Mr. Tate, on Amendment #12."

Tate: "Yeah, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #12 is in the sum of 23,000 dollars. It is appropriated out of the Tourism Promotion Fund of the Department of Commerce and Community Affairs for a grant to the Bethany High School to participate in a world band

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festival in Sarasota, Florida. I move for its adoption."

Speaker Greiman: "Gentleman from Macon moves that the House adopt Amendment #12 to House... to Senate Bill 173. There being no discussion, the question is, 'Shall Amendment #12 be adopted?' Those in favor say 'aye', opposed ... I'm sorry, Mr. Terzich. I'm sorry. Mr. Terzich, I'm really sorry."

Terzich: "Well, thank you very much. We are going to give money to a high school band to go to Sarasota, Florida? Is this what this Amendment is or what?"

Speaker Greiman: "Do you wish Mr. Leverenz to yield?"

Terzich: "Yeah, why..."

Speaker Greiman: "Mr. Leverenz yields for a question."

Leverenz: "Tate - Leverenz."

Speaker Greiman: "Mr. Tate yields."

Tate: "Bob, the question is are we going to give money to the band?"

Terzich: "Yes."

Tate: "That's correct. And as you'll see, along this... with this Bill we've already done that, and we are going to do this with a future Amendment that's going to be offered, which is almost identical on your side of the aisle to the same place, as a matter of fact."

Terzich: "You mean to tell me that we are now going to support bands going to different parts of the country, you know, high school bands? I mean... Macdonalds hamburger."

Tate: "This Body just... just a few days ago passed out a Bill here that would have supported about six or seven different musical groups ranging from choirs to bands. And apparently that is a policy that this Body has already approved."

Terzich: "Well then, we are going to continue this sponsoring bands or any other social activities that any of these high schools, whether they're majorettes or bands or football

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teams or anyone who invites them to go somewhere, that we're supposed to pay for this trip for these ... out of firemen pension funds. Well, I don't know if we did it before, but certainly it sounds pretty stupid to continue doing it again. I think we should refer this to the Macdonald Hamburger Corporation and maybe they can pick up the tab."

Tate: "Just in response to that, Representative... okay. This is a part of promoting tourism in this state, and I would move for its adoption again."

Speaker Greiman: "Gentleman from Cook, Mr. Bullock."

Bullock: "Yeah, Representative Tate. Will he yield for a question?"

Speaker Greiman: "Indicates that he will."

Bullock: "Representative Tate, when does this band leave for Florida?"

Tate: "It's already gone."

Leverenz: "It's gone and returned."

Bullock: "Oh, the band has already taken the trip and they're back home?"

Tate: "Correct."

Bullock: "So, we're paying for a trip after the trip has been taken. How did they get there? Was it on credit, or did they bill it to American Express or Mastercharge or Zenith? I mean, how did they get there? Did they fly? Did they take a train? Did they take a bus? Did they... you know, did they hitchhike? I mean, how did they get there and how did they pay for it?"

Tate: "Representative, this request was given to me earlier in the Session."

Bullock: "Well, Ted Leverenz says it's a good Bill, so I'll vote 'aye'. Let's get the Bill out of here."

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

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Peterson: "Move the previous question, Mr. Speaker."

Speaker Greiman: "Alright. Mr. Terzich has asked for a Roll Call. Question is, 'Shall Amendment #12 be adopted?' Those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Mr. Clerk, take the record. On this question, 83... 84 voting 'aye', 13 voting 'no', 1 voting 'present', and Amendment #12 is adopted. I'm sorry. Ms. Stern?"

Stern: "Nothing is working. Oh, now it is."

Speaker Greiman: "Ms. Stern, we'll test you out next time. Further Amendments?"

Clerk O'Brien: "Floor Amendment #13, offered by Representative Mays. Gentleman from Adams, Mr. Mays, on Amendment #13."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #13 transfers 97,000 from grant lines personal services for the Department of Veterans' Affairs and authorizes a supplemental appropriation for the Department of Veterans' Affairs from the Veterans' Home Fund to the amount of 53,400 dollars. I move its adoption."

Speaker Greiman: "Gentleman from Adams, Mr. Mays, moves for the adoption of Amendment 13 to Senate Bill 173. There being no discussion, the question is, 'Shall Amendment 13 be adopted?' Amendment 13... All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Amendment 13 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #14, offered by Representative Weaver and Woodyard."

Speaker Greiman: "Gentleman from Coles, Mr. Weaver, on Amendment 14."

Weaver: "Mr. Speaker, I'd like to withdraw this Amendment."

Speaker Greiman: "#14 is withdrawn. Further Amendment?"

Clerk O'Brien: "Floor Amendment #15, offered by Representative

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Homer."

Speaker Greiman: "Gentleman from Fulton, Mr. Homer."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. This is the Amendment that would authorize the Canton High School Band to attend the same world festival in Orland... in Sarasota, Florida for the same 23,000 dollars figure that was encompassed in the Amendment #12."

Speaker Greiman: "Gentleman..."

Homer: "Let me... Well, and I'd like to move the adoption of that Amendment. And I'd like to, in clarification, say this; that Representative Tate is correct. This General Assembly has, in the past, authorized appropriations for bands to travel out of the Tourism Fund and, in fact, authorized... Well, alright. My Leader is indicating that perhaps the debate should be terminated on this, so I'm going to close off the debate and ask for your affirmative vote."

Speaker Greiman: "Question is, 'Shall Amendment 15 be adopted?' All those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. 15 is adopted. Further Amendment?"

Clerk O'Brien: "Floor Amendment #16, offered by Representative Barnes and Hastert."

Speaker Greiman: "The Lady from Cook... Mr. Leverenz have leave of the House to handle that? You have leave, Mr. Leverenz."

Leverenz: "Thank you. Amendment #16 would put in the effective date of June 30, 1985. I would move for the adoption of the Amendment."

Speaker Greiman: "Gentleman from Cook, Mr. Leverenz, moves that ... moves for the adoption of Amendment 16 to Senate Bill 173. There being no discussion, the question is, 'Shall Amendment 16 be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have

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it, and the Amendment's adopted. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "Senate Bill 173, a Bill for an Act making certain appropriations and amending certain Acts herein named. Third Reading of the Bill."

Speaker Greiman: "Mr. Leverenz. Does Mr. Leverenz have leave of the House to handle this Bill? You have leave."

Leverenz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 173 now is approximately 55,600,000 with the Amendments. I do not believe that it would exceed that, 40 million of which are Illinois income tax refunds. I would appreciate your 'aye' vote to pass the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. Leverenz, moves for the passage of Senate Bill 173. There being no discussion, the question is, 'Shall Amendment...' 'Shall Senate Bill 173 pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this will be final action. Have all voted who wish? Have all voted who wish? Ms. Stern, your light is just as shiny as ever. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 107 voting 'aye', 4 voting 'no', none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Leverenz, for what purpose do you rise?"

Leverenz: "One is an inquiry of the Chair. We did announce the record by which Senate Bill 173 passed."

Speaker Greiman: "Oh, yes."

Leverenz: "And the other thing is it's nice to have the fireworks outside of the chamber this evening at this time."

Speaker Greiman: "Mr. Tate, for what purpose do you rise?"

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Tate: "Well, thank you, Mr. Speaker. I just wanted to inquire what the Chair... whether the train was on the track yet. We're starting to get a few Conference Committee Reports out here, and we'd like to get this show on the road."

Speaker Greiman: "Mr. Tate, I don't even know where the station is. Supplemental Calendar 2. Mr. Clerk."

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

Speaker Greiman: "Chair notices that, rather casually attired, the Secretary of State has joined us. The Governor wore a polo shirt. And Mr. Edgar has no tie. I thought it was painted on in the morning, Jim. Welcome to the House of Representatives, Mr. Secretary. Okay. Ladies and Gentlemen, we notice also circling above us Director Donahue, the Director of Aeronautics, who is circling above in the balcony there. Mr. Clerk."

Clerk O'Brien: "Supplemental Calendar #3 being distributed."

Speaker Greiman: "Jack? Ladies and Gentlemen, I am advised that the hostages have landed at the U.S. Air Force Base in Weisbaden, Germany and are at this moment deplaning from the plane and will be coming home soon. Yes, Mr. Panayotovich, for what purpose do you seek recognition?"

Panayotovich: "For purpose of announcement. I'd like to remind everybody that on your way home this evening, in an hour and 20 minutes, remember, you buckle up on your way home tonight. Secretary Edgar is still here. You want to remember you buckle up on your way home tonight after midnight."

Speaker Greiman: "Chair recognizes the Gentleman from Cook, Mr. Giglio. Mr. Giglio. Mr. Giglio asks for a Democratic Conference for 20 minutes, until 11:15, in Room 114. Yes, Mr. Friedrich. Mr. Friedrich requests a Republican Conference..."

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Friedrich: "For 30 minutes."

Speaker Greiman: "For 20 minutes in Room 118. We will return here at 11:15 sharp. Democrats in 11... in Room 114, Republicans in Room 118, and we will call the House to order at 11:15. The House will be in recess until the hour of 11:15. You should go directly to your Conference Rooms. Thank you. Speaker Madigan in the Chair."

Speaker Madigan: "The House will come to order. The Members will be in their chairs. On Supplemental Calendar #2, on the Order of Call, County Bills, House Bills, there appears House Bill 1517, Mr. Giorgi. Mr. Giorgi."

Giorgi: "Mr. Speaker, Conference Committee on House Bill 1517... the majority of the Bill has been deleted and what we've done is we've gone with House Bill 1517 and Senate Bill 780. Now, what House Bill 1517 does is it consolidates 19 county levies into one levy, and it allows counties to levy a quarter cent sales tax, but they must abate some property tax on their levy. In counties from 15 to 80,000 people, their aggregate levy would be 30 cents."

Speaker Madigan: "For what purpose does Mr. Vinson seek recognition?"

Vinson: "Mr. Speaker, we don't have a copy of any Conference Committee Reports on 1517 on our desks."

Speaker Madigan: "Mr. Giorgi, the Clerk informs me that the Report has not been distributed. Mr. Clerk, have you distributed the Report on House Bill 694? 694. House Bill 694. On Supp... House Bill 1517 shall be taken out of the record. On Supplemental Calendar #2, on the Order of State's Attorney legislation, House Bills, there appears House Bill 694, Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move we adopt Conference Committee #1 on House Bill 694. It provides that the Senate recede from

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Senate Amendments #1 and 2 and that the funds be appropriated to the Comptroller rather than from DCCA. Be happy to answer any questions. Appreciate your 'aye' vote."

Speaker Madigan: "Mr. Vinson."

Vinson: "Yes, Mr. Speaker, pursuant to Rule 79(a), I would question the fact that there are not names typed under some of the signature lines on the Conference Committee Report."

Cullerton: "Mr. Speaker, I believe the rule requires that the names be typed under signatures. There are no signatures on the Report."

Vinson: "If there are no signatures on the Report, Mr. Speaker, we couldn't really deal with the Report, could we?"

Cullerton: "Yes, you can."

Speaker Madigan: "Mr. Vinson."

Vinson: "I would also point out that the precise language in Rule 79(a) is typed below the signature line."

Speaker Madigan: "Mr. Matijevich."

Matijevich: "Well, I make the point of order that where the Minority did not make appointments, there was no way to type the names. And, therefore, the House has complied with the spirit and intent of the rule."

Speaker Madigan: "Mr. Vinson, the facts are that the Minority Leader did not make his appointments to this Committee so that it would be impossible for the person drafting the Report to comply with the rule. And for that reason, your point would not be well taken. Mr. Vinson."

Vinson: "Mr. Speaker, where did the Conference Committee meet?"

Speaker Madigan: "It met in this building."

Vinson: "I believe that we have to specify the room number, don't we?"

Speaker Madigan: "I believe it met right here in this chamber."

Vinson: "Yes, I suspected. Will the Sponsor yield for a

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question?"

Speaker Madigan: "Yes, he will."

Vinson: "Representative, what precisely does this Conference Committee authorize?"

Cullerton: "Authorizes the payment of two million dollars to the County of Cook to reimburse them for the cost of the two-thirds of their state's attorneys' appellate service section, which is similar to other counties who get the cost of their state's attorneys' appellate section paid for by the state."

Vinson: "Mr. Speaker, to the Bill. I would rise in opposition to the Bill, to the Conference Committee Report. Two million dollars may not seem like a lot of money tonight, but I can assure that there are many school districts in this state that, if they had that two million dollars, could have a good education program. If the Gentleman tries to rush two million dollars out of here tonight on this, what he is effectively doing is depriving it from schools from the subject of education in this state. We don't need to do that. We can reject this Bill. We can send it right back to where it was. Anybody from downstate who votes for this Bill is voting for a Cook County ripoff away from education to the detriment of the teachers and students of this state. I would urge a 'no' vote on the Conference Committee Report and request a verification should it appear to get the requisite number of votes."

Speaker Madigan: "The question is, 'Shall this Report be adopted?' Those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Mr. Leverenz, to explain his vote."

Leverenz: "I rise in support of the Conference Committee Report adoption. The money is in the budget; that we're going to do for Cook County as we do for downstate and I would

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appreciate a few more green votes."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there 58 'aye', 57 'no'. The Clerk shall poll the absentees. Mr. Clerk, poll the absentees. Mr. Cullerton? You were seeking recognition."

Cullerton: "To poll the absentees, that's all."

Clerk O'Brien: "Poll of the Absentee. Homer. No further."

Speaker Madigan: "This... The House... On this question there are 58 'ayes', 57 'nos', and the House does fail to adopt the First Conference... For what purpose does Mr. Pangle seek recognition?"

Pangle: "I would like to change my 'no' vote to an 'aye' vote, Mr. Speaker."

Speaker Madigan: "Record Mr. Pangle as 'aye'. Mr. Curran."

Curran: "Like to change my 'no' vote to 'aye'."

Speaker Madigan: "Record Mr. Curran as 'aye'. Mr. Homer."

Homer: "Thank you, Mr. Speaker. Would you record me as 'aye'?"

Speaker Madigan: "Record Mr. Homer as 'aye'. 61 'ayes' and 56 'nos', 1 'present'. Mr. Vinson."

Vinson: "I request a verification of the affirmative."

Speaker Madigan: "The Clerk shall read those voting in the affirmative."

Clerk O'Brien: "Alexander. Berrios. Bowman. Braun. Brookins. Bullock. Capparelli. Cullerton. Curran. Currie. DeLeo. Didrickson. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Greiman. Hannig. Homer. Huff. Keane. Kirkland. Krska. Kubik. Kulas. Laurino. LeFlore. Leverenz. Levin. Matijevich. Hautino. McAuliffe. McGann. McNamara. McPike. Nash. O'Connell. Panayotovich. Pangle. Preston. Rea. Regan. Rice. Ronan. Shaw. Soliz. Steczo. Stern. Sutker. Terzich. Turner. Van Duyn. Vitek. Washington. White. Wolf."

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Anthony Young. Wyvetter Younge. And Mr. Speaker."

Speaker Madigan: "Mr. Vinson."

Vinson: "Yes, Mr. Speaker. Mr. Brookins?"

Speaker Madigan: "Mr. Brookins is in the center aisle."

Vinson: "Mr. Kubik?"

Speaker Madigan: "Mr. Kubik? Is Mr. Kubik in the chamber?"

Remove Mr. Kubik."

Vinson: "Mr. Kirkland?"

Speaker Madigan: "Mr. Kirkland? Remove Mr. Kirkland."

Vinson: "Mr. McAuliffe?"

Speaker Madigan: "Mr. McAuliffe? Remove Mr. McAuliffe."

Vinson: "Mr. Van Duyne?"

Speaker Madigan: "Is...Mr. Van Duyne is in the chamber."

Vinson: "Mr. Dunn?"

Speaker Madigan: "Mr. Dunn? Mr. Dunn is in the rear of the chamber."

Vinson: "Mr. Berrios?"

Speaker Madigan: "Mr. Berrios is in his chair."

Vinson: "No further questions."

Speaker Madigan: "Mr. Vinson."

Vinson: "Representative Didrickson?"

Speaker Madigan: "Representative Didrickson is not in the chamber. Remove her from the Roll Call. Mr. Regan? Record Mr. Regan as 'no'. Mr. Clerk. 56 'ayes' and 57 'nos'. The House does fail to adopt the First Conference Committee Report on House Bill 694. Mr. Cullerton, did you wish to request a Conference Committee?"

Cullerton: "Yes, a second Conference Committee, please."

Speaker Madigan: "Gentleman requests the appointment of a second Conference Committee. On the Order of Education, Senate Bills, there appears Senate Bill 730, Mr. Hoffman. Mr. Hoff indicates that he's not prepared after one year of working on this Bill. He is not prepared. On the second

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Supplemental Calendar, under the Order of Economic Development appropriations, there appears Senate Bill 449, Mr. Leverenz. Mr. Leverenz? Mr. Leverenz?"

Leverenz: "Take it out a moment. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 449 I would move to concur in Conference Committee Report #1. This funds the Prairie State 2000 for the sum of three million dollars. Additionally, five million dollars for the Illinois Development Finance Authority and 1.2 million dollars for the Illinois Development Finance Authority's ordinary and contingent expenses. I would move for the adoption of Conference Committee Report #1."

Speaker Madigan: "Mr. Vinson."

Vinson: "Mr. Speaker, has this been printed and distributed?"

Speaker Madigan: "Yes."

Vinson: "What time was it distributed?"

Speaker Madigan: "10:15."

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

Speaker Madigan: "Yes."

Vinson: "How much money are you spending on this one, Representative?"

Leverenz: "9.2 million."

Vinson: "Did I happen to hear the magical words of the Illinois Development Finance Authority?"

Leverenz: "If those words are magic to you, yes, you did."

Vinson: "And is that for operational expenses?"

Leverenz: "1.2 million is operation."

Vinson: "And all this time I thought that we'd heard a promise that this agency would never come back to us for operational financing. Is that untrue?"

Leverenz: "I don't ever remember hearing that, and you raised the same issue a night or two ago."

Vinson: "How do other finance authorities in the state, IHDA..."

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Is IHDA an appropriated agency? Do they take operational funds?"

Leverenz: "Well, I know that there's an authority... Export Development Authority. I think the Lieutenant Governor runs that. We appropriate that."

Vinson: "Does IHDA take appropriated money?"

Leverenz: "No, not at this time, but we're working on it."

Vinson: "Does the Illinois Health Facilities Authority take appropriated money?"

Leverenz: "I don't believe so, but we're working on that, too."

Vinson: "Why is it that this agency is such an exception?"

Leverenz: "Because it's very important to the development of many jobs that you and I should be supporting, but I am perhaps supporting more than you at this time."

Vinson: "Mr. Speaker, to the Bill. Again, nine million dollars, nine million dollars that, if we defeat the Bill, can be made available for the education of the kids of this state. Now, we just demonstrated that we can beat Bills that unnecessarily spend money. That was just demonstrated a second ago with Mr. Cullerton's Bill. I would suggest this Bill deserves the same thing so that we can adequately fund education in Illinois. And I would strongly urge a 'no' vote and would request a verification should it appear to get the requisite number of votes."

Speaker Madigan: "Mr. Leverenz."

Leverenz: "Just to close, unless there are other questions. In the case, I would ask for your support to adopt the Conference Committee Report #1 to Senate Bill 449 for a couple of reasons. The prior speaker is, I believe, a little bit incorrect. The last Bill that lost by four votes that suddenly disappeared I don't believe was an appropriation Bill but was a question of what agency it was going to go through to pass through the County of Cook.

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This is nine million dollars and let me explain to you that even if it did not pass, the Bureau of the Budget would not suddenly make a change in heart and add nine million dollars to education. Those monies will not go up or down based on one individual Bill, and we know that from the appropriations process. So, I would simply ask for your support. Three million dollars for the Prairie State 2000 Fund. The five million dollars for the Illinois Development Finance Authority for a direct loan program, and 1.2 million dollars for the ordinary and contingent expenses of the Illinois Development Finance Authority. I would ask for your 'aye' vote".

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. Mr. Vinson."

Vinson: "Request a verification of the affirmative."

Speaker Madigan: "Gentleman requests a verification. The Clerk shall poll the absentees."

Clerk O'Brien: "Poll of the Absentees. Capparelli. Krska. And Stern."

Speaker Madigan: "Record Representative Stern as 'aye'. Mr. McNamara. Change Mr. McNamara from 'no' to 'aye'. And, Mr. Clerk, read those voting in the affirmative."

Clerk O'Brien: "Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Bullock. Cullerton. Curran. Currie. DeJaegher. DeLeo. Farley. Flinn. Flowers. Giglio. Giorgi. Greiman. Hanniq. Hartke. Hicks. Homer. Huff. Keane. Kulas. Laurino. LeFlore. Leverenz. Levin. Matijevich. Nautino. McGann. McNamara. McPike. Mulcahey. Nash. O'Connell. Panayotovich. Pangle. Phelps. Preston. Rea. Rice. Richmond. Bonan."

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Saltsman. Satterthwaite. Shaw. Soliz. Steczo. Stern.
Sutker. Terzich. Turner. Vitek. Washington. Wolf.
Anthony Young. Wvvetter Younge. Mr. Speaker."

Speaker Madigan: "Mr. Dunn. Mr. John Dunn wishes to be recorded as 'aye'. Mr. Van Duyne wishes to be recorded as 'aye'. Mr. Christensen wishes to be recorded as 'aye'. Mr. Capparelli wishes to be recorded as 'aye'. Mr. Krska wishes to be recorded as 'aye'. Mr. Vinson, they're all there. Mr. Vinson."

Vinson: "Mr. Speaker, you've finally demonstrated your muscle."

Speaker Madigan: "Did you withdraw your request for a verification? Gentleman withdraws his request for a verification. Mr. Clerk, what is the count? On this question there are 67 'ayes', 51 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. For what purpose does Mr. Van Duyne seek recognition?"

Van Duyne: "Mr. Speaker, do I have leave of the House to present Senate Bill 730? I'm ready."

Speaker Madigan: "On the Supplemental Calendar... On the Supplemental Calendar #2, on the Order of County Bills, House Bills, there appears House Bill 1517, Mr. Giorgi."

Giorgi: "Mr. Speaker, House Bill 1517 is the Bill that everyone is very much aware of because of the need for county governments and new funding... or new ideas for funding. And what it does is it would consolidate 19 county levies..."

Speaker Madigan: "For what purpose does Mr. Vinson seek recognition? Mr. Vinson."

Vinson: "Mr. Speaker, we still don't have this Conference Committee Report on our desks."

Speaker Madigan: "Mr. Giorgi, I am told that the Bill has not yet been distributed, but the Parliamentarian also tells me

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that with 60 votes you could suspend that rule. Mr. Giorgi."

Giorgi: "Mr. Speaker, inasmuch as almost everyone in this House has been talked to about House Bill 1517 and what it does, I would like to suspend the appropriate rule so that it can be heard without the benefit of a Conference Committee Report on their desks."

Speaker Madigan: "Mr. Vinson."

Vinson: "Mr. Speaker, it sticks in my mind, refreshed rather recently, that there's a quirk in the Constitution that says that things have to be printed and distributed on Members' desks before final passage. And since this would be final passage, I would ask you to rule, under the rules of the House, which require you to enforce the obligations of the Constitution, that this Bill cannot be heard at this time. The Constitution that... the Bill... the Section in the Constitution that I refer to is the Legislative Article, Section 8, Subsection (d), 'A Bill and each Amendment thereto shall be reproduced and placed on the desk of each Member before final passage'."

Speaker Madigan: "Mr. Vinson?"

Vinson: "Yes, Sir."

Speaker Madigan: "When was your mind refreshed on that matter?"

Vinson: "Well, about an hour ago I thought that we might get to a situation on the House floor where you would attempt to move legislation in a fashion more reminiscent of the days of Speaker Redmond."

Speaker Madigan: "Speaker Ryan. Right."

Vinson: "Redmond. And at that time, I took the time to read the Constitution, and that's what refreshed my memory."

Speaker Madigan: "Just one hour ago?"

Vinson: "Just an hour ago."

Speaker Madigan: "Okay. Mr. Giorgi has moved to suspend the

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provisions of the rule which require that the copies of the Conference Committee Report be distributed. Those in favor of that Motion will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. McCracken."

McCracken: "Brief explanation of vote, Mr. Speaker. I understand that you're trying to suspend the rule. However, I do think this jeopardizes this Bill. I think this is one of the few exceptions to the... to the general rule that an engrossed Bill cannot be collaterally attacked, and I submit that this is.. that this is an exception which is going to result in the impairment of this legislation."

Speaker Madigan: "Mr. Hallock."

Hallock: "Yes, Mr. Speaker, Members of the House, it seems to me Representative Giorgi and I have worked on this for over a year. I think the votes will be there if he calls it at the proper time, but I'm kind of concerned if he calls it now it just may not have any effect, even if it does pass. And I would ask it be called at a later date."

Speaker Madigan: "Mr. Davis."

Davis: "Thank you, Mr. Speaker. I strongly support this Bill; nevertheless, because of the argument made by Representative McCracken, this Bill is of such vital importance to 101 counties in this state that any taxpayer attack, should the... should the resolution be passed by a county board, a collateral attack on the... on the engrossed Bill prove that it be faulty in a constitutional test, we will have done all this for naught. I agree with Representative McCracken. The votes will be here when the Bill is distributed, whether in a 60 vote or a 71 vote posture. I think this is insanity, if we do this and don't redo it tomorrow. It's just silly. We may lose the Bill in the courts, because, certainly, some group somewhere in

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the state will challenge its constitutionality because of the action we take here tonight."

Speaker Madigan: "Have all voted who wish? The Clerk shall take the record. On this question there are 63 'aye', 55 'no'. The Motion carries. Mr. Giorgi, on the Bill. Would one of the Pages take a copy of the Bill to Mr. Vinson?"

Giorgi: "Yes, Sir, Mr. Speaker, they're being distributed now to the Leaders on the Republican side of the aisle."

Speaker Madigan: "Mr. Giorgi, on the Bill."

Giorgi: "Mr. Speaker, what this Bill does is it obliterates 19 county tax levies. It allows one corporate levy, and the... that one corporate levy... three cents of that corporate levy must be abated if a county permissively goes into levy the quarter cent sales tax. And this applies to 101 counties. Cook County is excluded. Many Members of the... I think the saving feature of the Bill is it has passed the scrutiny of the Taxpayers' Federation of Illinois."

Speaker Madigan: "Mr. Giorgi. Mr. Giorgi, thank you. Those in favor of the passage of the Bill will signify by voting 'aye', those opposed by voting 'no'. Mr. Vinson."

Vinson: "Mr. Speaker, it is my intention to support this particular piece of legislation, but I think it is important... think it is important that you enforce order in the chamber so that every Member can understand what they're voting on. This particular Bill..."

Speaker Madigan: "Mr. Vinson, I know you're very articulate, but, Ladies and Gentlemen, this would permit downstate counties to impose a one quarter cent sales tax for their operations."

Vinson: "Okay. I think everybody knows now."

Speaker Madigan: "Thank you, Mr. Vinson. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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The Clerk shall take the record. On this question there are 65 'ayes', 50 'nos'. This Bill, having received a Constitutional Majority, is hereby declared passed, and the House does adopt the Conference Committee Report on House Bill 1517. On the Order of Supplemental Calendar 2 - Education, Senate Bills, there appears Senate Bill 730, Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. First, I would like to point out that you've had distributed to you corrected pages to the 730, corrected page nine, corrected page 46 and 47, which conform to the enrolled and engrossed copies. This was necessary by recent changes."

Speaker Madigan: "On the Bill, the Chair recognizes Mr. John Dunn."

Dunn: "Thank you, Mr. Speaker. Just so everybody will know, the Governor has not taken a position on the school aid formula Bill we passed earlier. We don't know what he will do. I checked directly with the Governor. Thank you."

Speaker Madigan: "Those in... Mr. Piel."

Piel: "For legislative intent, Mr. Speaker. It is my understanding, if the Sponsor will just... yes or no, that this legislation intent, the Conference Committee Report, the total federal and state taxes per pack of cigarettes as of October 1, 1985 - let's say they were 28 cents - currently stands in the State of Illinois, if the Federal Government takes off two cents and the state gets two cents or any such combination, the total tax per pack will be no more than 28 cents for both the Federal and the State Government, is this correct?"

Hoffman: "Correct."

Piel: "Thank you very much."

Speaker Madigan: "Mr. Dwight Friedrich."

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Friedrich: "Would the Sponsor yield?"

Speaker Madigan: "Sponsor indicates he will yield."

Friedrich: "What's the provision in this with regard to consolidation?"

Hoffman: "The consolidation Bill was amended in the Senate to provide that for a referendum to be successful in a school district reorganization, every affected district would have to vote in the affirmative or the election would not be consummated."

Friedrich: "And what is the provision with regard to subsidizing transportation of parochial students?"

Hoffman: "The Section on... on the supplemental transportation grants provides for a program of transportation grants beginning at the rate of 50 dollars the first year reimbursement, 100 the second year and then up to the level that the state reimburses public transportation. School districts are not involved. No pupils will be bused within a mile and a half, and it applies to public and parochial schools as well. We have about 163 school districts that have no transportation and parents and guardians would qualify for this grant. It goes from the regional superintendent to the State Board, State Board to the regional superintendent, back to the parent."

Speaker Madigan: "Mr. Mulcahey."

Mulcahey: "Question of the Sponsor, Mr. Speaker."

Speaker Madigan: "Sponsor indicates he will yield."

Mulcahey: "Representative Hoffman, with these... with these new taxes now, what type of revenue will be generated as far as the general state aid level is concerned? Have we, indeed, corrected our problem and gone from 145 million or so to 55 million level in state aid?"

Hoffman: "I'm sorry, Representative Mulcahey. I was looking at the tax question. Would you repeat it, please?"

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Mulcahey: "We have a... with these two taxes that are about to be imposed, will general state aid extend itself from the 145.7 million dollars that it would have been without some sort of a tax to 200 million dollars, which we had talked about for the last couple weeks? And, indeed, will that level be at 200 million dollars?"

Hoffman: "It is my understanding that the appropriation Bill will have a 200 million dollar level for the General Distributive Fund."

Mulcahey: "As opposed to 145?"

Hoffman: "Correct."

Mulcahey: "Mr. Speaker, Members of the House, to the Bill, if I may. There have been a number of rumors floating around this chamber this evening after this... after Mr. Hoffman's formula Bill passed to the effect that Governor Thompson would not sign that formula Bill which would make it very convenient for an awful lot of people and would certainly double-cross an awful lot other people. I'm going to vote for the Bill with the understanding that we... that we took downstairs last Saturday, Sunday and Monday morning. We stayed here over the weekend with the understanding that, indeed, that formula Bill would be signed, the level would remain at 200 million dollars, and the agreement will stay in tact. I think this is very, very important, and I want the record to show I am going to vote for this Bill in good faith, with that understanding, that Governor Thompson, indeed, will sign this formula change. And if he doesn't, it's going to be a shame for the entire State of Illinois."

Speaker Madigan: "Mr. McPike."

McPike: "Move the previous question."

Speaker Madigan: "Gentleman moved the previous question. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The question is moved. Mr. Hoffman, to close."

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Hoffman: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I would move for the adoption of Senate Bill 730. I was going to make a nice speech, but I don't think you..."

Speaker Madigan: "Those in favor of the passage of the Bill will signify by voting 'aye', those opposed will vote 'no'. Have all voted who wish? Mr. Keane, to explain his vote. Have all voted who wish? Mr... Mr. Keane."

Keane: "Thank you, Mr. Speaker. I just wanted to... I wanted to ask the Sponsor a question as to whether those who are private school students presently being bused will continue, will they be reimbursed or will they have to continue to pay out of their own pockets?"

Speaker Madigan: "Mr. Hoffman."

Hoffman: "To the... To the question, are you talking about parochial students that are presently bused? They will continue... that's up to the district. They will continue to be bused and... but they will not get the 50, 100 and 123 dollars. They can't get them both. They'll get one."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 77 'aye', 41 'no'. Mr. Mautino, do you still seek recognition? This Bill, having received a Extraordinary Majority, is hereby declared passed. It's the plan of the Chair to adjourn until 10:00 a.m. tomorrow morning. Mr. McCracken, did you have anything to bring before the Body? Does anyone else? Mr. McPike moves that we stand adjourned until... Mr. McPike moves that we stand in recess until 10:00 a.m. tomorrow morning. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it."

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

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Cullerton: "Yes, for an announcement. I just wanted to wish everybody a happy new fiscal year and remind everybody on their way home to please obey the law and wear your seat belts."

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