

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

78th Legislative Day

October 31, 1985

Speaker Greiman: "The hour of 9:00 having arrived, the House will be in Session. The Chaplain for today will be the Reverend Robert Schmidgall, Pastor of Calvary Temple Church of Naperville. Reverend Schmidgall is a guest of Representative Mary Lou Cowlshaw. Will the guests in the gallery please rise and join us in the invocation? Reverend."

Reverend Robert Schmidgall: "God, our Father, we thank You that as Creator and Lord You guide our lives. That when we find ourselves groping in darkness, You light our way. It is with a desire for that light that we come to You today. We thank You that in Your strength You commit to men and women through the voice of the people the responsibility to lead and govern and that You also provide the wisdom and understanding to carry out those leadership tasks. We thank You that You have invited us to call upon Your name, and that when we do You hear us and help us. I pray for these public servants who have come to do business today. Give them clear minds, free from prejudice, fear and worry. Give them a sensitive conscience, aware of the needs of their constituents and responsive to the issues that transcend partisanship. Give them firm convictions, the commitment to justice and right at the expense of convenience. Oh God, help us today. Help us to live and move aware of Your watchful care and righteous judgment. Let good and right prevail in this state. Bless all those who are in leadership in this state and especially those gathered in these chambers today. We rely upon You for the resources of strength, wisdom and understanding that are necessary to fulfill the task before us. We look to You for wisdom today. I commit these servants to You, and pray that You will bless them in their endeavors. In Christ's

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name, Amen."

Speaker Greiman: "Representative Ropp will lead us the pledge to 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. 118 Members having answered to the Call of the Quorum, a Quorum is present. Agreed Resolutions."

Clerk O'Brien: "House Resolution 825, offered by Representatives Mautino and Olson. 826, by Mautino. 827, Hensel. 828, Regan. 829, Terzich. 830, Hallock and Giorgi. 832, Bowman. 834, Hicks. 835, Brunsvold. 837, Bowman. House Joint Resolution 114, Panayotovich. And 116, Countryman."

Speaker Greiman: "Gentleman from Lake, Mr. Matijevich, on the Agreed Resolutions."

Matijevich: "Speaker, these are all congratulatory and I move the adoption of the Agreed Resolutions."

Speaker Greiman: "Gentleman from Lake, Mr. Matijevich, moves that the House adopt the Agreed Resolutions. Those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Joint Resolution 17, offered by Representative Pangle and Christensen. House Joint Resolution 115, offered by Pangle and Christensen. It's a duplication. And House Resolution 833, offered by Representative Rea."

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

Clerk O'Brien: "House Resolution 836, offered by Representative Brookins and Alexander, with respect to the memory of Commander Lemon Works, Jr."

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Speaker Greiman: "The Gentleman from Cook, Mr. Brookins, moves for the adoption of the Death Resolution. Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Death Resolution is adopted. Introduction and First Reading."

Clerk O'Brien: "House Bill 2557, Panayotovitch - et al, a Bill for an Act to provide for life-saving organ transplant procedures by requesting descendent's (decedent's) next of kin to consent to an anatomical gift. First Reading of the Bill. House Bill 2558, Levin - et al, a Bill for an Act to amend Sections of the Illinois Insurance Code. First Reading of the Bill. House Bill 2559, Levin - et al, a Bill for an Act to amend Sections of the Insurance Code. First Reading of the Bill. House Bill 2560, Levin - et al, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. House Bill 2561, Shaw - et al, a Bill for an Act to amend Sections of the Minority and Female Business Enterprise Act. First Reading of the Bill. And House Bill 2562, Deuchler - et al, a Bill for an Act to amend Sections of the Illinois Highway Code. First Reading of the Bill."

Speaker Greiman: "For what purpose does the Gentleman from Macon, Mr. Tate, seek recognition?"

Tate: "Yes, Mr. Speaker. Since today is trick or treat day, we, on this side of the aisle, were just wondering what kind of surprises you were having for us and what kind of treat you had in store for us today."

Speaker Greiman: "You have to wait until all the goblins are assembled. Gentleman from Cook, Mr. Kulas, seek recognition?"

Kulas: "Thank you, Mr. Speaker. While we are waiting for the rest of the goblins to assemble, I'd like to take a minute of the House's time on a point of personal privilege."

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Speaker Greiman: "Proceed, Sir."

Kulas: "Mr. Speaker, Ladies and Gentlemen of the House, on Tuesday, I introduced House Joint Resolution 112. This Resolution dealt with a young, Ukranian sailor who jumped off a Russian ship on the Mississippi River and swam 100 yards for freedom. Twice this young man was forcibly returned back to the Soviet freighter. It's a sad day when this country, which has become a symbol of freedom throughout the world, forcibly denies that freedom to any individual. The State Department made bad judgments. The border patrols made bad judgments. Someone has to take the blame. Yesterday that Resolution was moot because this young sailor was returned back to that Soviet freighter and that Soviet freighter was allowed to leave. Now, if you believe that that young man voluntarily returned and voluntarily signed that statement, then it's no wonder that the Federal Government thinks that the good fairy will take care of the federal deficit budget. Thank you."

Speaker Greiman: "Committee Reports."

Clerk O'Brien: "The Committee on Rules has met and pursuant to Rule 29(c)-3, the following Bills in Resolution have been ruled exempt on October 30, 1985: House Bills 516, 1962 and 2553, Senate Bill 1037 and House Resolution 831. John Matijevich, Chairman."

Speaker Greiman: "Message from the Governor."

Clerk O'Brien: "'To the Honorable Members of the Illinois House of Representatives, 84th General Assembly, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 257, entitled, 'An Act to amend Sections of the Illinois Income Tax Act,' approved July 1, 1969, as amended, with my specific recommendations for change. Sincerely, James R. Thompson, Governor.'"

Speaker Greiman: "We have been standing at ease. We will stand

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at ease for just a couple more minutes to give Members an opportunity to get back to the floor and then we will begin to address our business. So, in just a couple more minutes, we will be beginning the call. House will be in order. On page 6 of the Calendar on Amendatory Veto Motions appears Senate Bill 527. The Gentleman from Cook, Mr. Preston. Mr. Preston. Preston, you have to open your mouth and begin to speak. There you go."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is, again, the override Motion on Senate Bill 527, which requires the Department of Commerce and Community Affairs to provide technical assistance to organizations that try to start food donor programs. We discussed this yesterday and we fell three votes short and I spoke to some people on the other side of the aisle, as well as to some people who were absent and Senator Carroll, who is the Senate Sponsor, spoke with representatives of DCCA. There is no major objection to overriding the Governor's veto. The Governor... This is not on the Governor's hit list. What the Governor's veto did to the original Bill was to cut DCCA out of it. It's important that DCCA be in it, as I explained to a number of Members because they are... that is the organization that deals with big business and it is, indeed, this big business, the large companies in Illinois that provide the funding and provide the foodstuffs to use in the food donor program. There is almost no cost to the State of Illinois at all. DCCA now has some assistance available to people starting up these programs, but they have no statutory authority to provide that assistance, though they are doing it anyway in many cases. This gives them the statutory authority for that and I'd ask for your 'aye' vote."

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

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that the... that this Bill pass, the specific recommendations for change of the Governor notwithstanding, and on that, is there any discussion? The Gentleman from Cook, Mr. Piel."

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

Speaker Greiman: "Indicates that he will."

Piel: "Unless I misunderstood you, Representative Preston, you said that DCCA is now in favor of the Bill?"

Preston: "No, no, I did not say that. What I said was that DCCA now provides some of this information to people who want to start up food donor programs, as does every state department, if they were called by someone."

Piel: "You said that Representative... or Senator Carroll had talked to DCCA and the impression that you gave the chamber was that they are supportive. What is... Is DCCA..."

Preston: "No, it is not my understanding that they are... DCCA hasn't talked to me that they are in support or not in support of the Bill, either way."

Piel: "In other words, they don't have the statutory authority to do that, correct?"

Preston: "No, this would give them that statutory authority. That's the reason for this Bill is to give them the statutory authority to do it."

Piel: "Thank you. To the Bill, Mr. Speaker."

Speaker Greiman: "Proceed, Mr. Piel."

Piel: "Ladies and Gentlemen of the House, obviously the Bill hasn't changed at all since we defeated it yesterday and I would just ask for a resounding 'no' vote."

Speaker Greiman: "Mr. Preston."

Preston: "Thank you, Mr. Speaker. The confusion of Mr. Piel notwithstanding, I'd ask for a resounding 'aye' vote."

Speaker Greiman: "Excuse me. Excuse me, Mr... Actually, after I

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called on you, Mr. Friedrich sought recognition. Mr. Friedrich, always courteous."

Friedrich: "Would the Sponsor yield?"

Speaker Greiman: "Surely."

Friedrich: "Is this a new activity of government we're... you're proposing here?"

Preston: "Well, it's... that's a little difficult to answer. No, it's not a new activity of government. Any state department right now, I would assume, would try to give whatever help they can to any organization that asks for assistance. Certainly that would be the case, I would hope, with DCCA right now. But they don't have the statutory authority to give the technical assistance... if I may finish, Mr. Friedrich."

Friedrich: "This not only gives them the statutory power..."

Preston: "May I... May I finish my answer to your question? This gives them the statutory authority, which right now they lack, to provide assistance to organizations like the Salvation Army and other charitable organizations that have food collection and food distribution programs."

Friedrich: "Well, Mr. Speaker, to the Bill."

Speaker Greiman: "Proceed, Sir."

Friedrich: "I'm sure this is a worthy cause, but every time we give an agency statutory authority and so on, you are expanding government. We have expanded government around here to where government is protective for everything, it's responsible for everything that happens. The state budget has gone from \$5,000,000,000 for two years to \$18,000,000,000 for one year. Now, we are going to add another layer and give another function of government a responsibility and a duty and so on. Bureaucrats like this because that gives them a chance to add more people. In the service, I noticed that the C. O. always liked to have

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a new deal because he could add more men and give him a little more rank and that's what goes on all through government. And we have gone and multiplied government twenty times in a very short time. How much load can the taxpayers bear? I don't suggest that this is not a worthy cause, but how much government do you want?"

Speaker Greiman: "And, Mr. Preston, you may close."

Preston: "Thank you, Mr. Speaker. The... There is some confusion, apparently, on this Bill. There is no cost factor to this Bill. There's no appropriation that's been set aside for funding this technical assistance initiative. Is this working... and if the Director of DCCA is, indeed, featherbedding that organization, perhaps that should be looked into. I don't know, you know, about this government that you are talking about with all these jobs and the bureaucracy being built up. I think that's terrible, Representative, and if that's taking place, I agree with you. That should not take place and we should perhaps look into making changes. But as far as this Bill is concerned, this Bill doesn't do any of that. This Bill simply asks for technical assistance and gives statutory authority to a department that right now provides some assistance to give assistance to people who want to have a charitable food donor program. It costs nothing. The money is borne by private industry. This is private charitable funds to collect and distribute food to the poor. That's all this does and I'd ask for your resounding 'aye' vote."

Speaker Greiman: "The question is, 'Shall the House override the Governor's specific recommendations for change?' All those in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Voting is now open. The Gentleman from DuPage, Mr. Barger, one minute to explain your vote."

Barger: "Thank you, Mr. Speaker. As you can tell from the

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initials, DECCA, that's the Department of Commerce and Community Affairs. It... A few years ago, the two departments, the Department of Community Affairs, which has to deal with the problems of local government, and the Department of Commerce were combined. They have functions to perform which are to improve the commercial relations between our communities and the states and the other countries surrounding us. But none of the duties of the Department of Commerce and Community Affairs has to do with this particular type of solicitation. This is best being left to a welfare department, Department of Public Aid, or someone who should be properly involved in it and I suggest very strongly that we all vote 'no' on it."

Speaker Greiman: "Mr. Preston, one minute to explain your vote."

Preston: "Thank you, Mr. Speaker. The Gentleman that previously spoke is suggesting that it is not DCCA that should be giving out this assistance, but Public Aid. I would submit that the Department of Public Aid has all that it can handle right now without getting involved in a new layer of bureaucracy to now go into talking to big business in Illinois, which it doesn't do on a normal basis. The Department... DCCA is the state department that does deal with large corporations in this state and that's why DCCA was picked to be the one to do it. It's no magic. If the Governor prefers some other department, that's not what he said in his veto message. If he would prefer Public Aid, we would have discussed it with Public Aid, but DCCA, from all the organizations involved and all the charitable organizations involved felt that DCCA was the one most likely to handle just giving a little technical assistance. We are not asking for much. We are not asking for them to spend any money, just a little technical assistance."

Speaker Greiman: "Have all voted who wish? Have all voted who

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wish? Mr. Clerk, take the record. On this question there are 64 voting 'aye', 50 voting 'no', none voting 'present', and this Motion, having failed to receive the required Constitutional Majority, fails. Ladies and Gentlemen, on page 5 of the Calendar appears Total Veto Motions, page 5 of the Calendar. And on that appears Senate Bill 209. The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Mr. Speaker, I believe I'd like to take it out of the record until Representative Vinson can return to the floor."

Speaker Greiman: "Alright, out of the record. 290... Senate Bill 291, out of the record. Total Veto Motions, Senate Bill 576, Mr. Kubik, Gentleman from Cook."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 576 amends the Horse Racing Act to provide monies in the Illinois Race Track Improvement Fund that may be used to reimburse tracks for the expense of providing for overflow facilities at other tracks. What this basically means is that if you have a track which is running horses and you have what we call a dark track, which is a track that is not running horses, if the... if there are more horses that are running at the live track and they need to use the dark track, this fund would allow these facilities to access money to pay for those expenses. I might point out that the money that will be used is not provided by the state. It is provided by the race tracks. What it essentially does is allows the race tracks to access this money which is held in a special fund. The Governor vetoed the message... In his veto message, he pointed out that there was no control on this measure, but the Illinois Racing Board will be able to... before any money is disbursed, the Illinois Racing Board will look at each and every expense and approve it."

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Subsequent to my discussion with the Governor, they have removed their opposition to this particular Bill and it passed 58 to nothing in the Senate, 116 to nothing in the House. It was overridden in the Senate and I know of no major opposition to the Bill. I would ask for your favorable vote."

Speaker Greiman: "Gentleman from Cook has moved that the House override the veto of the Governor, and on that, is there any discussion? The Gentleman from McLean, Mr. Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. This certainly is a very practical approach to a problem area. You know, instead of spending a lot of money and maybe building new facilities in certain tracks, this would allow other tracks who are not operating at that particular time, by that I mean not racing, to utilize some of their empty space. It's a good approach to a serious problem and I urge your support of this override."

Speaker Greiman: "Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Greiman: "Indicates he will yield for questions."

Cullerton: "Representative Kubik, I wondered if I could ask you a question concerning the Governor's initial reaction to the Bill, which was to veto it. He indicates that he's concerned about this money which is to be used normally for improving the physical plants. His concern is that this would be used to underwrite other operations and in reading the Bill, I only have an analysis here. I haven't actually... the actual Bill. Maybe I could question you on this. Is the money specifically limited for the purposes of making capital improvements to facilities at non-operating tracks. Or is it... Could it be arguably used for... to underwrite operations?"

Kubik: "Okay... What the Race Track Improvement Fund presently

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does is provides money for capital improvement and maintenance of tracks, all tracks. What happens, John, is that the money which is put into the fund is put in by individual tracks. Each track has their own fund. This money is disbursed by the Illinois Racing Board. What we are doing in this case is allowing them to access this money. This is a change in the fund, but we are allowing them to access this money. But what I would like to point out is that the Racing Board will have the authority to stop any payments that they do not think are necessary."

Cullerton: "Well, let me... Let me repeat my question. The question is, 'Does the Bill specify under what circumstances they can spend the money?' In other words, as I understand this, this would allow for non-operating tracks, that means let's say, for example, say they were running at Hawthorne and Sportsman's is next door, this would allow for Sportsman's to take money to improve their training facilities even though they are not operating at that time? Is that what is contemplated? Give me an example of a non-operating track and an operating track."

Kubik: "No, no. What this does... Let's take an example of Sportsman's and Hawthorne. If Sportsman's is running and they have a certain number of stables in which to accommodate horses and et cetera, many times - as a matter of fact most of the time - they do not have enough stables available, stable space. What happens at the present time is they go over to Hawthorne, which is not running, and allow them to use that stable space. Right now, the race track... the owners of the horses would have to pay for those expenses whereas, if they were at... if they were housed at Sportsman's, they don't have to pay. What this allows is for these tracks to access this money in order to pay for those expenses at the dark... at the 'dark track'."

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Cullerton: "So that the horseman wouldn't have to pay."

Kubik: "Correct. Correct."

Cullerton: "So, it's a way for the horsemen to get into the Race Track Improvement Fund."

Kubik: "Correct. And what... If you look at the legislation, right now if you are not lucky enough to be housed at Sportsman's and you are over at Hawthorne you just pay... you end up paying whereas if you were at Sportsman's, you don't pay for those facilities. This is a compromise between..."

Cullerton: "And so the Governor's original reaction was since this is not really being used to upgrade the stables but rather being used, in effect, to pay for the operations and the maintenance of the tracks... of the stables, that therefore he vetoed it. Now, you have indicated that he since has..."

Kubik: "I have talked to the Governor's Office and they have removed their objections to it on two grounds. First is that they recognize that none of the payments would be made without the approval of the Illinois Racing Board so there would be an authority that would be looking at these payments. Secondly, we have agreed to come back in the spring with another piece of legislation that would put a statutory limit on the amount of money that could have been drawn out of this fund."

Cullerton: "Well, the... Is there a limit? As I understand it, the money that can be drawn from the Race Track Improvement Fund is limited right now to the amount that that individual track put in. Is that correct?"

Kubik: "Correct."

Cullerton: "So in this case, your example, would the limit be the limit imposed on Hawthorne or the limit imposed on Sportsman's?"

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Kubik: "The limit..."

Speaker Greiman: "The Gentleman... Are you waiting... He's waiting for the question?"

Cullerton: "He's answering a question. He's... He's answering a question."

Kubik: "The limit..."

Speaker Greiman: "Proceed, Sir."

Kubik: "The limit would be on Hawthorne."

Cullerton: "Because Hawthorne would be the one to be reimbursed?"

Kubik: "Right."

Cullerton: "Now, what is the position of the Illinois Racing Board as to this particular veto message or override Motion?"

Kubik: "I know... I don't know. I don't know. All I know is the Governor's Office has changed their... their opinion."

Cullerton: "And the Governor appoints the members of the Racing Board."

Kubik: "Correct, like he does with McCormick Place and other various governmental agencies."

Cullerton: "Okay. Half of McCormick Place. Well, I think it makes sense. I can see where there is a inequity here for some horsemen to be charged and others not to be and it seems like it's a logical fund to dip into in order to rectify the problem. So, I would support your Motion."

Kubik: "Thank you."

Speaker Greiman: "The Gentleman from Vermilion, Mr. Woodyard."

Woodyard: "Thank you, Mr. Speaker. Good morning and goombye. Goombye. Will the Sponsor yield?"

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

Woodyard: "Representative, I may have missed part of the debate on this... on this issue. Will this have any impact on county fairs that are now available or they get funding for track improvement? Will it have anything to do with that

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or are we talking about just the parimutuel tracks?"

Kubik: "It will not impact on county fairs."

Woodyard: "In other words, they have a limit... limited amount of money that they get from... I think it's the Race Track Improvement Fund."

Kubik: "Well, Representative, the money that is in the Race Track Improvement Fund comes out of the parimutuel taxes that are generated by the track so that the limit is on the track itself. So, it would not impact on that... on this county fair track at all."

Woodyard: "Okay, so if a small county fair that has a track but not parimutuel betting and they get like \$1500 a year, they would still be getting that, wouldn't they?"

Kubik: "Correct."

Woodyard: "Okay."

Speaker Greiman: "Further discussion? The Gentleman from Livingston, Mr. Ewing."

Ewing: "I wanted to move the previous question. Maybe that's not necessary."

Speaker Greiman: "Seems like it's not necessary, so we'll allow Mr. Kubik to close."

Kubik: "I would just ask for an affirmative vote. I think it allows the tracks a little more flexibility, allows the horsemen to be reimbursed. Incidentally, this is not put forth by the tracks. It's put forth by the horsemen. I think it's a good concept and I would appreciate an 'aye' vote. Thank you."

Speaker Greiman: "The question is, 'Shall this Bill pass, the veto of the Governor notwithstanding?' 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 103 voting 'aye', 3

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voting 'no', 6 voting 'present', and this Motion, having received the required Three-Fifths Majority, the Motion to override prevails. Ms. Stern, the transcript will indicate that you wish to vote 'aye' on this Bill. On the Order... On page 5 of the Calendar, Total Veto Motions, appears Senate Bill 1129. Out of the record. We'll be back there. Mr. Cullerton, are you prepared now to proceed on Senate Bill 209? Alright. Then on the Order of Total Veto Motions appears Senate Bill 209. The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. My Motion is to override the Governor's veto on Senate Bill 209. In discussing this matter yesterday, I believe I inadvertently left out some important provisions of the Bill which I think would, now that they are properly explained, would alleviate some of the opposition. The Bill deals with providing an income tax deduction for a taxpayer who contributes to a certified community based organization. The... The Bill also creates the Office of Coordination of Gang Prevention in the Department of Law Enforcement. Now, the information that I think is relevant is that DCCA must certify which community based organizations are eligible to receive the contributions. So, if DCCA does not certify anyone, then there is no deduction and there is absolutely no economic impact on the treasury. So, we are giving the discretion to DCCA to determine the fiscal impact of the Bill and also there was some concern expressed about some organizations which are really, in effect, gangs themselves being eligible for receiving some of the money. And, of course, this is the very opposite of what the Bill was intended to do. The Bill was intended to provide money for various organizations that would, among other things, fight the

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gang crime. So, we have assurances from DCCA that they clearly will not certify any community based organizations which do not have the highest purposes and for that reason, I believe that it's something which should be supported. There's a definite cap on the amount of money that can be potentially deducted and there's also the control of DCCA being able to just, in effect, determine that something is not eligible and as a result, the Bill may not cost any money. It just would be dependent upon DCCA. I would point out that actually in the Bill, written in the Bill, is no individual enterprise may receive a deduction of more than \$250,000 in any one year. And also, no one group can receive a grant higher than \$50,000. So, I would also point out that in the past when this Bill has passed, the Governor has vetoed it. He vetoed it because among other things it was a tax credit. This Bill is not a credit, but involves a deduction, and as a result, I believe it's something we can support and I would move to override the Governor's veto."

Speaker Greiman: "Gentleman from Cook, Mr. Cullerton, moves for the passage of Senate Bill 209, the veto of the Governor notwithstanding, and on that, is there any discussion? The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Would the... Would the Sponsor yield?"

Speaker Greiman: "Indicates he'll yield for questions."

Friedrich: "I'm wondering why the business place or individual would not be allowed a deduction now? It's for... if it's to a contribution to a not-for-profit group which has been approved as a not-for-profit group. Why wouldn't it be a deduction now without this Bill?"

Cullerton: "My understanding is that that deduction could be taken on a federal income tax but we have no... no such provision in the Illinois Tax Code for a deduction."

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This..."

Friedrich: "It is already deductible for federal tax purposes?"

Cullerton: "Right."

Friedrich: "The kind of things you are talking about?"

Cullerton: "Right, I would assume so, right. There is no need for any certification by DCCA, of course, but I would assume that you are talking about the Federal Tax Code. They do allow contributions for..."

Friedrich: "And it would be a credit against income, as opposed to a direct deduction from the tax itself?"

Cullerton: "Right, and I... and I think that this... well, this does involve not for profit organizations, so I believe there would be that federal deduction. Of course, as I pointed out yesterday, they are changing those laws or..."

Friedrich: "Well, no, I mean though it's a credit against income as opposed to a credit against directly against the tax. In other words, if I contribute a hundred dollars, it's a hundred dollars off of my income as opposed to a hundred dollars off my tax?"

Cullerton: "Right, right, so it's not a credit."

Friedrich: "Okay. Thank you."

Speaker Greiman: "Further discussion? The Gentleman from McLean, Mr. Ropp."

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

Speaker Greiman: "Indicates he'll yield for questions."

Ropp: "Representative, do you think in an effort to reduce the cost of government pretty soon we can put every agency under the direction of DCCA?"

Cullerton: "Well, DCCA has grown over the years and in its obligations, we, in the Legislature, has given it tremendous powers over the years. For the most part, they have done a fairly good job and I think in looking for the appropriate agency to put some limits on this particular

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type of a Bill so that someone can determine who should be eligible for a grant that DCCA would be the logical agency."

Ropp: "Well, it just seems that since the Governor has already requested close to \$2,000,000 for gang dealings in law enforcement already that we ought to see how that's going to work out rather than to continue to pour on more and more new programs almost every day we are in Session."

Cullerton: "Well, wait a minute. This is not... This is... Wait a minute. Now, let's not... Let's focus on what the Bill does. It's not a new program. As a matter of fact, instead of having the government directly spend money, as you have alluded to, this is in more of the traditional Republican theory of letting private industry make these contributions. We are giving some 'noodge' by providing a deduction on the income tax, that's true, but it's not a direct state appropriation. And for that reason, I think it makes more sense, perhaps, than what you alluded to, spending \$2,000,000 outright through some governmental bureaucracy. This is a direct grant from a private business to a not-for-profit organization with a slight state assistance."

Ropp: "But I understand that we also, if this should pass, ultimately we end up setting up two new agencies in state government to operate this particular program that you requested."

Cullerton: "No, no, there was an Amendment that Representative Bowman added, okay, which dealt... which created the Office of Coordination of Gang Prevention in the Department of Law Enforcement. That is entirely separate from..."

Ropp: "Yeah, but if this Bill passes, that is also a part of the Bill."

Cullerton: "Yes, that's right and I mentioned that when I

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presented the Bill. It creates the Office of Coordination of Gang Prevention in the Department of Law Enforcement. That is correct, and Representative..."

Ropp: "So that is... That is a new cost of government, should this Bill be overridden."

Cullerton: "Well, I don't know whether or not there was any appropriation added to the Department of Law Enforcement to provide for the Office of Coordination of Gang Prevention. All I can tell you is that that was set up for the purposes of consulting with local governments and school districts and assisting them in gang control activities, to administer grants to those bodies which have demonstrated workable plans to reduce gang activity and it may be that the Department of Law Enforcement can restructure themselves from within so as not to increase their number of employees, but just shift some priorities. That's up to them. We don't spend any extra money here unless we appropriate it and this is not an appropriation Bill."

Ropp: "No, I know this isn't the appropriation, but if we are going to set up a... at least a separate agency within an agency that ultimately money will come. I guess in this Body we have seen an awful lot of money go in to deal with gangs in Chicago and in most part worthy. I guess I'm wondering whether or not, in fact, if we shouldn't spend some money higher... let's say a basketball coach and urge all those young men and ladies to play basketball all winter in an organized effort or baseball all summer in an organized effort to actually keep them busy. If we are really attempting to address the problem, then we ought to address it by trying to keep young people busy rather than to decide how..."

Cullerton: "Alright then, let me get back to the Bill. The Bill provides for an incentive for businesses to give money to

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local not-for-profit agencies, private community organizations. That's exactly what those community organizations do. They sponsor such sporting events. That's what the purpose of the Bill is. So, again..."

Ropp: "How come you're handling such a good Bill, then?"

Cullerton: "Well, it was a mistake. Senator Marovitz wanted someone else to sponsor it and I picked it up by mistake."

Ropp: "Thank you."

Speaker Greiman: "Goombye to the Gentleman from Vermilion, Mr. Woodyard."

Woodyard: "Thank you, Mr. Speaker, Members of the House. We debated this Bill the other day and I understand there may be some kind of deal been cut on this thing, but I do want the Members of the Body to understand the impact that this Bill will have. Nowhere in our Revenue Code at this time, it's my understanding, do we have any kind of carry forward deduction. That's what we are establishing. We are establishing a new tax precedent, and I, quite frankly, don't believe that we should be establishing that new tax precedent within this Bill at this time."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's my understanding that the particular negative feature of this legislation when we considered it before dealt with the potential for unsavory community groups to be eligible for this funding. The Sponsor of the measure has been working with the Governor's Office to develop an agreement about the appropriate kinds of groups that could be embodied in cleanup legislation. And at this time, the Governor's Office has removed its opposition to the Bill because there is now recognition on the part of the Sponsors that that problem has to be addressed and can be addressed and there is agreement on that. So, given that

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kind of understanding and the fact that we are going to create a screen to winnow out the kinds of groups that we were concerned about funding in this process, I have no opposition to this Bill."

Speaker Greiman: "There being no further discussion, the Gentleman from Cook, Mr. Cullerton, to close."

Cullerton: "I would just ask for a favorable Roll Call, please."

Speaker Greiman: "The question is, 'Shall this Bill pass, the veto of the Governor notwithstanding?' All those in favor, signify by saying '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 74 voting 'aye', 40 voting 'no', none voting 'present' and this Motion, having received the required Three-Fifths Majority, the Motion to override prevails. Mr. Cullerton seeking recognition?"

Cullerton: "Yeah, I believe you said 'fails'. I believe you meant 'passed'."

Speaker Greiman: "Prevails. Prevails."

Cullerton: "Well, I think you should use the word 'passed'. We can hear it better on this new sound system."

Speaker Greiman: "Alright. So there is no question, however, on the last Bill, the Motion having received the required Three-Fifths Majority, the Motion to override prevailed. On the Order of Total Veto Motions appears Senate Bill 1322. The Gentleman from Macon, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. 1322 is a Bill I won't take a lot of time about because it has been called previously. I'd just like to remind the Members that it is a Bill which would provide for a new pilot program for small businesses to establish an inventor in residence program at our colleges and universities in this state. It has a maximum statewide

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cost of \$150,000. No college or university can receive more than \$30,000 and for every dollar they receive from the state they will have to match it with a dollar of their own money. So, it really is not much of an expensive program. This Bill passed the Senate 59 to 0 and passed the House 114 to 0. There was no controversy. I don't know why there would be any controversy now and I would ask for a favorable vote."

Speaker Greiman: "The Gentleman from Macon, Mr. Dunn, has moved for the passage of this Bill, the veto of the Governor notwithstanding, and on that, is there any discussion? There being none, the question is, 'Shall this Bill pass, the veto of the Governor notwithstanding?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 68 voting 'aye', 48 voting 'no', 1 voting 'present' and the Motion having failed to receive the required Three-Fifths Majority, the Motion to override fails. Mr. Young on Senate Bill 1129. Do you wish to proceed on that at this time? Alright. On the... On page 5 on the Order of Total Veto Motions appears Senate Bill 1129. The Gentleman from Cook, Mr. Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1129 is the minority controlled and female controlled loan board. In the Governor's veto message, he mentions the fact that it is for selected counties within the state, but as we said yesterday, it is merely a pilot program and once it is shown to be effective in those selective counties, it will be used on a statewide basis. This Bill is very important to the development of female owned and minority owned businesses. This is not a

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welfare Bill. This is loans that will be repaid by the business community and most important, it will create jobs at a time when new jobs are greatly needed in this state. I would urge your support."

Speaker Greiman: "Gentleman from Cook moves the passage of this Bill, the veto of the Governor notwithstanding, and on that, is there any discussion? The Gentleman from Cook, Mr. Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Most of us understand that this proposition has been before the Assembly on a couple of occasions. But I just want to share with the Assembly the conversation that we were fortunate to have when we had Reverend Jesse Jackson in Springfield a couple of weeks ago and we met with the Republican Leader in the Senate, Senator Pate Philips, who I think most of us know is a pro-business legislator and has a point of view that is somewhat different than some of us on this side of the aisle. But in discussing this Bill with Senator Philips, he made an interesting observation that I want to share with the Members of the Assembly. He said this is a type of legislation that the General Assembly should support because this type of legislation creates an alternative to welfare and he's exactly right. It does create an alternative to welfare. If you are pro-business, then you should vote for 1129. 1129 is not any different than the enterprise zone legislation we have set up in this state which makes separate and distinct areas of the state worthy of some financial assistance. This legislation is no different than the tax incremental financing districts that we have created in this state to enhance commerce and industry. So, for those who would argue that the Bill in some way discriminates against counties not included,

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that's a pretty bogus and specious argument when the fact of the matter is this Bill is for small business, small business minority and female owned businesses who need the venture capital necessary to expand the economy. So on the one hand you can't tell me that you are for expanding the business climate and against welfare and tell me that you are against 1129, for if you are against welfare, you are for 1129 and if you are pro-business, you are for 1129. The Bill, in fact, does no more and no less than allow those businesses to have the venture capital that they need for a period of twenty years at a reasonable rate, a rate somewhat less than the conventional rate from financial institutions. It's a good Bill. We should have a tremendous number of green votes on this Bill from the pro-business side of the aisle. I urge an 'aye' vote."

Speaker Greiman: "Gentleman from Marion, Mr. Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker Greiman: "Indicates he will yield for questions."

Friedrich: "If you are trying to stimulate business in Alexander and Pulaski County, why wouldn't you make the same loans available to a white male?"

Young: "Because white males have not been shown by the courts in this state to have been discriminated against. The purpose of this legislation is to help businesses who in the past have not been able to partake in the economic community to the same degree as businesses owned by white males. It has been recognized that businesses owned by females, white and minority, and by blacks and Hispanics have not been allowed the same participation that has been afforded white males."

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

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, when I was in law school, people were fond of talking about a cost benefit analysis of different

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questions that were presented to us and I suggest to you that if you take a cost benefit analysis of Senate Bill 1129 that you will vote 'yes' and vote to override the Governor's veto. As has been suggested by previous speakers, we will pay one way or another for the continuation of exclusion of people from our business community. Business is good for the state. Business is good for the communities that are... that are... that will benefit directly from this Bill. Why? Because the alternative to business is poverty. The alternative to business is unemployment. The alternative to business will be... will be further reliance and dependence on support from other sources. You will either pay by a larger welfare budget or you will pay by larger appropriations for the jails or you will pay by having to pay for unemployment insurance and other costs associated with the fact that there is outrageous unemployment in the very communities that are represented in this legislation. We are talking about communities that have unemployment rates as high as 50 percent... as high as 50 percent. If you are going to do something about that unemployment rate, then it makes sense to make a small set aside of some additional dollars to allow people..."

Speaker Greiman: "Proceed."

Braun: "Thank you. To allow people the opportunity to go into business. We are talking about people who don't have access to venture capital, who don't have access to the money necessary to get the cottage industries off the ground, to get the new entrepreneurial efforts off the ground. We can help provide that... that seed money from this Legislature if this Bill passes into law. I encourage you in the interest of the... of all of the people of the State of Illinois to go forward and vote for this Bill

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because it will, in the final analysis, save us all a lot of money in terms of lost lives, in terms of lost jobs, in terms of lost opportunity for people who want to participate in the economic mainstream of this state and this country. I encourage your support for Senate Bill 1129."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Despite the earnest entreaties and comradely advice of Representative Bullock, I rise in opposition to this Bill. I rise in opposition to this Bill perhaps some people would find in distinction to my previous record where rather consistently I have supported the concept of special business arrangements for minority and female groups. I rather consistently supported the concept of set asides for them in the... in my history in the General Assembly because I believe that that is an appropriate way for us to help move them into the mainstream of America. I think the concept of black capitalism is a good concept. This particular Bill is a bad Bill. This is, I think, the first Bill in this general area that I have opposed and I oppose it because the way this Bill is written, it only applies to three areas in the state. Now, there are minorities and blacks and Hispanics in every county in the state. You know, you might find it surprising, but I have a rather substantial Hispanic population in DeWitt County in my district. This Bill ignores them. This Bill ignores women who want to get into business in central Illinois. And it ignores blacks in central Illinois. It is a bad Bill. It represents the very worst aspects of the general concept of affirmative action because not only does it run the potential risk of discriminating against the majority, it runs the risk of discriminating against the very

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minorities it's intended to help. I can't think of a worse Bill for this General Assembly to enact and I would strongly support the Governor's veto. I urge a 'no' vote on this Motion to override."

Speaker Greiman: "Gentleman from Saline, Mr. Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'll have to say I agree somewhat with the previous speaker's comments and, in fact, my intentions of supporting this Bill is not to isolate its effectiveness in a couple of counties in my district in which it addresses because I feel it has more far reaching potential than that. However, we must start somewhere and to acknowledge that there is a problem in severity and extremity as there is in two counties in my district is to be realistic and open your eyes somewhat. I challenge anyone in this Assembly to compare the lines of unemployment in their areas to Pulaski and Alexander County, come and view the cheese lines in those two counties and I'll tell you between 20 and 28 percent unemployment, you will, I think, much more lend support than even this Bill to what can we do to alleviate such problem. I can envision, in a few years possibly, if we are successful in turning around this trend, that we may be coming back and asking that now white male minorities or whatever would be... need to help to get into business in somewhat of the ventures similar to this. That is not the case now and the statistics support it. I say if we got those statistics, we need to penetrate those areas that have the greatest need. This is one way in doing that and I rise in support of this concept."

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

Huff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It is absolutely clear that one of the things that this Bill is uncovering is the unbridled hypocrisy that

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abounds on the other side of the aisle. I recall when this Bill was originally drafted, it included all the counties. That wasn't acceptable. And then it had to be limited to these four counties that is mentioned in the Bill and now that's not acceptable. We didn't make this argument, Ladies and Gentlemen, when another Member of this aisle sought financial support for the Caterpillar plant and a half a dozen other plants that were in financial trouble. You know, you try the faith and the patience of the saints, Ladies and Gentlemen. We have a terrible consequence to pay for the hypocrisy that we are showing the world. We invest billions of dollars in South Africa and South Africa exports to us unemployment. We are making slaves of the unemployment lines by dealing with this hypocrisy policy that we have in South Africa. And the reason I mention South Africa is because we are importing... we are exporting South African coal at a time when coal miners in Representative Rea's district are unemployed. We are importing South African steel at a time when the steel workers are unemployed structurally. They are never going to go back to work and what stands as a mute evidence of that is the steel plants that are being torn down. We are going to pay a terrible price for our hypocrisy unless we wake up our eyes... unless we open our eyes. And furthermore, I am almost willing to submit that the only thing we haven't exported from South Africa is its Constitution, and that may be coming next."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Stephens."

Stephens: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, sometimes when we try to encourage those less fortunate, we try to make it easier on them, thinking that if we can just make it easier that somewhere down the road that they will have the opportunity to appreciate

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those finer things in life that many of us are accustomed to. About 15 years ago, when I was in college, I had no guarantee that I would graduate. I had no guarantee that I would be able to pay my way through, but I made it through college and when I had the opportunity to go into business, there was no guarantee that I could get a low interest loan or that I could even get money at all. But I went out and borrowed a little bit of money and through work and doing without some things, was able to bring myself from the poverty that I inherited from my parents to some degree of security that I now provide to my family. I think that if we are going to go into the depths of East St. Louis, where the unemployment, by the way, is not the highest in the county. The highest unemployment is St. Clair County is found in Belleville, which is predominantly white and male as the businesses are owned. Unemployment there in East St. Louis is 10 percent so I don't think we are addressing that problem. If we are going to help those people, we need to show them that they have one thing that really is an American tradition, an ability to fail. I think that every time we try to make it easy for people and show them that there is no chance of failure that we take away the very security that they really had by knowing that there is no guarantee. The ability to fail in America is what inspires many of us to work those extra hours and not have that guarantee that, well, if we just go home at 4:30, we don't have to worry because there is no chance to fail. We have a low interest three percent loan for 20 years. For goodness sakes, think about the people down the street who are struggling to pay off their 13 percent, 17 percent loans who are working so hard seven days a week because there is a chance that they will fail. Every time we move in America and here in Illinois and in East St. Louis or

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Alexander County or where ever it is to take away the chance to fail, we are doing a disservice to the very people that we think that we are servicing. So, I stand in opposition to this Bill and I would like to see as many red votes as possible for the very people that we are trying to help."

Speaker Greiman: "The Gentleman from Madison, Mr. Wolf."

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

Speaker Greiman: "Gentleman from Madison moves that the previous question be put. Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Previous question will be put. The Gentleman from Cook, Mr. Young, to close."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In closing, if I could just respond to a few of the remarks made during debate. First of all, I urge all those who might consider supporting this Bill not to be fooled by the bait and switch used car salesman tactics of some of the opponents of the Bill who indicate that the Bill should be defeated because it's not a statewide Bill. These same people would rise on a statewide Bill and point to the cost of an unproven product and would urge its defeat on that basis. So, again, this is a pilot project that once proven successful will be used on a statewide basis. Secondly, to my colleague on the other side who has the unbelievable notion that unemployment in East St. Louis is 10 percent, I ask him to please go with me and the Representative from East St. Louis and we will take him to the areas where the unemployment is, in fact, 50 percent. And finally, I think that colleague gave the best argument for the passage of the Bill. The loans that he was able to receive and pay back in good faith, this Bill recognizes the fact that there is a large segment of this state's population that

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cannot receive the same loans that the Gentleman on the other side of the aisle receives and that should they receive loans, their businesses will, in fact, flourish. They will hire new employees and the money will be paid back. This is no guarantee against failure. This board will screen the loans properly. They will, in fact, make sure they will go to businesses that will properly use the money to help create employment so that we can come back to this Legislature and ask for a statewide program based on the success of this program. I urge your 'aye' vote."

Speaker Greiman: "The question is, 'Shall this Bill pass, the veto of the Governor notwithstanding?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. The Gentleman from Cook, Mr. Brookins, one minute to explain your vote."

Brookins: "All my life I have heard of pulling yourselves up by the bootstrap. This Bill will give a large segment of the population an opportunity to do that. The speaker spoke of a right to fail, that the only things that the Americans give us... or United States is a right to fail and how he, the all American boy, walks into a bank and gets that right to fail. But let me inform him that it's a little different when you walk in and you are not the all American boy. You do not get the bank loan. You do not even have the right to fail. Furthermore, the only right that you ever have is the right to starve to death and die in the slums in the City of Chicago on the north and southwest side. Give them a chance. We are talking about employment. We are talking about hiring their own. We are talking about giving the opportunity for people to pull themselves up by their bootstraps. Let no all American boy come to me and tell me about the right to fail. It's an inherited birthright for me to fail. I vote 'aye'."

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Speaker Greiman: "Gentleman from Cook, Mr. Shaw, one minute to explain your vote."

Shaw: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. You know, I'm very concerned about this Bill. We don't have enough green votes on this Bill, but I'll remind some of the people on the other side of the aisle, we are not asking for anything that is a precedent. In Europe, after World War II, this government put billions of dollars into Europe to rebuild the cities and I would remind you that the only thing that we are trying to do here is give people an opportunity to go to work. The factories as we have known them in this country no longer exist. There is never going to be enough factory jobs for all of our citizens. The only thing that we are trying to do here is start a pilot program where that we can see how it work and then extend it to the rest of the state. I remind the Republicans there, you talk good and I'm talking about the liberal Republicans, if there is any, and you might vote for this legislation. This is a good piece of legislation. You will get up and talk about the prisoners, how many jails we are building in Illinois, what the cost is. This will cut the cost of those jails. This will cut the cost of public aid. I don't understand why you would vote against this Bill. There is no reason why you would vote against this Bill. Not only that, the burglaries, stickups and all of that, this would eliminate a great portion of that. It's not enough to talk about it. Let's do something about. You have an opportunity today. You should put some more green votes up on that board."

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

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Bill for the reasons that

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were articulated by Representative Shaw. This is not a hand out. This is an investment that will bring money to the state coffers. This makes loans available so people will get off the welfare rolls and get on the tax rolls and not just get on the tax rolls for themselves, but enable them to employ other people who are right now unemployed or indeed unemployable. This makes every bit of sense to build up the economy of this state. It's no different than what the Federal Government did for Continental Bank. It's no different than what this state government did for Chrysler, as did other state governments. It makes sense to make an investment that will fill the treasury of this state and I'd ask others to get on there with green votes."

Speaker Greiman: "Mr. Vinson, one minute to explain your vote."

Vinson: "No, Mr. Speaker, just to request a verification in the unlikely event that this appears to get the requisite majority."

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

Johnson: "What if you don't live in East St. Louis, Chicago, Alexander or Pulaski County? What if you are not a classified under this Bill as a minority? Don't we have any ability in this state to try to treat the various sections geographically of the state and the various individuals in our state equally? You know, it seems to me that some of the people who have been the most vocal now in promoting this Bill and supporting this Bill are the very people who talk time after time and Bill after Bill about equal access and equal opportunity. Well, it seems to me that this Bill is exactly the antithesis of this. I have had a number of constituents over the last two or three years in this program and related programs say, 'Don't I have the ability and ought not I have the ability to feed

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my family and make my businesses go as well?' This Bill seems to be working against everything that those people say they believe in and everything that I think the vast majority of the people in Illinois..."

Speaker Greiman: "Yes. Turn Mr. Johnson on and let Mr. Johnson conclude his remarks."

Johnson: "No, it's simply to conclude by saying that if we are going to provide opportunities for all the people in Illinois, geographically and otherwise, that defeating this Bill and implementing programs that work for the benefit and the opportunity of all citizens and not a form of reverse discrimination is the way we ought to be headed. This is a bad Bill and I hope we sustain the Governor's veto."

Speaker Greiman: "The Lady from St. Clair, one minute to explain your vote."

Younge: "Thank you, Mr. Speaker. The question isn't what if you don't live in the areas which are the subject matter of this Bill. The question is what if you do live in these areas. In these areas we will not find the amount of loan investment or the amount of state resources from the Illinois Development Finance Authority, from DCCA or from IHDA. The purpose of this Bill... Well, what it will do will be to straighten out the inequity that exists in the resource base in these areas that are covered by the Bill. It is not true that the unemployment rate in East St. Louis is 10 percent. It is closer to 70 percent. I think that with this Bill we are confronted with the reality of equality of opportunity, equality of opportunity. We say we are for the private enterprise system. Minority entrepreneurs do not and cannot get the loans that will make their businesses prosper and grow so that they will hire other people. This Bill follows the recommendation of

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the State House Conference on Small Businesses and that is capital access at low interest rates is one of the things which is necessary to promote and stimulate private enterprise and entrepreneurship. Entrepreneurship in black groups and minority groups, there is very, very few businesses. In the majority community, there are ten times the number of businesses that there are in minority communities and what this Bill will do will stimulate entrepreneurship and that's where job creation is. People work for businessmen and for business women and for us to not recognize an inequity in capital formation that exists in the areas that are designated here..."

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

Young: "... is extremely improper and unfortunate. I urge you to support this measure because what we need to do is to support the growth and development of private enterprise in those areas where it is lacking."

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

Soliz: "Thank you... Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As I look at the board, I notice that some of you that are voting red have asked us before and will ask us again later in the Session for aid for loans for farmers in the State of Illinois. We have no farmers in the City of Chicago, yet we voted... we voted for farmers because it's a fair and just and equitable solution to a crisis. We have a crisis in the cities. We have a crisis in the areas specified in this Bill. This is not a one-way street. This is not a one-way street. We need your support. We need more green votes on the board. Thank you."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the

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record. On this question there are 73 voting 'aye', 42 voting 'no', none voting 'present'. Mr. Young requests a Poll of the Absentees and Mr. Vinson requests a verification of the Affirmative Roll Call. Mr. Vinson, does that satisfy your request? Mr. Clerk. Mr. Levin, for what purpose do you seek recognition?"

Levin: "Can I have leave to be verified?"

Speaker Greiman: "Well, I will certainly ask the person taking the verification, but I have a sense that of late this request for verification has... leave to be verified has been abused by the Members and those who are taking verification might remember that. Mr. Levin asks leave to be verified, Mr. Vinson. Mr. Christensen, I guess, also asks leave to be verified and Ms. Flowers. Mr. Levin. Mr. Christensen. Ms. Flowers. Mr. Ronan. Mr. Preston. Ms. Braun. Mr. Vinson, is that alright with you? Alright. You have leave to be verified. Mr. Clerk, would you poll the absentees?"

Clerk Leone: "Poll of the Absentees. Barger. DeJaegher. Hicks. Klemm. Krska. McNamara."

Speaker Greiman: "Excuse me, Mr. Clerk. Did you Poll the Absentees? Well, there's only three absentees and you have read several names. Okay, Mr. Clerk, Poll of the Absentees."

Clerk Leone: "Poll of the Absentees. Barger. DeJaegher. And Krska."

Speaker Greiman: "Mr. Clerk, proceed to verify the Affirmative Roll Call."

Clerk Leone: "Poll of the Affirmative. Alexander. Barnes. Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Bullock. Capparelli. Christensen. Churchill. Cullerton. Curran. Currie. Daley. DeLeo. Deuchler."

Speaker Greiman: "Excuse me. Ms. Stern requests leave to be

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verified, Mr. Vinson. Yes, you have leave."

Clerk Leone: "Continuing with the Poll of the Affirmative. Didrickson. Dunn. Farley. Flinn. Flowers. Virginia Frederick. Giglio. Giorgi. Greiman. Hannig. Hicks. Homer. Huff. Keane. Kirkland. Kulas. Laurino. LeFlore. Leverenz. Levin. Matijevich. Mautino. McGann. McNamara. McPike. Mulcahey. Nash. Oblinger. O'Connell. Panayotovich. Pangle. Phelps. Preston. Rea. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Soliz. Steczo. Stern. Sutker. Terzich. Turner. Van Duyn. Washington. White. Wolf. Woodyard. Young. Anthony Young. Wyvetter Young. Zwick. And Mr. Speaker."

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

Vinson: "Yes, Mr. Speaker. Representative Alexander."

Speaker Greiman: "Ms. Alexander. Is Representative Alexander in the chamber? How is Ms. Alexander recorded?"

Clerk Leone: "The Lady is recorded..."

Speaker Greiman: "She is at the rear of the chamber."

Vinson: "Representative Brunsvold."

Speaker Greiman: "Mr. Brunsvold is here at the... just at the well."

Vinson: "Mr. Capparelli."

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

Vinson: "Representative Didrickson."

Speaker Greiman: "Ms. Didrickson is at her desk."

Vinson: "Representative Farley."

Speaker Greiman: "Mr. Farley is right here at the podium."

Vinson: "Representative Giglio."

Speaker Greiman: "Mr. Giglio. Is Mr. Giglio in the chamber? Mr. Giglio. How is the Gentleman recorded?"

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

Speaker Greiman: "Remove Mr. Giglio from the Roll."

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Vinson: "Representative Giorgi."

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

Vinson: "Representative Hicks."

Speaker Greiman: "Excuse me. Representative Giglio has returned to the chamber. Restore Mr. Giglio to the Roll Call. Proceed, Mr. Vinson."

Vinson: "Representative Hicks."

Speaker Greiman: "Representative who?"

Vinson: "Hicks."

Speaker Greiman: "Oh, Mr. Hicks. Mr. Hicks is here right at the well."

Vinson: "Mr. Leverenz."

Speaker Greiman: "Mr. Leverenz. Mr. Leverenz is in the center aisle."

Vinson: "Mr. Soliz."

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

Vinson: "Representative Terzich."

Speaker Greiman: "Mr. Terzich is in his chair."

Vinson: "Mr. Daley."

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

Vinson: "Mr. Rea."

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

Vinson: "Mr. Wolf."

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

Vinson: "Mr. Curran."

Speaker Greiman: "Mr. Curran. Mr. Curran. Mr. Curran is in his seat. Oh, yes, Mr. Curran is in his seat."

Vinson: "Mr. Nash."

Speaker Greiman: "Mr. Nash. Mr. Nash is on the Republican side, temporarily."

Vinson: "Representative Washington."

Speaker Greiman: "Mr. Washington. Mr. Washington is in the center aisle."

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Vinson: "Representative Flowers."

Speaker Greiman: "Ms. Flower. Ms. Flower has been verified. She has been verified."

Vinson: "Representative Barnes."

Speaker Greiman: "Ms. Barnes. Representative Barnes. Representative Barnes in the chamber? How is Ms. Barnes recorded?"

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

Speaker Greiman: "Remove Ms. Barnes from the Roll Call."

Vinson: "Representative Cullerton."

Speaker Greiman: "Mr. Cullerton is in his desk."

Vinson: "Mr. McGann."

Speaker Greiman: "Mr. McGann is in his chair."

Vinson: "Mr. O'Connell."

Speaker Greiman: "Mr. O'Connell is in his chair."

Vinson: "Mr. Panayotovich."

Speaker Greiman: "Mr. Panayotovich. Mr. Panayotovich is right on the podium with me."

Vinson: "What?"

Speaker Greiman: "Right here in the podium."

Vinson: "Representative Breslin."

Breslin: "Ms. Breslin is at the door."

Vinson: "Mr. McNamara."

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

Vinson: "Mr. DeLeo."

Speaker Greiman: "Mr. DeLeo is in his chair."

Vinson: "Representative Wyvetter Younger."

Speaker Greiman: "Ms. Younger is at the rear of the chamber. Mr. Brookins asks leave to be verified, Mr. Vinson."

Vinson: "Certainly."

Speaker Greiman: "You have leave, Mr. Brookins."

Vinson: "Representative Van Dyne."

Speaker Greiman: "Mr. Van Dyne is at his desk."

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Vinson: "Mr. Christensen."

Speaker Greiman: "Mr. Christensen. Oh, yes. Mr. Christensen had leave to be verified."

Vinson: "There are so many, Mr. Speaker, that I didn't get all the names down."

Speaker Greiman: "You have asked about everybody on the floor except for the Doorkeeper now."

Vinson: "He's probably voting on this thing, too. Representative Dunn."

Speaker Greiman: "Mr. Dunn is at the side of the chamber."

Vinson: "Representative Flinn."

Speaker Greiman: "Mr. Flinn is in his chair."

Vinson: "Representative Pangle."

Speaker Greiman: "Mr. Pangle is in his chair."

Vinson: "Representative Turner."

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

Vinson: "Mr. Steczo."

Speaker Greiman: "Mr. Steczo is in his chair."

Vinson: "Representative Anthony Young."

Speaker Greiman: "Mr. Vinson, the process in the rules of this House are for the orderly disposition of its business. You are coming close to the abuse of that orderly disposition. Mr. Young is at his desk."

Vinson: "I'm just glad to know that that was what the process was for, Mr. Speaker. That's a welcome affirmation."

Speaker Greiman: "Everything has a reason. Proceed, Sir."

Vinson: "Representative Keane."

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

Vinson: "Would the Sponosor take this Bill out of the record for a few minutes, Mr. Speaker?"

Speaker Greiman: "Alright. On this question, there are 72 voting 'aye', 42 voting 'no', none voting 'present', and this Motion, having received the required Three-Fifths Majority,

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the Motion to override prevails. Yes, the Chair recognizes the Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker, in order that the people on the other side of the aisle can have an orderly lunch and the Republicans can have a Conference, I'd like to ask for a one hour recess."

Speaker Greiman: "Alright. Mr... Excuse me... Gentleman from... on the Democratic side, before you take up Mr. Friedrich's offer of lunch, there is going to be a Democratic Conference and a Republican Conference. The Republican... It will be for a half hour, however, from now until 11:30, one half hour. Republican Conference in Room 118, a Democratic Conference in Room 114. Democrats, 114. Republicans, 118. One half hour, and the House stands in recess until the hour of 11:30. The House will be in order. We are going to, pursuant to the rules, consider Special Calls by reason of subject matter. And on that, we will be considering Senate Bills Third Reading, which are on page two of the Calendar. Special Subject Matter Call - Consumer Protection. And on that Order of Business appears Senate Bill 1449. The Gentleman from Will, Mr. Van Duyne. Mr. Van Duyne?"

Van Duyne: "Thank you, Mr. Speaker. The synopsis reads, and quite accurately, that the... amends the Ticket Scalping Act to provide consumers... "

Speaker Greiman: "Excuse me. Excuse me. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1449, a Bill for an Act to amend Sections of an Act in relation to the sale of tickets to certain places of entertainment or amusement. Third Reading of the Bill."

Speaker Greiman: "And now, the Gentleman from Will, Mr. Van Duyne."

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Van Duyne: "Thank you, Mr. Speaker. I'll even be more brief.

The analysis explains it more succinctly than I can. It just says, 'provides that any person who operates or manages any place of public entertainment may be enjoined and required to pay restitution if that person sells or permits the sale of tickets at places other than the box office at higher than box office prices.' Now, someone has made the comment months ago about that, this kind of intrigues you and it's a kind of a fun thing that you can go and buy some tickets and see if you can sell them for a higher price, and I agree with that comment. You know, it intrigues me to a degree, too. But this only enjoins the people who are in that business at their business location from doing this, and I will be glad to answer any questions if I can, but I ask for an affirmative vote."

Speaker Greiman: "The Gentleman from Will, Mr. Van Duyne, moves for the passage of Senate Bill 1449. And on that, the Gentleman from DeWitt, Mr. Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. We're very clearly in a situation where there are some preeminent public policy questions for the State of Illinois. We ought to get about the business of reforming McCormick Place. We ought to get about the business of rebuilding Arlington Park. We ought to get about the business of properly funding education and providing the revenue for that. Instead, we're offered a Bill, as the first Bill on the Speaker's special priority of call, that deals with ticket scalping - ticket scalping. If that's the kind of priorities the Leadership of this House has, I don't think that Membership has those priorities, I would urge a 'no' vote on the Bill, and I would ask for a... for a verification, should it appear to get the requisite number of votes."

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Speaker Greiman: "Further discussion? The Gentleman from Will, Mr. Van Duyne, to close."

Van Duyne: "Thank you, Mr. Speaker. As you know, we all just came back from our Conferences, and a lot of the... a lot of the Membership hasn't arrived as yet. We could have disposed of this in maybe 15 seconds without the previous speaker's comments so, due to the fact that we don't have a good Membership, I'd like to ask that... the indulgence of the Speaker to take this out of the record for a moment."

Speaker Greiman: "For what purpose does the Gentleman from DeWitt, Mr. Vinson, seek recognition?"

Vinson: "Mr. Speaker, after a question has been put to the Assembly, it can only be withdrawn with leave of the House, and I would object."

Speaker Greiman: "The question had not been put by the Chair. He had... All he had done was to make the Motion, but I had not... we had not put it. So, we had not called for a vote, so we can take it out of the record. Continuing along on Senate Bills Third Reading, Special Subject Matter Call - Local Government appears Senate Bill 1244. And on that, the Gentleman from Fulton, Mr. Homer. Mr. Homer? Out of the record. Continuing on the Local Government - Special Call, Senate Bills Third Reading appears Senate Bill 1360. Mr. Ronan. Mr. Ronan. Mr. Homer, I just called a Bill of yours. Out of the record. Mr. Ronan, the Bill will be out of the record. Senate Bills Third Reading, Special Subject Matter Call - Insurance appears Senate Bill 907. Mr. DeLeo."

DeLeo: "Speaker... Mr. Speaker, I'd ask to move this back to Second for the purpose... "

Speaker Greiman: "Yes. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 907, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

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Speaker Greiman: "The Gentleman from Cook, Mr. DeLeo, asks leave of the House to return this Bill to the Order of Second Reading for the purpose of Amendment. Does the Gentleman have leave? Leave is granted. The Bill is on Second Reading. Mr. Clerk."

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

Speaker Greiman: "The Gentleman from Will, Mr. Regan."

Regan: "Please withdraw Amendment #2."

Speaker Greiman: "Amendment #2 is withdrawn."

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

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo, on Amendment #3."

Steczko: "Please withdraw Amendment #3, Mr. Speaker."

Speaker Greiman: "Amendment #3 is withdrawn. Further Amendments."

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

Speaker Greiman: "The Gentleman from Cook, Mr. Parke, on Amendment #4. Mr. Parke. Apparently not here. Mr. DeLeo?"

DeLeo: "My understanding was that Amendment #4 was going to be withdrawn anyhow."

Speaker Greiman: "Mr. Steczo?"

DeLeo: "I'd move to table Amendment #4."

Speaker Greiman: "The Gentleman from Cook, Mr. DeLeo, moves to table Amendment #4. All those in favor... Yes, Mr. Hoffman, the Gentleman from DuPage."

Hoffman: "Thank you, Mr. Speaker. I appreciate the desires of the Sponsor of the Bill to... to move the Bill along, but it's my understanding that Representative Parke's had an interest, you know, in pursuing this. Was it a hostile Amendment, or... "

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Speaker Greiman: "Yes, Mr. Steczo. Perhaps you could shed some light on this matter."

Steczko: "Thank you, Mr. Speaker. To answer Representative Hoffman's inquiry, Representative Parke had intended to withdraw Amendment #4 so we could go with Amendment #5."

Speaker Greiman: "The Gentleman from Cook, Mr. DeLeo, moves to table Amendment #4. All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and Amendment #4 is tabled. Further Amendment."

Clerk O'Brien: "Floor Amendment #5, offered by Representative Steczo and Parke."

Speaker Greiman: "And on that, the Gentleman from Cook, Mr. Steczo, on Amendment #5."

Steczko: "Thank you, Mr. Speaker and Members of the House. Since the House adjourned for the summer last July, we've all been besieged by our local constituencies, small businesses, local governments, about the crises in casualty insurance. Representative Parke and myself, in a bipartisan effort, which I think is agreed to, have offered Amendment #5 to Senate Bill 907, which deals with casualty insurance policies and deals with termination and nonrenewal of those policies. The Amendment - Amendment #5 - provides that insurance companies may not cancel existing policies unless it can be shown that one of five situations exist. And I'll read those situations into the record, the first of which would be that the insured fails to pay the premiums in the policy; the second is that the policy was obtained through misrepresentation; the third was a violation... would be a violation of stated terms or conditions of the policy; the fourth would be that the original risk has measurably increased; the third would be certification to the Director of the Department of Insurance that there's been a loss of all or a substantial

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part of reinsurance; or lastly, that the Director of the Department of Insurance would determine that continuing the coverage would place the... the insurance company in a precarious financial position. We think that this is a first start in trying to address some of the problems related to the casualty insurance crisis that we're having, and on behalf of Representative Parke and myself, I would offer Amendment #5."

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo, moves for the adoption of Amendment #5 to Senate Bill 907. And on that, the Gentleman from Cook, Mr. Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Amendment #5. I think Representative Steczo is absolutely correct, that, you know, we have begun to see, in the last several months, a major crisis in this state affecting every aspect of business and the consumers. We've seen the formation of a coalition on the insurance crisis by the 20 largest lobbying groups in Springfield - groups that normally don't talk to each other. We've heard about the increases, 500,000, 1500 percent. We've heard about the arbitrary actions of the insurance industry, and, you know, we expect to be taking a number of significant steps to look into the problem and come back with some very concrete legislation. This is one interim measure which will help get us through until the spring when we can come back after the hearings and after the research with a more permanent solution. There's been hearings, both before the Small Business Committee, chaired by Representative Mautino, and the Insurance Committee, chaired by Representative Laurino, where we have heard about the problem of midterm cancellations, where individuals, businesses, are simply cancelled in midstream for no apparent reason or no reason

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which appears to fit within the proper standards set by the Insurance Code. What this Amendment does is to clarify what those standards should be to make them more specific so that we can deal, at least until the spring, with the problem of midterm cancellations. I know many of our colleagues have talked to me about their concerns about the insurance issue. This is one very concrete thing. We can take back to our constituents and say that we have done to begin the process of dealing with this very, very important crisis. I urge support for this Amendment."

Speaker Greiman: "The Gentleman from Bureau, Mr. Mautino."

Mautino: "I apologize, Mr. Speaker. I wanted to ask a question, but I'm not sure whether I should ask it of Representative Steczo or Levin, and I don't have the Amendment in front of me. Is this the Amendment that you presented for a file and use provision. It is not? Okay, fine."

Levin: "It is not. No."

Mautino: "Is there an Amendment in there for the filing use which was regulation?"

Levin: "No."

Mautino: "Okay."

Levin: "Thank you."

Speaker Greiman: "There being no further discussion, Mr. Parke, to close."

Parke: "I... I had further discussion, but I believe it would be Mr. Steczo to close on this."

Speaker Greiman: "Oh, I thought you were the hyphenated Sponsor, Mr... Mr. Parke."

Parke: "Okay, well. This is... Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This agreement's been worked out. We've spent many hours trying to come up with a solution that we feel is going to help alleviate the problem that we're faced with with midterm cancellations.

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I'm asking for a positive vote on this. I think it's something that's going to be positive and helpful to the people that are affected by this kind of legislation. I ask for an affirmative vote."

Speaker Greiman: "The question is, 'Shall Amendment #5 be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and Amendment #5 is adopted. Further Amendments?"

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

Speaker Greiman: "The Gentleman from Will, Mr. Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. In regards to the insurance crisis, I have been to many hearings... "

Speaker Greiman: "Excuse me, Mr. Regan. Excuse me, Mr. Regan. Mr. Steczo, for what purpose do you seek recognition?"

Steczko: "Speaker, point of order. I would ask the Chair to rule on the germaneness of Amendment #6."

Speaker Greiman: "We'll look at it. Hold on. ... Piel, for what purpose do you seek recognition?"

Piel: "Just... I would just ask the Chair a question, Mr. Speaker. In the past, when a person questions germaneness or asks if the Amendment is out of order, they state the reason why. I'd like to know why the Gentleman is questioning the germaneness of it."

Speaker Greiman: "I guess because he thinks it's ungermane."

Piel: "That's very funny, too."

Speaker Greiman: "Mr. Steczo? Yes, Mr. Steczo."

Steczko: "Mr. Speaker, to answer Representative Piel, my reason..."

Speaker Greiman: "That's not necessary, Mr. Steczo. The Chair has examined the Amendment, and the... as well as the preceding Amendment, and while it's a rather close call, I think because they both do deal with insurance and insurance coverage as well as the amount of coverage and

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nature of that coverage, I believe it is germane. Proceed, Mr. Regan."

Regan: "Thank you, Mr. Speaker. It certainly is germane in regards to the fact that it pertains to the insurance crisis, not just in the State of Illinois, but all over the country. This solves just one little problem, however, but it's a problem that is absolutely urgent, and it deals with small amusement parks that cannot acquire the amount of insurance that the state requires them to have in order to open their doors this coming summer. If we don't solve this problem now, there'll be hundreds of small amusement parks that will have to shut down and will not be able to open. The Department of Labor, who does the safety investigations for these parks, is in full agreement with this Amendment, due to the fact that they feel people will be operating illegally and will not report their operations and therefore, their safety cannot be checked. This is a situation where the kids will be on the corner instead of in a legitimate amusement park. There will be many businesses go down, and I think that it certainly is something that we can do. My solution is to lower the million dollar aggregate to \$500,000 which is available. The Department of Insurance has absolutely stated that no insurance company available will give a small amusement park a million dollar aggregate. So, for a temporary fix to this problem for this summer, I suggest that we lower our regulation to \$500,000 so they can acquire their insurance, operate legally and be safety checked. I certainly would wish for an 'aye' vote on this Amendment."

Speaker Greiman: "The Gentleman from Will, Mr. Regan, has asked for the adoption of Amendment #6 to House Bill... to Senate Bill 907. And on that, the Gentleman from Cook, Mr. Cullerton."

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Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. We in the Legislature many times respond to crises that occur within our state. Now, Representative Ewing, Representative Friedrich, Representative Johnson, Representative Vinson, I believe, all were very concerned about various accidents that occurred not too many years ago on amusement rides where, because of problems with the regulation of this industry, deaths occurred. As a result, we passed a Carnival and Amusement Ride Safety Act. I remember the very stirring speeches given by some of those Members concerning the problems of this industry. Now, right in the law, we had... you'll find, on the Amendment that Representative Regan wants to introduce, here, you'll find a requirement that there be a million dollars worth of insurance for bodily injury to or death of two or more persons in any one accident. What he wants to do with this Amendment is cut that in half, presumably for some amusement ride - some small amusement ride - concern in his district. It's a very bad public policy to come around a year or so after this crisis, after these tragic deaths, and try to come in and pass such an Amendment by claiming it's going to help some small businessmen. It seems to me that we're forgetting what we attempted to do back in 1984 when we passed this Amusement Rides Safety Act. Now, maybe this will help some insurance brokers make some more money, maybe it will help some small amusement ride owner some more money, but in the meantime, it might be jeopardizing what we just did back in 1984 to protect the public from having people who are underinsured operate these rides. For that reason, I would urge all of you to not support the Gentleman's Amendment."

Speaker Greiman: "The Gentleman from Champaign, Mr. Johnson. The Gentleman from McHenry, Mr. Klemm."

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Klemm: "Thank you, Mr. Speaker. I think what the previous speaker just said was partially true. When we passed that particular Bill last Session to give the protection to those who go to amusement parks and... areas such as that, I think we envisioned the larger parks, the larger areas that had a number of rides, a number of activities that these people... residents could partake in. What we found subsequent to the passage of that is that we have, throughout the State of Illinois, some very small one ride type of operations. With the current problem we find in getting liability insurance for our businesses and our governmental entities, these people themselves are finding they cannot get one million dollar insurance coverage. They can get a half a million dollars. This seems to be adequate to give the protection that we initially wanted since we upgraded that insurance coverage, so what we are, in fact, are trying to do, it seems to me that Representative Regan is doing with Amendment #6 is still keeping in force the provisions that we enacted last year in response to those that called our attention to the dilemma, and we reacted by passing legislation, properly so, but also trying to address the problems of having these businesses not go out of business, providing the services, providing the business, and yet have adequate insurance coverage. Simply said, it's lowering the amount, but perhaps we erroneously increased the coverage so that we ended up putting them out of business, and we didn't know it in '84. So it seems to me this small change in the legislation would allow those businesses to continue, to continue to provide the protection to the people who ride those one ride parks. Many of them are these go-cart... where they have the little routes throughout the area, in a small, confined area, and in talking to the insurance

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industry and in talking to the Department themselves, they admit that we made a mistake in closing down these businesses that are located throughout our district, so I think it's a responsible response to the legislation we passed last year, and I urge an 'aye' vote."

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

Steczko: "Thank you, Mr. Speaker and Members of the House. I rise in opposition to Amendment #6, and I... I'm wearing two hats, I guess, when I rise in opposition to this, Representative Friedrich and myself having been the prime House Sponsors of the Amusement Park Safety Act a few years ago, realized how important it was to have adequate liability coverage for those amusement park rides, and... and to adequately insure the safety of the persons who are going to be using those rides. I would, however... I do, however, appreciate the intent of the Sponsor, and I realize that... that if adequate coverage is not available, that could... that could, in fact, impair the operations of the small amusement parks. However, what we're trying to do in Amendment #6 is to deal with the whole question of casualty insurance on a piecemeal basis. We've heard, over the course of the summer and over the course of the fall, from many local governments, from many small businesses that cannot get casualty insurance. What we did in Amendment #5 in terms of mid-term cancellations was a beginning. It was a start in trying to address those problems. That, hopefully, will set the stage for a much greater package that we'll be able to come up with far before next summer, hopefully, that will not only take care of the small amusement park operator and allow that operator to get a million dollars worth of coverage and make the market more fertile in the State of Illinois, but also provide a solution and adequate coverage for everybody

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that's currently having casualty insurance problems. I think this effort in Amendment #6 is premature, and I think a piecemeal approach right now in trying to solve the problems of one... one segment of the casualty insurance market is not the proper way to go, so I reluctantly rise in opposition to this Amendment."

Speaker Greiman: "The Lady from Lake, Ms. Frederick."

Frederick: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Amendment. I think we all ought to know that the million dollar requirement for insurance coverage has been in the law for a number of years, right. We've replaced the old statute with our requirement of a million, and then have learned recently that small amusement parks cannot get coverage, due to the present insurance crisis. I would be willing that we accept this Amendment at this time, and when business returns to normal in the insurance industry, then I would be... I would try very hard to get the million dollar clause reinstated. But for the present, I think we should support this Amendment."

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

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I understand the problem that the Sponsor of Amendment #6 is attempting to deal with. I reluctantly rise in opposition, however, because I think his Amendment goes well beyond dealing with the concern that he has. You know, he has a problem in terms of his small amusement parks at the present time, and I think his desire is to deal with that problem on an interim basis until we can find a more permanent solution. Unfortunately, Amendment #6 does not limit itself in terms of time. It simply deletes the requirement for a million dollars in bodily injury coverage and replaces it with \$500,000 in coverage. It doesn't expire at a particular time. It's there

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permanently. In addition, there is no requirement in the Amendment for an amusement park to attempt to reasonably find a million dollars in coverage and only be able to use... "

Speaker Greiman: "Excuse me. Mr. Levin, excuse me. For what purpose do you seek recognition, Mr. DeLeo?"

DeLeo: "Mr. Speaker, I have a parliamentary inquiry. Since we adopted Amendment #5, is Amendment #6 in order?"

Speaker Greiman: "I'll look at the Bill and the Amendments. Thank you, Mr. DeLeo. Mr. DeLeo, your inquiry is appropriate. The Amendment is out of order. We amended #5... We deleted everything after the enacting clause. Amendment #6 does not provide... that the Amendment is as amended. Accordingly, it is out of order, and I rule... and I so rule. Mr. Clerk, further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Mr. DeLeo."

DeLeo: "Thank you, Mr. Speaker. At this time, I'd ask for Senate Bill 907 for immediate consideration of this House."

Speaker Greiman: "Mr. DeLeo moves that the House suspend Rule 37(d)..."

DeLeo: "37(c)."

Speaker Greiman: "So that this Bill may be heard at this time. Is there any objection to that? There being none, Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 907, a Bill for an Act to amend Sections of the Illinois Insurance Code. Third Reading of the Bill."

Speaker Greiman: "We'll just... just hold the fort for a moment or two. Speaker Madigan in the Chair."

Speaker Madigan: "Ladies and Gentlemen, if I could have your attention for just a few moments. We are honored today to have with us, a distinguished visitor, the Director of the

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Chicago Office of the Government of Taiwan. He has traveled to Springfield today. Mr. Po-Lun Liu has already addressed the Senate, and I have asked if he would offer some remarks to us today, which would be remarks of his own choosing, so it is my great pleasure to introduce to you, the Director of the Chicago Office for the Government of Taiwan, Mr. Po-Lun Liu. Mr. Liu."

Po-Lun Liu: "Thank you, Mr. Speaker, Ladies and Gentlemen. It is a great honor of mine to be able to speak over the floor of the Illinois House of Representatives. Many people are seeing my country as a small country. It is true, Taiwan is a small island, and the Republic of China on Taiwan controls only a territory of less than 14,000 square miles, but we do have a substantial large population. We have over 19 million, and those people are crowded in this small land; working very hard. For natural resources, practically we have none. All we have is the preservation of the Chinese tradition, as well as much charted and well charted policy which guiding our efforts. For the past three decades, we have grown from a less developed country to an advanced developing country. For the past decade, we had a growth rate of nine percent annually, and that made Taiwan from a very much underprivileged country - we had an income of only 50 dollars - to a very, very admired developing country by all the people around the world. We have succeeded in making our progress economically, socially as well as politically. In the past, we know that the way our confined to some islands so our economy is an island type of economy, so we have to attach great importance in trade. We... a very high growth rate. We are able to handle our trade in such a way that nowadays Taiwan is always considered to be a major trading country in the world. For the United States, it's especially true

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because Taiwan now ranks sixth among all of your trading partners. The volume of trade between the Republic of China on Taiwan and the United States is now second only to your neighbors, Mexico and Canada and three other industrialized countries, namely Japan, Germany and Great Britain. We are confident that since we do have a strong economy and a very, very strong social structure, so we will make other strides to that in a few year's time we will be your number five trading partner, and in less than a decade's time, we will be perhaps your number four largest trading partner. For us, since we do not have any natural resource, we have to work hard, and through the past three decades, we have made ourselves a very strong economy. For trade, we are making ourselves, not only exporting more, but we are being able to be in a position to help the United States to balance your trade deficit. We have made it a set policy of ours, trying to help the American people and the American government to balance our trade. We have sent missions after missions of people coming over to the states to look for more American goods to buy, and we have sent for special procurement missions. We have sent eleven of them coming to this country, and eight of them have visited Illinois because Illinois is strong in both agriculture as well as industry. For agriculture in Springfield and downstate, many of the people are very much interested. I am pleased to report to all of you, Ladies and Gentlemen, that Taiwan is a major buyer of ... commodities here in the United States. We are not only a major buyer of yours, as Illinois is concerned, we are especially a very good customer of yours. For the past few years time, Taiwan was your number three corn buyer. We have imported three million metric tons of corn from Illinois last year alone, and we are also your number

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five buyer as soybean is concerned. We have imported close to one and a half million tons last year alone. And since we are further developing ourselves and the habit of our diet is also changing, so we are confident to say that we are going to buy more corn and soybeans from this country. For the past few years' time, unfortunately, we didn't buy much from Illinois. We bought them from other state capitols. I would hope with the help of all of you, Ladies and Gentlemen, in the near future we can buy more corn and soybeans from Illinois, and if Japan is going to buy less corn from you because a new supplier to Japan, Communist China, is making their inroads to your market in Japan, perhaps Taiwan will be only second to the Soviet Union as your corn growers is concerned to be your best customer. We also are developing our country in a way that now our industries have moved from light industries to heavy industries, and especially capital intensive and technology intensive areas. We are determined to make Taiwan a major manufacturing as well as marketing center in Asia for all American high-tech firms. So, in that area I'm sure Illinois can also work together with Taiwan in a way that all the people here in Illinois can be benefitted. Trade, as well as investments, are a two way street, so we ought to do many things together, and by doing that, I'm sure that all the people here in Illinois would be benefitted. I guess my time is up, so may I... before I close my remarks, may I express also my special appreciation to the Illinois House of Representatives for an action we have taken almost five years ago. In December of 1980, this House, in this chamber, many of you are present and put through a Bill to adopt the problems of Taiwan, of the Republic of China as a sister state of Illinois. We appreciated that action very much, so our Provincial

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Assembly of Taiwan also passed a similar Resolution in 1981, together with the Illinois State Senate. So now, both sides have passed a Bill to adopt each other as its sister state, and we hope that in the near future, by your effort, by your assistance, the final touch to this special and meaningful relationship will be done. That is, an agreement will be signed by both the administration here in Springfield and the Provincial Government of Taiwan, so we will have a real sister state relationship construed, and that will lead to many, many further benefits to both sides, to both the people of Illinois and, of course, my people in Taiwan, for which I want to thank you again, Ladies and Gentlemen."

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

Vinson: "Thank you, Mr. Speaker, Mr. Madigan, Mr. Liu. I want to, as a Republican, join the Speaker in welcoming Mr. Liu to Springfield and to the Illinois House, and in saying very clearly that here, we have a capable spokesman of a proud people, a strong economy, and it's very good to see you here, Sir."

Director Liu: "Thank you, Mr. Daniels."

Speaker Greiman: "Mr. Ropp, for what purpose do you seek recognition?"

Ropp: "I was just going to add my appreciation. Many of the Members of this Body over the years have been to your country, and we have appreciated your hospitality. We extend to you continued warmth and cordiality in your and our trading relationship, and we hope that both of our mutual interests will grow, and we thank you for coming and encourage you to come back to our state often. Thank you."

Speaker Greiman: "Mr. Clerk, Representative Greiman back in the Chair. Mr. Clerk, you have read 907 a third time. Is

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that correct?"

Clerk O'Brien: "Senate Bill 907, a Bill for an Act to amend Sections of the Illinois Insurance Code. Third Reading of the Bill."

Speaker Greiman: "And on that, the Gentleman from Cook, Mr. DeLeo."

DeLeo: "Thank you, Mr. Speaker. As we just heard earlier in debate, Amendment #5 becomes the Bill. Amendment deletes the entire contents of the original Bill. Senate Bill 907, the Amendment which we just adopted, provides that insurance companies may not cancel existing policies of insurance unless it can be showed one of the six reasons that it adopted in Amendment #5. I'd like to note... I would like the Membership to note that this Amendment does not affect automobile, fire, extended coverage, life, accident, health, fidelity, surety and ocean marine policies. This Amendment will... will become effective upon becoming law. I'd ask for an affirmative vote on Senate Bill 907."

Speaker Greiman: "The Gentleman from Cook, Mr. DeLeo, moves for the passage of Senate Bill 907. And on that, the Gentleman from Cook, Mr. Piel."

Piel: "Just a question of the Chair, Mr. Speaker. Did he ask leave to have this heard today on Third?"

Speaker Greiman: "He did. And he received leave."

Piel: "Fine. Thank you."

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

Terzich: "Representative DeLeo, I didn't hear the full explanation of this legislation. Does this Bill contain a provision with 180... '180(a)' notification of cancellation? No.?"

DeLeo: "Representative Terzich, no."

Terzich: "Thank you."

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

Friedrich: "I'm wholeheartedly for this Bill. I think we're treating the symptoms instead of the disease, but we've got to start somewhere. Some of us have been working very closely with the director, and I want to congratulate him. The big problem right now is markets - trying to find a market because the markets have literally dried up since the reinsurance people have taken off. I don't know what's going to happen, but at least, the Department of insurance is working very hard for those people who suddenly find themselves unable to get insurance of any kind. This means thousands of businesses. You talk about the economy, you talk about jobs, if this... something doesn't turn around in the insurance business, you ain't seen nothing yet, because literally thousands of businesses will have to close because they cannot get liability insurance. So, I hope that, at least on a voluntary basis, the insurance companies will do everything they can to keep these things afloat. This is a step in the right direction and will help, but I can assure you, it's not the cure."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Steczko, for what purpose do you seek recognition?"

Steczko: "Speaker, I pushed the button. The green light did not go on. So, I'm not sure if you declared it passed yet or not. Sometimes it takes two shots at this button to... to have it engage."

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Speaker Greiman: "Alright, Mr. Steczo. Apparently, we have not closed the board, so add Mr. Steczo to the Roll. Mr. Panayotovich, for what purpose do you seek recognition? Push your button, Mr. Panayotovich. See what happens. Oh, it's locked now. Alright. Alright. Since I have not yet declared it... Yes... Alright. We are... we are... The board is closed now. Add Mr. Panayotovich. The number is 114 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bills Third Reading, Special Call Subject Matter appears... on the Subject Matter of State Regulation appears Senate Bill 1307. And on that, Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1307, a Bill for an Act to amend Sections of the Criminal Code of 1961. Third Reading of the Bill."

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

McCracken: "Thank you, Mr. Speaker. I ask leave to return this to Second Reading for purposes of an Amendment."

Speaker Greiman: "The Gentleman asks leave of the House to return this Bill to the Order of Second Reading for purposes of Amendment. Mr. McCracken, you have leave. The Bill is on Second Reading. Mr. Clerk, Amendments."

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

McCracken: "Withdraw that Amendment, Sir."

Speaker Greiman: "Amendment #1 is withdrawn. Further Amendment."

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

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, on Amendment #2."

McCracken: "Thank you. Amendment #2 deletes the Bill which originally dealt with the obscenity definition and inserts

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in lieu thereof an Amendment to the Firearm Owners' Identification Act requiring that one dollar of that five dollar fee be dedicated to a trust used for the purpose of notifying cardholders of the expiration of that card. We recently passed a law which required that the FOID card be current, that is, not expired in order to be valid. And this would facilitate the notification within the department. Conservation currently has three dollars dedicated to it. This does not affect that dedication. And I ask for the adoption of Amendment #2."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, moves for the adoption of Amendment #2 to Senate Bill 1307. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from DuPage, Mr. McCracken, moves to waive Rule 37(c) so that this Bill may be heard at this time. Does the Gentleman have leave? Leave to use the Attendance Roll Call. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1307, a Bill for an Act to amend Sections of the Criminal Code. Third Reading of the Bill."

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

McCracken: "Thank you, Mr. Speaker. I explained the entire Bill. Amendment #2 becomes the Bill, and I move for the passage of Senate Bill 1307 as amended."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, moves for the passage of Senate Bill 1307. There being no discussion... Yes, I'm sorry. Ms. Currie."

Currie: "Thank you, Mr. Speaker. Would the Sponsor yield for

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questions?"

Speaker Greiman: "He indicates that he will."

Currie: "This Bill does not include a fee increase, does it?"

McCracken: "No, it does not."

Currie: "It is taking one dollar of the present fee and assigning it to the purpose of notifying people that their firearm owners' identification card... cards are about to expire."

McCracken: "Will expire soon, right."

Currie: "Where does that dollar presently go?"

McCracken: "The general fund."

Currie: "And how is the Department of Law Enforcement's enforcement of the... of the firearm owners' identification card requirements... how is that funded in state government? No money from the firearm owners' identification card permit goes to DLE for purposes of enforcing the Act?"

McCracken: "No. Not from this five dollar fee."

Currie: "So, the five dollar fee will then put one dollar that goes to the Department of Conservation... "

McCracken: "Three dollars of the fee, under current law, goes to Conservation."

Currie: "And that will be maintained... "

McCracken: "And that will be maintained... "

Currie: "Two dollars goes to GRF, and that will be retained, and... "

McCracken: "No. One dollar will go... "

Currie: "One dollar will be retained, and the other dollar will be used for this purpose. Does that mean that the dollar that is in that fund can only be used to notify people that they are... That's pretty pricey, I would have thought, a dollar to sent someone a post card. I think current rates are 13 or 14 cents to mail a post card."

McCracken: "Well, but there would have been a greater number of

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or possibly a greater number of expiring cards than currently submitted applications. They would only... This would only work into the future. As the applications come in, the one dollar fund would be created."

Currie: "And can the department use that dollar for, for example, other enforcement procedures under its responsibilities to organize the firearm owners' identification card system?"

McCracken: "No, it cannot, according to this Bill."

Currie: "Well, Mr... Mr. Speaker, to the Bill. The problem with the firearm owners' identification card system is that it does not work in this state, and I don't think the major problem with the failure of the system to work is the fact that applicants are not... are not notified automatically by the department that their licenses are about to expire. The Department of Law Enforcement has asked for the last six years for an increase in the fees paid by those who have the privilege of being granted a firearm owners' identification card. That increase in fee could have been used so the department can do the job they're supposed to do in making sure that applicants for that card, in fact, have the card when they buy a gun, in fact, are eligible for purposes of the state legislation. While it's perfectly okay with me if the department notifies people that their licenses are about to expire, it seems to me the appropriate way to fund it would have been through an increase in the fee, an increase that would make sure that the job that we've asked the Department of Law Enforcement to do gets done. This is a stopgap measure which, in no way, addresses the basic problem with our present firearm owners' identification card system, and I think we should resist this proposal to take one dollar from each of these applications out of the general fund where it can be used for purposes of school reform in the State of Illinois,

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mental health institutions, a variety of other programs, and demarcate it for this single and insignificant purpose. I think this is not a good idea. It's not certainly something that we need to do at this time, and were the Sponsor to come back with this proposal as part of a fee increase, I would be more than happy to support it."

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

McCracken: "I couldn't pass the Bill if it were a fee increase. This is the only choice I had. Let me put this in perspective. This law requiring a FOID card's validity to depend upon whether or not it's expired, was recently passed. Prior to that time, the possession of a card, whether it was expired or not, was adequate. We recently enacted legislation to make the card valid only when it is not expired. I think it is only fair that the licensing authority notify of an expiration, just as the Secretary of State is required to send a notice of a driver's license expiration. There has been no demonstration that the one dollar fee is unreasonable relative to the task, and although the Lady may be correct that there are other things involved in FOID card enforcement, that certainly does not make this a bad idea. I suggest that we are... she and I are talking about two different things. The Department of Conservation currently gets three dollars dedicated out of this fund. That is untouched. The one dollar still goes to the General Revenue Fund, and one dollar for this purpose, this purpose consistent in fairness, dictating that if we... we create some sort of mechanism for notification, since we have created a penalty for possession of a gun with an expired FOID card. I respectfully submit that this is a proper use of the fund and ask for your support."

Speaker Greiman: "The question is, 'Shall this be passed?' All

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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 96 voting 'aye', 20 voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority... Mr. Mulcahey? Mulcahey votes... goes from 'no' to 'aye'. Is that right, Mr. Mulcahey? So, now we are... Mr. Clerk, Mulcahey from 'no' to 'aye'. There are 97 voting 'aye', 19 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. We shall return now to the Special Order of Call - Local Government, Senate Bills Third Reading, and there appears Senate Bill 1244. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1244, a Bill for an Act in relation to the offenses involving the operation of vehicles while under the influence of alcohol or other drugs. Third Reading of the Bill."

Speaker Greiman: "Yes, Mr. Homer, would you like to just hold that for a few moments? We'll come right back to it. On ... the Order of Special Subject Matter - Local Government appears Senate Bill 1360. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1360, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

Speaker Greiman: "Mr. Ronan, the Gentleman from Cook, on Senate Bill 1360. Third Reading."

Ronan: "... Okay, we'd like this one to go back to Second Reading for an Amendment."

Speaker Greiman: "The Gentleman asks leave of the House to return the Bill to the Order of Second Reading for purposes of an Amendment. You have leave, Mr. Ronan. Mr. Clerk, are there any Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, on Amendment #1."

Keane: "Withdraw that Amendment, please."

Speaker Greiman: "Amendment #1 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Speaker Madigan."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, will handle that. Mr. Cullerton."

Cullerton: "Yes, I would handle it by asking to withdraw it."

Speaker Greiman: "Amendment #2 is withdrawn. Further Amendments."

Clerk O'Brien: "Floor Amendment #3, offered by Speaker Madigan."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Amendment becomes the Bill. It amends the Municipal Code and relates to the demolition of unsafe buildings. Under current law, an owner of property within 1200 feet of a structure in question may bring a court action against an owner of property violating any local building codes or other ordinances. Now, what this Bill deals with is the demolition of unsafe buildings. It allows for an owner or a tenant to prove, by himself... allow him to sue in the interest of the public and permit him, if he lives within 1200 feet of a dangerous and unsafe building, to file a request with the corporate authorities that they apply to the Circuit Court for an order authorizing the demolition or repair of the building within the same guidelines as contained in current law. Should the corporate authorities fail to institute appropriate action within 90 days after the request has been filed, then the owner or the tenant may then institute such

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actions. The Amendment contains an immediate effective date, and by the way, the owner would be entitled to attorney's fees to reimburse him... or her for the cost of bringing the lawsuit. I would be happy to answer any questions, and I would urge your support of the Amendment."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, moves for the adoption of Amendment #3 to Senate Bill 1360. And on that, the Gentleman from DeWitt, Mr. Vinson."

Vinson: "Mr. Speaker, I would question the germaneness of Floor Amendment #3 to Senate Bill 1360. The Bill itself deals with a particular provision of the Municipal Code, and the substance, the thrust of the Bill is to deal with the general powers and purposes of municipal corporations. The Amendment, on the other hand, deals with a very technical zoning matter located in a different part of the Municipal Code, and is not at all... the Amendment's not at all germane to the Bill itself, and I would ask the Chair to so rule."

Speaker Greiman: "The Amendment is germane, Mr. Vinson. Firstly, they both amend the Municipal Code, and secondly, they both deal with the exercise of powers granted to municipalities under the Code. Therefore, it is germane. Proceed, Sir. Did you wish to address the... address the Amendment?"

Vinson: "Speaker, I just wonder if there's not a real #3, and that's the Sponsor of the Amendment."

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

Pedersen: "Yes, will the Sponsor yield for a question?"

Speaker Greiman: "Indicates he will."

Pedersen: "Representative, does your Amendment... would it have anything to do with the demolition of burned-out race tracks?"

Cullerton: "The owner of property must be within 1200 feet of the structure, so I doubt that... It could, presumably, if

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there was a person living within that distance."

Pedersen: "Thank you."

Cullerton: "Like a jockey or somebody that lived... "

Speaker Greiman: "There being no further discussion, the question is, 'Shall this Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Cullerton: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Cook, Mr. Ronan."

Ronan: "Thank you, Mr. Speaker. I move for immediate consideration to waive the appropriate rules to have this Bill heard right now."

Speaker Greiman: "The Gentleman from Cook, Mr. Ronan, asks leave of the House to suspend Rule 37(c) so that this Bill may be heard at this time. Does the Gentleman have leave? Yes, there is objection. The Gentleman from Cook, Mr. Ronan, moves that the House suspend Rule 37(c) so that this Bill may be heard at this time. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. 71 votes required. The Gentleman from Cook, Mr. Cullerton, one minute to explain your vote."

Cullerton: "Yes, this is a Motion to hear the Bill. I think it's pretty clear that if you want to pass the Bill, we have to consider it today. The Bill deals with giving rights of landowners to tear down unsafe buildings. I can't imagine why you would want to vote against such a measure. It... We have precedent set right now with regard to building code violations, where we give people who live within 1200 feet this right. This is... The purpose of the Bill was to expand this right to... those people who wish to get unsafe buildings demolished. There's a problem with some

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municipalities not having the resources to bring these cases to court in a timely manner. To give this right to an individual makes sense. That's what we've voting on. If we were voting on the Bill, in effect, unless you want to stay around tomorrow and vote on it, in which case we wouldn't need this Three-Fifths Vote, so it would make sense to me if you're for the Bill, to please vote 'aye'."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 66 voting 'aye', 49 voting 'no', none voting 'present', and the Motion fails. Now on the same order, Special Call - Local Government appears Senate Bill 1244. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1244, a Bill for an Act to amend an Act in relationship to offenses involving the operation of vehicles while under the influence of alcohol or other drugs. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Fulton, Mr. Homer."

Homer: "Thank you, Mr. Speaker. Leave to return the Bill to the Order of Second... "

Speaker Greiman: "The Gentleman asks leave of the House to return the Bill to the Order of Second Reading for the purposes of an Amendment. Does the Gentleman have leave? You have leave. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Floor Amendment #1, Ewing, amends Senate Bill 1244 by deleting the title... "

Speaker Greiman: "Who's the Sponsor of that, Mr. Clerk? Mr. Ewing, on Amendment #1. Mr. Ewing?"

Ewing: "I move to withdraw Amendment #1."

Speaker Greiman: "Amendment #1 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #2, McCracken."

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

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Amendment #2."

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 is a cleanup Amendment to the previously passed HB 1841 which was the change in the DUI laws we passed in the spring. Over the summer, in reviewing the Bill, there were certain corrections to be made to affect, at this time, and make applicable to the Bill when it becomes effective on January 1, 1986. Most of them are technical. However, there are some which I think I should share with you. One of the changes requires a judicial hearing to be held no sooner than seven days following a request for such. Originally, the Bill did not have a minimum time in which to afford the hearing, and there was some concern that the hearings could be demanded the day before the first court appearance, and the prosecution would not be ready, so that's one of the changes. Allows the DUI test results to be admissible as prima facie evidence at the judicial hearings. Now, that I should indicate, to my knowledge, applies only to the suspension hearings, not to the underlying cause of action. The DIU reports, which were envisioned in 11-501.3 of the code is repealed because of some confusion whether that would affect admissibility of the results at trial. Essentially, other than that, the Bill is unchanged. The other changes in the Amendment are technical in nature, such as licensing by 'DASA' and other certain modifications. And I move its adoption."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, moves for the adoption of Amendment #2 to Senate Bill 1244. On that, the Gentleman from Champaign, Mr. Johnson."

Johnson: "At a suspension hearing, there's a number of things that could... can happen or that you can demonstrate at any hearing in terms of the... in terms of the reading of a

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machine. Representative McCracken, you tell me where I'm wrong along the line, here, because perhaps I don't understand what you said. Examples would be these - that a machine simply wasn't operating correctly. Oftentimes, what happens is, you'll ask the subject to blow into the machine for 10 seconds. The first time, almost nobody can blow in for 10 seconds, because it's not a natural thing to do, so you still have alcohol content in the machine, and then when somebody successfully blows in for 10 seconds, as they'll do the second time or the third time, you have a reading that can be greatly magnified because you didn't clear the machine out the first time. And there's a number of other things that can happen in terms of a... in terms of a hearing where a test reading isn't an accurate reading of blood alcohol content. My question for you is, with this Amendment, will an accused person have the opportunity to demonstrate to the trier of fact that the machine wasn't operating correctly, that the reading wasn't... wasn't proper. The machine wasn't cleared out, and a whole variety of other things that are evidentiary matters and are now allowed to be explored by the fact finder. Would you be able to do this, or would this Bill cut off your opportunity to demonstrate those things?"

Speaker Greiman: "Yes, Mr. McCracken."

McCracken: "Yes, the accused would be able to contest the results. However, the burden of contesting the results would be on him, and the burden of production would be on the defendant, as opposed to the burden remaining with the state in the criminal case. What I mean by that is that the defendant would have to subpoena the officer or officers and develop the evidence relative to the correctness or... or error relative to the machine. The results would be admissible for the purposes of

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introduction and create the prima facie case. However, the defendant could rebut that by bringing in witnesses."

Speaker Greiman: "Mr. Johnson?"

Johnson: "It... It wouldn't be the obligation, then, of the state to bring in an officer or anyone else in respect to the operation of the machine. They could simply introduce the test results, nothing more, and in the absence of contrary evidence, they'd stand unrebutted. Is that right?"

McCracken: "Correct. However, I want to emphasize that although the state doesn't have to lay the foundation as it does at the trial of the underlying charge, this Bill specifically provides for subpoena powers for defendants on the implied consent issue."

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

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the Amendment. I think it would be a bad precedent to allow a report to be prima facie evidence without the technician who actually took the report being required to be in court. The Bill that this is supposed to clean up allows the introduction of police reports without the officer there to be... to testify, and now we're going to allow the introduction of DUI reports and breathalyzer tests. I think it's... I don't think this House should put that burden on a defendant to try to produce a police officer through subpoena power, when traditionally the state has always produced the officer when it wants to introduce any evidence or any tests that were taken by the officer. The state has the officer at its disposal. I think it would be an unfair burden on the defendant. I think any person whose license is about to be revoked should at least have the opportunity to question the mechanism by which these breathalyzers were taken, and I would urge a 'no' vote."

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Speaker Greiman: "The Gentleman from Knox, Mr. Hawkinson."

Hawkinson: "Thank you, Mr. Speaker. Will the Sponsor yield for questions?"

Speaker Greiman: "Indicates he'll yield for questions."

Hawkinson: "Representative, did the original Bill, or does this Amendment also require that the... the officer not have to be present at the hearing to establish the fact of the arrest and identification of the defendant as the proper individual who was driving the vehicle?"

McCracken: "Yes, that was in the original Bill. Police reports were admissible for that purpose. And as a matter of fact, the test results were also admissible in the original Bill."

Hawkinson: "Which hearing is it that you can now no longer have sooner than seven days from your initial court appearance?"

McCracken: "That would be the 'JDP' hearing. You have to make the request more than seven days prior to your appearance."

Hawkinson: "And without this Amendment, how would the original Bill have worked, in that regard?"

McCracken: "Well, the issue was not addressed expressly, and that's the reason for this. All that was stated was that, at their demand, they could have a hearing at... at their first appearance, and there would... "

Hawkinson: "Alright. Let me ask... Let me ask this, then. Is, under the original Bill, the initial suspension goes into effect upon arrest and filing of the ticket?"

McCracken: "No, it does not. There's a 45 day period where the defendant can drive on the ticket."

Hawkinson: "Alright. And after that period, then, the suspension goes into effect?"

McCracken: "The suspension goes into effect after that period."

Hawkinson: "When is it under the Bill, with this Amendment, that a defendant would be able to request a judicial driving

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permit?"

McCracken: "Alright. There are two hearings we're talking about. One is the probable cause hearing that Representative Johnson made reference to. One is the judicial driving permit hearing. It is contemplated that those two would be done simultaneously, assuming that the state prevailed on the probable cause hearing. Both of those can be requested at any time."

Hawkinson: "Within the 45 days, for example?"

McCracken: "Correct."

Hawkinson: "Alright. Thank you."

Speaker Greiman: "The Gentleman from Cook, Mr. O'Connell."

O'Connell: "A question of the Sponsor."

Speaker Greiman: "He indicates he'll yield."

O'Connell: "Tom, I'm just going through this Amendment. An issue was raised by one of the local Judges. Under the Amendment that you have, or under the original Bill, is there any prohibition on the issuance of a judicial driving permit if the defendant had received either a suspension of the license for refusal to take the test or whether he had... had a conviction at any time for a DUI?"

McCracken: "No. There is a time limit placed on each of those, and that is addressed in the original Bill. If my memory serves me, on the issue of refusing to blow, I think any such refusal prior to January 1, '83, does not count against... against your ability to get a JDP, and any conviction or supervision more than five years old, or is it just supervision more than five years old?"

O'Connell: "Current law is supervision."

McCracken: "Alright. Well then, it's... "

O'Connell: "You can't have a supervision within a five year... more than one within a five year period."

McCracken: "And we chose five years as the cutoff, also, so it's

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not any time in your prior history. It's five years for... for a conviction of the underlying charge or supervision, and from January 1, '83, to the present and into the future on the failure to blow."

O'Connell: "Okay. On that point, if, after January 1, '83, you have a refusal to blow and then, in the year of 1990, for example, you approach the bench for a judicial permit on another matter, is that defendant precluded? It's more than five years, but it was... the concern that was raised is, there was no time limitation in the original Bill for after January 1, '83. It... You're indicating that it is a five year limitation after 1983."

McCracken: "I'm told you're right. There is no length of time on the failure to blow."

O'Connell: "I... Recognizing that it may be too late to address that issue at this stage in time, do you recognize that there's inconsistency with treatment of refusal to blow and more than one supervision within a five year period. And perhaps we can jointly address that in the next Session?"

McCracken: "Yes, I think that's a good point. Certainly, if we're going to treat the conviction or supervision more leniently than the failure to blow, we're... we're doing something wrong. I thought there was a time limit on it as well as not applying to blows... failures to blow from '83 to the present. I'm told just now that there is no time limit. I think that's an oversight."

Speaker Greiman: "Thank you. The Gentleman from DeKalb, Mr. Countryman."

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

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

Countryman: "Representative McCracken, under the statute some years ago, it was required that the officer, after the test was taken, give a copy of the test results to the accused,

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and that provision was removed three or four years ago. It is now you're going to use those test results under your Amendment as prima facie evidence. What assurance do we have that the accused and his attorney are able to get that information and have it readily accessible, even before they make the decision to file for the hearing?"

McCracken: "I don't recall whether that was affected by the original Bill, frankly. I don't know if we've changed that or what the status is now, assuming it's as you say, it's discoverable on a 'Schmidt' Motion."

Countryman: "But that's going to take time to get a 'Schmidt' Motion in and get the court to rule and so forth."

McCracken: "Well... I don't recall what the state of the law is relative to providing the test results."

Countryman: "Do you see any reason why the defendant shouldn't be furnished those test results at the time the test is administered?"

McCracken: "No."

Countryman: "So would you, if, in fact, it's as I believe it is, next year, would you have any problem if I put in a Bill or you put in a Bill to give the test results to the defendant?"

McCracken: "No."

Countryman: "Okay. Thank you."

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

Friedrich: "Would the Sponsor yield? I don't think, and I don't want my remarks to be interpreted... or misinterpreted or my question either one. I don't think anyone around here condones drunken driving. My problem is, we're getting so paranoid on this, I'm not sure that we're not setting up a vehicle here to persecute and prosecute people who could well be innocent. And I know there are cases, and I've seen many of them. You probably have seen some too, where

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the police literally lay for somebody and set him up. What protection has a guy who really isn't a DUI that gets picked up by two guys and they said, 'We gave him the test, and he tested 10.' Or whatever it is. I've never seen a breathalyzer, so I don't know what you have to test to do it, but how could I, a private citizen, be sure that I wasn't being framed, and what could I do if I were? I can't prove the thing was wrong, and by the time I could get a blood test, the test wouldn't be admissible anyway. But here you are, willing to convict a guy just because two cops said you tested five or ten or whatever it was. What is the protection for the average citizen? I don't know."

McCracken: "The protection under this Bill is the same as it is now. He has a right to discovery, right to confrontation on the underlying charge, a right to subpoena the police officer and any other person involved in the case for purposes of the probable cause hearing. The elements for proving probable cause are retained. That is, there has to be probable cause for the arrest, there has to be probable cause for the charge, there has to be a finding of greater than .10 on the machine. And if he refuses to blow, there has to be proof that he didn't blow. The only change this makes - and it's not an insignificant change - but relative to the defendant's right to confrontation and discovery, the only change this makes is that the revocation or suspension will go into effect automatically after 45 days. During that 45 day period, he will already have appeared once, and if he's made his demand, will have a right to the probable cause hearing and the 'JDP' hearing prior to that time. So the 45 day window before the suspension goes into effect, it's time to contest those issues."

Friedrich: "Is a roadblock probable cause? They're doing that now."

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McCracken: "I've read that roadblocks that are not focusing on any particular target are permissible under the Fourth Amendment, but that... You know, that's not in this Bill, and that's not me saying that. That's the Supreme Court."

Friedrich: "If the test is prima facie... prima facie evidence, what defense have I got? The cop said, 'I gave it to him. He tested 10.' What can I say?"

McCracken: "It's prima facie evidence on the probable cause hearing, and as I say, you can bring in the officer by subpoena, which is expressly provided for, or other evidence which would contradict that. Then the court would be required to weigh the evidence. It would be... It would be weighing documentary evidence of the state against live testimony of the defendant. If that live testimony were at all credible, I submit to you that the state would probably lose."

Friedrich: "But the same officer that you bring in is the same guy who made the test and which may have been inaccurate."

McCracken: "Well, I'm... the... there's no way to get around that, because he's the witness by... he is inherently the witness. He's the witness now. He'll always be the witness."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I can't help but smile at some of the comments that have been made by some of the Representatives. When we talk about murderers or felons, we get real tough on them. We want to lock them up even before they've been found guilty to keep them in jail for about a week to determine whether or not we should give them a bond, and we get into all of those important serious offenses. We really don't get too concerned about civil liberties. But when we talk about parking tickets or drunk drivers, boy,

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then we really start worrying about individual liberties and the rights of the defendants to get fair hearings. Now, I've gone over this Amendment with Representative McCracken, and I think it does contain some substantive changes to the DUI Bill. They were perhaps just not included in the original Bill. They are not necessarily inconsistent with all of the things that we tried to accomplish in that Bill. That was a very significant piece of legislation that's going to have a dramatic effect in Illinois on keeping drunk drivers off the road for at least 30 days without any chance to get out of it, and it's going to have, I think, a dramatic effect on reducing fatalities in the state. Now, this... These cleanups in this Amendment, I can assure you, are constitutional. They provide the defendant with the rights that he or she should be afforded, and I would urge you to support the Amendment."

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

McCracken: "Thank you. I think Representative Cullerton said it best. This is a cleanup of a Bill which this House and General Assembly have already passed. It is not inconsistent with the standards which we approved last spring. More than anything, it's technical in nature, and the rights of the defendant are still guarded for, because the 45 day window will allow a hearing, and upon the demand of a defendant, a hearing prior to that time. So, I think it's reasonable legislation. It's mainly technical in nature, and I'd ask for an 'aye' vote."

Speaker Greiman: "The question is, 'Shall Amendment #2 be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3."

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Speaker Greiman: "Well, Mr... Mr. Young, your request for Roll Call is a little untimely. It comes too late, but you will have an opportunity to express yourself, I suspect, on the Bill in a moment or so. Proceed."

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

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

McCracken: "This was proposed by LRB. Unintentionally, in Amendment #2, 'violent crime' was stricken from the sentencing provisions contained therein, and this returns 'violent crime' to that Section, and is the current law."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, moves for the adoption of Amendment #3. And on that, is there any discussion? There being none, the question is, 'Shall Amendment 3 be adopted?' All in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment's adopted."

Clerk O'Brien: "Floor Amendment #4, offered by Speaker Madigan."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, on Amendment #4."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment affects liquor licenses under the jurisdiction of the Liquor Control Commission for the City of Chicago. Under this Amendment prior to the issuance of any new or expanded liquor license, the Commissioner must conduct a public hearing. They must provide at least two weeks prior written notice of the hearing to the alderman of the ward in which the premises is located and to all owners and tenants of residential property which is located within 400 feet of the establishment. Prior to the issuance of any renewal license, any group of five owners and tenants of residential property located within 400 feet of this

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establishment may demand that the Liquor Control Commission conduct a public hearing on the question of the renewal of the license. I'll be happy to answer any questions. Appreciate your support."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, moves for the adoption of Amendment #4. And on that, the Gentleman from DeWitt, Mr. Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. I particularly appreciated the substantial volume with which the Gentleman articulated the purpose for the Amendment. I would initially request the Chair to rule that the Amendment is nongermane, because the Bill, as amended, deals with the driving under the influence of alcohol problem. That is the thrust of the Bill, and that is the subject of the Bill. The Amendment deals with the Sponsor's effort to provide unlimited liquor hour... hours for taverns in the City of Chicago. I think those are two, not only... not only nongermane issues but actually inconsistent questions. And I would... ask the Chair to rule that the Amendment's nongermane. While the Chair examines that question, I wonder if I might ask the Sponsor a few questions."

Speaker Greiman: "Yes, Mr. Vinson, you may proceed. Mr. Cullerton, yes."

Vinson: "Oh, is Mr. Cullerton handling this for Mr. Madigan?"

Speaker Greiman: "Yes, I thought you were aware of that, Mr. Vinson."

Vinson: "I... No, the explanation of the Amendment was so quiet..."

Speaker Greiman: "You're usually so aware of what's on the..."

Vinson: "...that..."

Speaker Greiman: "Yes."

Vinson: "...I wasn't sure who it was explaining it over there."

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Speaker Greiman: "Well, Mr. Cullerton will try and fill in.
Proceed, Sir."

Vinson: "Yes, Representative, why is it that you believe that
aldermen ought to be able to let taverns operate all day
long in Cook County... in the City of Chicago?"

Cullerton: "If anything's not germane, it's that question to this
Amendment. I have no idea what you're talking about."

Vinson: "Have you read the provision in the Amendment that would
let taverns in the City of Chicago have unlimited operating
hours?"

Cullerton: "The hours are subject to the local liquor
commissioner right now."

Vinson: "Well, it would appear to me that right now, the hours
are regulated by state statute which says that between the
hours of 2:00 and 7:00 on weekdays and between the hours of
3 a.m. and 12:00 noon on Sundays a tavern cannot operate.
Isn't that the status of state law currently?"

Cullerton: "No, that refers to the requirement that there be a
public hearing if you want to get... and notice to the
alderman if you want to get... operate during those hours.
It doesn't refer to when they can or cannot have it."

Vinson: "It would appear..."

Cullerton: "I'll be happy to... I'll be happy to..."

Vinson: "How does this change that?"

Cullerton: "... wait for you..."

Vinson: "How does the Amendment change that?"

Cullerton: "Any expansion or new license would result in a public
hearing. Any new or expanded license would result in the
Liquor Control Commission conducting a public hearing."

Vinson: "Why are you deleting the language about hours?"

Cullerton: "The hours refer to notice to an alderman when you
want to operate beyond these hours. But if you're going
for an extension with the Amendment, you have to notify the

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alderman no matter what hours you're operating under."

Vinson: "What kind..."

Cullerton: "The hours are still subject to the Local Liquor Commission."

Vinson: "But the hours are... Why are the hours deleted from the state statute?"

Cullerton: "Because they're unnecessary in view of the Amendment, which requires notification to the alderman. For any... For any change."

Vinson: "Does... What?"

Cullerton: "For any change no matter what hours. This law would require notification to the alderman for any change no matter what hours. This language in this existing law specifies certain hours when notification should be given. What I'm suggesting is that the Amendment expands that to any change, not just changes from these particular hours."

Vinson: "You don't think that it's the intent of the Amendment to say that you don't need approval for unlimited hours?"

Cullerton: "That's an incorrect reading of the Amendment. I'll be happy to take the Bill out of the record so that we can both look over the purposes of the Amendment if you are... if you feel that I'm not giving you a proper explanation now."

Vinson: "Why don't we do that?"

Cullerton: "Fine."

Speaker Greiman: "Well, Mr. Cullerton, that's very generous of you, but you're not the Sponsor of the Bill. So..."

Cullerton: "Right. It's..."

Speaker Greiman: "...Mr. Homer, Mr. Cullerton would ask you to take the Bill out of the record for a few minutes. We will get back to you, so that it can be explained carefully and slowly to Mr. Vinson. By the way, before we do take it out of the record, Mr. Vinson, the Amendment is in order. It

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is germane. Section 3 of Amendment #2, at page seven amends the Liquor Control Act of 193... the Liquor Control Act, and similarly the Amendment 4 also amends that Act, so that it is appropriate and germane. On the Order of Senate Bills Third Reading, Special Subject Matter Call - Consumer Protection, appears Senate Bill 1449. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1449, a Bill for an Act to amend Sections of an Act in relation to the sale of tickets to certain places of entertainment and amusement. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Will, Mr. Van Duyne."

Van Duyne: "Yes, thank you, Mr. Speaker. We had the explanation of this Bill before. I think everybody understands the idea of it, and if there's any more questions I would be glad to try to answer them. But in lieu of that, well, I would just ask for the affirmative vote."

Speaker Greiman: "The Gentleman from Will, Mr. Van Duyne, moves for the passage of Senate Bill 1449. And on that, the Gentleman from Kendall, Mr. Hastert."

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We've had a lot of Bills up since probably Representative Van Duyne had this Bill before us. If he would just refresh our memory really about what the content of the Bill is, we'd be much appreciated."

Speaker Greiman: "Mr. Van Duyne."

Van Duyne: "Yes, it simply provides that any person who operates or manages any place of public entertainment to be enjoined and required to pay a restitution if the person sells or permits the sale of tickets at the place other than the box office at a higher price than what he has them listed for. There's one other thing that has to be done here, and that has to be at the option of the Attorney General or the

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State's Attorney. He can't do it on his own volition, at least in this Bill."

Speaker Greiman: "Yes, Mr. Hastert, you have the floor still."

Hastert: "Yes, would he... would the Sponsor yield?"

Speaker Greiman: "He will continue to yield, yes, for questions."

Hastert: "Yes. It says, 'has to be done yet'. Is that something that has to be done in the legislation yet or that's one of the provisions of the legislation."

Van Duyne: "That is one of the provisions of the legislation. The state's attorney in the county or the Attorney General must... must get into the act before the citizen can do this."

Hastert: "What do you mean, get into the act?"

Van Duyne: "Well, as I understand it, the law, as Senator Welch envisioned it, would give the citizens some restitution. And it's a... it's a minor thing. It isn't of major proportion. He would only be allowed to recover in a civil action 100 dollars rather than what it is now at 20. So it's just a little bit more of restitution to the... to the aggrieved, but he must go to the State's Attorney and ask for permission of the State's Attorney or the Attorney General in order to get, well, I presume, this on the docket."

Hastert: "So what this does then is it provides restitution to a person who, is it 'knowingly' makes a purchase from somebody who is charging a price more than what the face price of that ticket is?"

Van Duyne: "Yes, it's the person who makes the purchase may gain some restitution from the person who is managing the event. This takes into... no consideration, say, as an example, you and I, if we go and buy five tickets and go out in front of the building and we scalp them, why there's no provision for that. But this just and specifically is

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limited to the person who is... who is providing the event - let's just say the Cubs' ball park or... or the Bears' Soldier Field or somebody that actually works in the building."

Hastert: "So let's say, let's use somebody that went to a concert, say the Johnny Cash show at the Rialto in Joliet, and they go to that show and there's some scalper - we'll call them a scalper - outside selling 25 dollar tickets for 40 dollars. And because of that, then, the person may be employed or may not be employed by the Rialto. But you're saying then that the person who buys those tickets for 40 dollars when on the face value of that ticket was 25 dollars, whether he knowingly or unknowingly buys tickets from a scalper, he is entitled to restitution, say, from the Rialto, then. Is that correct?"

Van Dyne: "Only if the person who sells the ticket to this... this individual works or is hired by the Rialto. If the person does not work for the Rialto, this Bill does not address that at all."

Hastert: "So it has to be somebody, say, that was an usher and picked those tickets up and then he's out there hustling those tickets."

Van Dyne: "Right. And not only that, he must, as far as I understand the intent of the Bill, he has to be in some collusion with the... the proprietor."

Hastert: "How is that?"

Van Dyne: "In other words... In other words, if I'm the manager and you're the usher, I have to know that... and give you permission, go on out there and sell these tickets."

Hastert: "What's the provision in the Bill that shows that proof of intent?"

Van Dyne: "I didn't hear the last."

Hastert: "Is there a provision in the Bill that shows proof of

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intent, otherwise that there has to be some... It seems like there's some tie of collusion here. What is the standard of proof for that?"

Van Dyne: "I'm told that this is cross-referenced to Section 1.5, and it's got to be beyond reasonable doubt. It has to be proven, of course."

Hastert: "Thank you, Representative."

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

Vinson: "Yes, Mr. Speaker, I find it rather remarkable, and I would be stunned, except for the fact that you put out a priority of call, and you've listed the Bills that you seem to think are important. We're back on ticket scalpers again - apparently the most important thing on your priority of call - at the same time that we're trying to figure out a way to reform an institution that's already spent 200 million dollars of public money in Illinois. At the same time, we're trying to figure out a way to restore a facility in suburban Cook County that is important, a linchpin of economic growth in that county. You're on ticket scalping. Who is the world could have devised this kind of agenda? Is this an agenda to avoid the important problems of the State of Illinois? Is this an agenda to say that we'll deal with the trivial and then go on to adjourn? That's the kind of agenda that you're presenting to us in this Assembly. Why can't we deal with things that matter to jobs and business and the people of Illinois? Why do you avoid that so much? I would urge everybody in this chamber to cast a 'present' vote on this Bill just a live embodiment of a protest against a philosophy of running this House that says we'll deal with the trivial and ignore the important. I urge a 'present' vote."

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

Pedersen: "Yes, will the Sponsor yield?"

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

Pedersen: "Yes, would... would this legislation apply to ticket scalping at burned out race tracks or rebuilt race tracks?"

Van Duyne: "To... To answer your question seriously, no, unless the person... First of all, if the race track was burned out and defunct, I don't know what they would be selling tickets to. But to answer your..."

Pedersen: "We had a race there, the million, this year."

Van Duyne: "To ask... answer your question, no, that's... It would apply if the person who was selling this... scalping the tickets worked for the... for the organization and the organization knew he was doing it."

Pedersen: "Even if it was rebuilt in Arlington Heights?"

Van Duyne: "Yes."

Pedersen: "Thank you."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. 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 58 voting 'aye', 3 voting 'no', 53 voting 'present'. Mr. Van Duyne."

Van Duyne: "Yes, I'd like to have leave of the House and the Speaker to put this on Postponed Consideration."

Speaker Greiman: "And Mr. Van Duyne is within his rights, and the Bill will be placed on the Order of Consideration Postponed. Mr. Vinson, for what... you were seeking recognition."

Vinson: "Well, Mr. Speaker, since..."

Speaker Greiman: "You don't have to, but I mean, you know, you were."

Vinson: "I... Yes, I was. Since you apparently joined with me in casting a 'present' vote on that Bill for the purpose of

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getting to a meaningful agenda of public purposes in this state, can we now go to some reform legislation for McCormick Place and rebuild Arlington Park?"

Speaker Greiman: "Never go... Never go too deeply, Mr. Vinson, in the recesses of the current occupant's of this Chair's mind. My reasons may have been very different than following your lead. Now, on the Order of Senate Bills Third Reading, Special Call Subject Matter, appears... the Subject Matter of School Districts, and on that appears Senate Bill 913. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 913, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

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

Steczko: "Thank you, Mr. Speaker, Members of the House. Senate Bill 913, as was explained yesterday in the Amendment that we adopted, is an opportunity for this House to address the concerns that Members of this House had two weeks ago when the House undertook the consideration of the Governor's amendatory veto of House Bill 982. Simply what Senate Bill 913 does, in its present form, is to provide tax rate equity for unit districts in the State of Illinois. This Bill mirrors what House Bill 982 did prior to the Governor's amendatory veto action. Basically, we will allow unit districts to rise to a level of a \$1.84 for general education purposes just... which is the same right and the same current abilities that you dual districts do have. We are also allowing in this Bill for unit districts to be able to levy up to 20 cents from 12 cents on transportation, which is almost to the level that dual districts currently enjoy. When we debated the amendatory veto of House Bill 982, there was great consternation by people from downstate because the Governor in his changes limited the authority that we're providing here to unit

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districts 1,500 and above. There are those who came to us, there are those who made comments on the House floor and quite simply said, this is supposed to be a carrot for reorganization. It's not. It's a club. It's even a howitzer in some cases. We are trying to address those comments that people gave to us. We are trying to provide a tax equity that has been long in coming. We are trying to be fair. We are trying also to abide with the wishes of what we felt the majority of this House would like to have seen, and from what we hear in the Senate, what a majority of the Senators hope to see. By doing... By approving Senate Bill 913, we are doing much to provide the equity that's always been missing and providing local access to tax rates that dual districts currently enjoy, that smaller unit districts would have been limited to under the Governor's amendatory changes. So I would be willing to answer any questions that you might have. I would encourage your support of Senate Bill 913. And I appreciate the hard work and the efforts of Representative Mulcahey and Representative Ewing, who have worked tirelessly to try to bring this Bill back before you."

Speaker Greiman: "The Gentleman from Cook has moved for the passage of Senate Bill 913. And on that, the Gentleman from Cook, Mr. Leverenz."

Leverenz: "The Sponsor yield?"

Speaker Greiman: "Indicates he'll yield for questions."

Leverenz: "What's this do for my schools in my area?"

Steczo: "Representative Leverenz, it does not affect dual districts at all. Your... Your district..."

Leverenz: "So I'm okay."

Steczo: "You're okay."

Leverenz: "What do you think the Governor will do? Will he do to this Bill the same thing he did to 982?"

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Steczko: "Representative Leverenz, my understanding and the reason that... that Senate Bill 913 is coming back before us is that we are of the understanding that the Governor has had a change of heart. And if that's the case, no one could be happier than myself and... and the Sponsors of this Bill."

Leverenz: "So, I'm not helping myself, but I may be helping others."

Steczko: "Yes, you may."

Leverenz: "I've done that all my life. Thank you."

Steczko: "It's quite commendable."

Speaker Greiman: "There being no further discussion, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 78... 77 voting 'aye', 32 voting 'no', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page four of the Calendar appears the Order of Conference Committee Reports. We will address these Conference Committee Reports by Section... by Special Call based on subject matter. The first is Special Call - Finance, Senate Bill 882. And on that, Mr. Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I move that we adopt the Conference Committee, I believe it's Conference Committee #1, on Senate Bill 882. What it does is, it authorize... it's authorization of the use of stock depositories in foreign stock transactions and such authorizations would allow for the transfer of stock by what the Bill described as a written memorandum without actual delivery. The New York Stock Exchange, a competitor, is seeking similar authorization, and the Midwest Stock Exchange would like to be the first one to

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have such authorization. This Bill was also recommended by DCCA, and I would move for the adoption of Conference Committee #1."

Speaker Greiman: "Yes, Mr. Terzich, I'm advised by the Clerk that this is the Second Conference Committee Report..."

Terzich: "Well, then I move for the Second Conference Committee."

Speaker Greiman: "... with respect to this Bill. Alright. The Gentleman from Cook moves that the House adopt the Second Conference Committee Report of Senate Bill 882. And on that, is there any discussion? The Gentleman from DuPage, Mr. McCracken."

McCracken: "Will the Sponsor yield?"

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

McCracken: "I'm unclear, on looking at the Conference Committee Report, how this changes current law. What's... What's the change?"

Terzich: "It authorized foreign... foreign stock transactions."

McCracken: "By the same method which is currently authorized for national or domestic?"

Terzich: "It's the same as the domestic."

McCracken: "Okay. Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall...' Oh, I'm sorry. Mr. Piel. Yes, Mr. Piel."

Piel: "Question of the Sponsor, Mr. Speaker."

Speaker Greiman: "Proceed."

Terzich: "Certainly."

Piel: "We've had two Conference Committee Reports. One was brought up to me the other day, and I signed it. It did not have first or second on top. And I'm getting a report here on Conference Committee Report #2. Then I happened to take a look on it. Now, I did not sign it. I don't know if we, you know, we..."

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Terzich: "Well, the one that I have, your signature's on there."

Piel: "My signature's on there?"

Terzich: "Yes."

Piel: "Well, the one I've got here does not have my signature on it, and I've got it..."

Terzich: "Must be a fraudulent..."

Piel: "Yeah, that's what I'm afraid of."

Terzich: "I've got the one with your signature on it."

Piel: "Alright, but I've got also an analysis of #2, and I'm not sure if we made up two in two different cases... The question was brought up to you the other day, and I'm trying to figure out if our analysis is right. Now did we have two different copies of two, and then decided to throw the one away?"

Terzich: "Well, the staff guy's got... right here. They'll bring it over to you. It's the one you're in favor of, Representative."

Speaker Greiman: "Alright, Mr. Piel, I will..."

Piel: "Could you call on someone else and just let me take a look at this? Thank you."

Speaker Greiman: "Yes, and I will come back to you if... if equity dictates that. Mr. Pedersen. Yes, Mr. Pedersen."

Pedersen: "Yes, will the Sponsor yield?"

Speaker Greiman: "Indicates he'll yield for questions."

Pedersen: "Yes, Representative, they had... they had in the past and they will have in the future, a lot of really outstanding racing stock in Arlington Park, and I just wondered whether this Bill would have any effect on the racing stock out there."

Terzich: "I doubt... I doubt it very much, but you better ask Jim Morpew our staff guy on there, Bernie. I'm not into racing these days."

Pedersen: "Okay. Thank you."

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Speaker Greiman: "Mr. Piel, are you satisfied that your signature's appropriately on there and your imprimatur of Representative Piel has been placed on this Bill?"

Piel: "We're all set on it, Mr. Speaker. I have no problem. Thank you."

Speaker Greiman: "The question is, 'Shall this... Shall the House adopt Conference Committee Report #2?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'aye', none voting 'no', none voting 'present', and the House does adopt Conference Committee Report #2. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Conference Committee Reports, Special Subject Matter Call, appears... Special Subject Matter Call - Elections, appears House Bill 1109. 1109, the Gentleman from Madison, Mr. Wolf."

Wolf: "Mr. Speaker, I don't believe the Conference Committee Report has been distributed yet on 1109."

Speaker Greiman: "We'll take it out of the record. On the Order of Conference Committee Reports, Special Subject Matter - Pensions, appears House Bill 510. Mr. Wolf, I'm advised you are the Sponsor of 510. Is that correct? The Gentleman from Madison, Mr. Wolf."

Wolf: "Thank you, Mr. Speaker and Members of the House. Conference Committee Report to House Bill 510 deletes everything after the enacting clause with regard to House Bill 510 and now contains only one provision. And that contains the provisions as originally contained in House Bill 1296. House Bill 1296 was originally supposed to have been contained in Senate Bill 1132, which was an omnibus Bill pertaining to a number of changes in the Pension Code.

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House Bill 510 now contains the single provision that would extend the sunset year for the early retirement option in the State Universities' Retirement System from 1987 to 1992. The State Universities' Retirement System indicates that passage of this provision is necessary prior to July 1, 1986, as there are a number of individuals wishing to utilize the early retirement option, and they have to declare their intent at least a year before retirement. I move for the adoption of Conference Committee Report #1 to House Bill 510."

Speaker Greiman: "The Gentleman from Madison, Mr. Wolf, moves that the House adopt Conference Committee Report #1. On that, is there any discussion? There being none, the question is, 'Shall... Shall Conference Committee Report #1 be adopted?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'aye', 1 voting 'no', none voting 'present', and the House adopts Conference Committee Report #1 to Senate Bill 510. This Bill, having received a Constitutional Majority, is hereby declared passed. Now on page two and three of the Calendar, Senate Bills Second Reading, Subject Matter Call - State Administration, appears Senate Bill 502. Mr. Clerk, read the Bill. Out of the record. I'm sorry. Out of the record. The Chair now moves to page two, Senate Bills Third Reading, on the regular Calendar, and on that appears Senate Bill 216. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 216, a Bill for an Act in relation to certain technical training programs. Third Reading of the Bill."

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

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McNamara: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill requires or amends the Income Tax Act and Public Community College Act to provide limited deductions for donations of equipment donated to community colleges engaged in technical training programs. What this Bill actually does is twofold. One, it establishes a grant program that will give the colleges the use of those particular, up-to-date technical equipment a grant of 50% for their program. It also allows the private sector to donate up-to-date solid... solid state type of equipment to the colleges and also receive an income tax deduction for this. What this will do is increase the amount of... of jobs. As far as people are concerned, they will be technically oriented and fits in with our current program across the state."

Speaker Greiman: "The Gentleman from Cook, Mr. McNamara, moves for the passage of Senate Bill 216. And on that, is there any discussion? The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Do we have any estimate..."

Speaker Greiman: "Yes, he agrees to yield for questions. Proceed."

Hoffman: "Do you have any estimate on the revenue loss to the state?"

McNamara: "I... Was the question as to how much the revenue it'll cost the state? Okay. The only estimate that I have at this point is that it... the grants may not exceed 50,000 dollars. I do not know how much revenue estimate will be decreased by the income tax deductions. I do know, however, that if we have 360,000 jobs that are available throughout the State of Illinois that have been lost over the last few years... and this increases the technical expertise, we put people back to work and increasing the technology, that could generate in excess of one billion

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dollars if those people were put back to work in the relationship of income tax."

Hoffman: "I understand where you're coming from, Sir. I would... I would just suggest to you that the loss of those... loss of those jobs are due to a lot of factors totally unrelated to... to this... this program. One of the... One of the big advantages of the Illinois Income Tax Program when it was introduced and when we... as we maintained it for many years is that it was a clear simple tax where the tax rate was flat, the deduction was flat, and you worked away from there. In fact, if the federal tax was like the state tax, we wouldn't be going through what we're going through now in... in Washington on tax simplification. I would merely suggest to the Members of the General Assembly that the degree to which we can keep the tax deductions in this state to an absolute minimum, the better off all those businesses are going to be, the better off all of the potential employees are going to be, because whatever we lose has to be made up somewhere else. And I think it would be very, very difficult to put into place the kind of equation that the Gentleman who is sponsoring this Bill alluded to in response to my question. And not to suggest that the idea is necessarily bad except that it will affect the revenue sources and will be another add on, another change, another deduction on the income... income tax form in Illinois. And it's for that reason that I stand in opposition to the Gentleman's program."

Speaker Greiman: "The Gentleman from Vermilion, Mr. Woodyard."

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

Speaker Greiman: "Indicates he'll yield for questions."

Woodyard: "Representative, I missed part of your answer to one of the questions. Did you have a revenue loss figure as to what the revenue loss could be if... if this Bill were to

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pass?"

McNamara: "No, I do not have a revenue loss figure, nor do I have a revenue gain figure."

Woodyard: "Or a what?"

McNamara: "No."

Woodyard: "Alright, thank you. To the Bill."

Speaker Greiman: "Proceed."

Woodyard: "This is another one of the tax deduction Bills that we seem to have a plethora of this past spring. And with the revenue projections in the condition they are for the State of Illinois, I don't think we can further take a chance on... on erosion of our revenue sources. And so I would certainly urge a 'no' vote on this Bill."

Speaker Greiman: "The Gentleman from Kendall, Mr. Hastert."

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We've asked numerous... numerous questions of the Sponsor. I just want to speak my concern here. It's been spoken before. We continually go on to erode the tax base of the State of Illinois. We all do it one way or another. When we start adding on the corporate deductions and business deductions, it even further magnifies that decrease that we... we have of available and future revenues for the State of Illinois. Now, we all have plans and ways to spend the money that we have in the State of Illinois. But damn few of us are ready to stand up here and add tax dollars on. We'll be even less willing and available to do that next year. Now if you want to erode the tax base of the State of Illinois, fine. But the issue of appropriations and balancing out of what we bring into the state and what we put out to this state just isn't going to add up. So if you have programs that you're interested in, if you have appropriations that you think you might want to make for education or higher education or

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other programs in this State of Illinois, then you better not vote for this Bill."

Speaker Greiman: "Further discussion? There being none, the Gentleman from Cook, Mr. McNamara, to close."

McNamara: "Thank you very much. I'd like to address myself to a couple of the points that were mentioned in debate. First of all, the word 'tax erosion', in this particular case, seems to be a misnomer. If we start looking at the business of this state as a business, as a businessman would look at the business of this state, which is that we take a look at our tax base and we say that the tax base is an investment, an investment for our future, an investment in order to get dollars returned. Now, if we take a look at educational issues, and we say, the educational dollars will have to be expended for the sophisticated equipment which is quite expensive, we have to realize also that those dollars have to be spent out of tax dollars. What we are doing by this Bill is is we are allowing the businesses to donate that equipment at a much less value of dollars that are lost than dollars that would have to be put out if that... if those pieces of equipment were purchased by educational people. That in itself is a savings. We also take a look at the investment of dollars that we're going to have in the new technology - the technology that we say is great for the jobs of this state, that is so important to all of us, to all of our districts. And we are saying that not only the educational people, not only the educational standards, but also the technology, the interest that the people must gain in that technology in the operation of this equipment is mandatory for this state. And when we take a look at that overall situation, we are saying that the dollars that will be returned to the State of Illinois are far in excess of any expenditures

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that will be expended under this Bill. I, therefore, urge for progressive thinking, for business thinking in the State of Illinois that we go forward and we vote this up. Thank you very much."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. 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... Yes, Mr. Hastert, for what purpose do you seek recognition?"

Hastert: "If this gets the requisite number of votes, I would like to verify."

Speaker Greiman: "It doesn't appear that it will. On this question, there are 61 voting 'aye', 49 voting 'no', 3 voting 'present', and Mr. McNamara asks leave to place the Bill on the Order of Consideration... Consideration Postponed, and the Bill is so ordered. Yes, Mr. McNamara, were you seeking recognition? Calendar... Supplemental Calendar announcement. On the Order of Senate Bills Third Reading, Special Subject Matter Call... Subject Matter Call - Banking, appears Senate Bill 525, on the Order of Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 525, a Bill for an Act to amend Sections of the Illinois Bank Holding Company Act. Third Reading of the Bill."

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

Capparelli: "Thank you, Mr. Speaker. I yield to Mr. Larry Bullock for opening remarks and answering of questions."

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

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 525, as amended, has had an awful lot of discussion, and I think the discussion has been helpful."

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The Bill has been amended, and the Amendments, I believe and I hope that you'll agree, strengthen this Bill considerably. 525 is intended to modernize, once again, the Illinois banking laws. It intends to stimulate the economic development that we previously heard the gentleman from Taiwan allude to. But more importantly this modernization of our banking laws will benefit consumers. And I think that's very significant as we approach this legislation. There are about seven points that I'd like to make about the Bill before we open it up for... for questions. The most important thing that 525, as amended, will do will establish for us here in Illinois the regional reciprocal banking, creating a midwest regional bank compact, if you will, with seven states - the states of Illinois, Michigan, Wisconsin, Indiana, Kentucky, Missouri and Iowa. And this bank holding company from any of these states can enter Illinois and, of course, Illinois bank holding companies can enter the other six states. And in entering those states, Illinois will be... extended the reciprocal arrangements as inherent in this legislation. The intrastate regions in our State of Illinois are repealed with this legislation. Most importantly, an Amendment strengthened the Bill in what we call the safety margin, the 7% effort. Any bank holding company seeking to acquire or make an acquisition in Illinois must, in fact, meet a 7% capital requirement which is 2% higher than the federal reserve standard of 5%. Acquisitions that would bring the acquiring bank holding company below the 7% in total capital, however, are also prohibited. More importantly in this legislation, and I'm proud to be a joint Sponsor because it concerns the community reinvestment provisions - a very strong consumer provision in this banking law where we basically set standards for

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banks coming into the state and, of course we set standards for community reinvestment. We must show... A bank must show to the regulator of this state of how an out-of-state holding company will, in fact, bring net new benefits to our state. But more importantly, the Amendment requires that the bank holding companies have a satisfactory community reinvestment provision and record before purchasing an Illinois bank. Mr. Speaker, and Ladies and Gentlemen of the House, the senior citizens and consumers benefit with this Bill because we have a requirement here that a person over age 65, a senior citizen or an elderly person, would prohibit any activity charges on their first ten checks, checks drawn each month by the senior citizens. And we also reduced the deposit requirement to 100 dollars and, of course, if it is a check such as a social security check, the bank agrees to make arrangements to open an account with that as well. We talked also about funds available in terms of check clearance. And the maximum holding period for the clearance of a check deposited in an established account in this state, which has been in existence for 90 days, would in fact be for four days for intrastate checks and seven days for out-of-state checks. Notice also must be given to bank customers routinely and annually disclosing of these provisions. Mr. Speaker and Ladies and Gentlemen of the House, checking and savings account disclosure and consumer information are an inherent part of this legislation. 525, as amended, will, as I said... once again in the period of less than seven years in Illinois, we will be freeing up our banks, our Illinois banks, to compete in the modern world, to modernize the banking laws in this state. Illinois banks will be stronger. Consumers will be stronger. Consumers will benefit. And in the long run, we will have success for

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banks and consumers in our great state. Mr. Speaker and Ladies and Gentlemen of the House, I'll be delighted to answer any questions that may arise. I'd urge an 'aye' vote."

Speaker Greiman: "The Gentleman from Cook, Mr. Bullock, moves for the passage of Senate Bill 525. And on that, is there any discussion? The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. This Bill, in the form that it is now in, is, in my judgment, the worst possible solution for dealing with financial services for the people of the State of Illinois. This Bill certainly accommodates many bankers' interests. This Bill attempted, at one point, to accommodate currency exchange interests, but at no point did this Bill address the subject of economic growth in Illinois. At no point did it address the equal interest, in my judgment, that the business community and the consumers have in banking legislation. All this is, is a Bill proposed by, amended by, ratified by banking organizations. It is not a good Bill for economic growth. It's a bad Bill for economic growth. It's not a good Bill for jobs. It's a bad Bill for jobs. I would urge the General Assembly to defeat this Bill at this time, to come back and to make a serious effort to devise a program that will bring Illinois into the 20th Century on banking legislation. States like South Dakota have done that. States like Delaware have done it. States like Maine have done it. Those states have come to grips with the fact that by permitting some reasonable degree of competition in banking services you serve the consumer, you serve the business community and you foster economic growth. But what we're doing with this Bill is just the opposite. We're providing a cradle to grave womb of protection for the banking industry in Illinois, and I

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would urge a 'no' vote on the Bill because that's not enough... that's not a good enough test for banking legislation to meet in this General Assembly."

Speaker Greiman: "The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. We have before us yet another attempt to expand the powers of certain financial institutions in the quest to further concentrate the financial assets of this state into fewer and fewer hands. You know, study after study shows that there is no direct correlation with bigness is better, and I agree that in this situation it is very similar. There's not an ounce of proof at least been shown to me that this legislation will aid economic investment or growth. Moreover, many of these same institutions that are seeking the expanded provisions with the opportunity to merge and purchase financial institutions in the rural areas and downstate are those same institutions that made, as we might say, questionable financial arrangements in loans with Third World countries, other nations and questionable investments when, in fact, in this state and in this nation, the business entities here in Illinois were seeking financial assistance. In the areas of downstate Illinois, many of those financial institutions have 90 to 95% of their total assets in the agricultural community and agriculturally related industries. There will be no benefit to those financial institutions if, in fact, this legislation is adopted and passed. I think that the recent enactments in the State of Minnesota, whereby the provisions and procedures of 28 financial institutions being purchased by another financial institution and then turn around and put them back on the block for sale created a crisis in confidence. I'm not certain with this legislation that anything is going to be

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resolved so that the financial structure and the security and safety of the deposits and the assets in those rural and downstate banks will be of any benefit. I find it difficult, if not impossible, to evaluate totally what benefit we, in the State of Illinois will be obtaining with the passage if, in fact, it passes, Senate Bill 525. I think that what will result is that the large financial institutions will be serving a more elite sector of the urban areas and big business to the detriment of the rural and downstate areas. I can't evaluate completely the Amendments that were adopted other than the 7% capital asset ratio on exactly what will happen. I don't know if the savings and loans are still in. I do know that the credit unions are out. I... I reiterate -- no one has shown me what advantages will be presented to the citizens of this state. I would hope that the capital assets and liquid liabilities... the liquid assets, excuse me, of those financial institutions that are being sought after by the people who want this expanded right is totally beneficial. I think the main reason for the legislation is that some large financial institutions would like to obtain the liquid assets and the additional deposits of those smaller financial institutions. I find that to be unacceptable. I also submit to you that once these downstate and rural areas lose one of three items, that being their school, their post office or their financial institution, they lose identity. I maintain that identity should be retained. I know that everyone has... has evaluated what's been going on the last couple days on this legislation. Everyone has probably made up their mind. I'm sure that my comments won't change any minds, but I, in all good conscience, cannot support the final passage of 525 because I personally feel it would be detrimental to

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the financial structure outside the urban areas. I do represent downstate Illinois, and I think that the agricultural interest, the working men and women, the coalitions of working people in this state are on my side on this question. And I stand in opposition to Senate Bill 525 and request that you give it a long hard thought, and hopefully you will join me in opposing this legislation."

Speaker Greiman: "Supplemental Calendar announcement."

Clerk O'Brien: "Supplemental Calendar #1 has been distributed."

Speaker Greiman: "The Gentleman from Knox, Mr. McMaster."

McMaster: "Thank you, Mr. Speaker. Ladies and Gentlemen, I hate to take up the time of this House in discussing this Bill after we have spent so much time this week and previously in discussing the interstate banking issue. But I think that I must, in my capacity as a rural Legislator, someone who has attempted for a number of years to represent the farmers in the small communities in our state, I must rise in opposition to this Bill. I think that what we have here is an attempt by a few large banks to take over control of the banking interests in the State of Illinois at all levels, including our rural downstate level, an attempt to end up controlling our farmers, laborers, senior citizens, small businessmen, and consumer groups. I don't think we need this Bill in my part of the state. We have, I think, seen many of the detriments that will come from this Bill, and it will cause even greater problems to the rural community than we face now. As farmers, we borrow money, I think, just about every year. We can go to our local bank where people know us. They know what we are talking about when we discuss farming problems. Under legislation like this, a Chicago bank will probably control the banks in my district, and I will be talking from... to someone who represents big city interests rather than the

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interests of those in towns like Oneida, Williamsfield, Galva, places such as that. I really think that it is a great disservice to us. I respect very much the people who are backing this on this floor. It is their right. But I think it is also my right and my duty to voice my opposition to this Bill and to urge very strongly that all of you consider what you are doing when you cast your vote on this. And I would urge you to vote 'no', rather than to be us... see us be taken over by a small group of high large money interests. I urge a 'no' vote on this legislation."

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

DeLeo: "Thank you, Mr. Speaker and Members of the House. I hate to disagree with some of my colleagues, but to the Bill. Regional interstate banking would help small businesses. A much perpetrated myth of business is that small banker knows his customers and his community well and will make a handshake deal on the strength of a businessman's character. Well, this is correct up to a point, provided that one is not starting a new company or wishes to expand in a new area or another state. For these and other reasons, regional interstate banking needs to be a fact in our Nation. When a business crosses state lines, whole new relationships are needed to be developed which takes time, resources and contacts. In the last 15 years, small businesses have lead this Nation in job creation. However, banker reluctance in providing adequate access to capital has retarded its growth. It is my view that if regional interstate banking were available the business growth would be accelerated. Bankers are not behaving in an entrepreneur manner; therefore, their aims are opposed to those of small businesses. Public companies can sell commercial paper, borrow expansion capital at prime rate.

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Small businesses do not have it good. Their stick has two ends and both of them short. Compared with the cost of trade credit, which means using suppliers as lenders, bank rates, any bank rates, look competitive. Even though they spend somewhat above the prime rate that you hear about in the news, small local institutions charge the highest rates ofn any banks because there is no competition. The reason they have no competition is they're protected by laws against interstate banking. These local institutions would rather invest their unloaned deposits in federal securities or the federal fund markets. It's a worthy cause, but it's helping finance... finance the national debt. It's not local dollars for local use. More competition would result in more commercial loans, more construction, consumer businesses, employment and tax revenues for the State of Illinois. Price is not an issue. There is also availability. A local auto repair shop cannot necessarily arrange financing to expand and bring jobs to hometown U.S.A. Where regional banking is permitted, the small business owner has benefits through lower interest rates on loans, greater variety of financing plans, highest interest paid on deposits and all around better service. Owners of small businesses put in long hours in their work. They don't have protections. Why should banks? I urge an affirmative vote on 525."

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

Friedrich: "Mr. Speaker, Members of the House, for the last several days we've seen this Bill progress to where it is now in the final package, and they're always talking about what it's going to do for the consumer. It isn't going to do anything for the consumer. It's going to do something for about four or five big banks in Chicago. That's the only conclusion you can come to. I think it's amazing to

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me if they really want interstate banking why they didn't go for interstate banking, period - national interstate banking. But the problem is they didn't want an competition. They didn't want New York banks coming into Chicago. They didn't want Minneapolis banks. That was kind of funny, too. They... They kept Minnesota out of this compact that they had because a couple pretty good bankers in Minneapolis and St. Paul. So they raised it so they can gobble up everything in this five state area. And if that's protection, I don't know what it is. And I can tell you, if you work for the consumer, you just ask yourself this question. Is a farmer better off in a little town of Patoka going to a locally owned bank or is he better off going to a bank that's held... that's owned by some bank in Chicago? You know, what's going to happen? The guy in Chicago or the people that control that bank will look at the bottom line, and they will either suck the capital out of there or they'll... they'll get rid of the bank or whatever, shut it down. This is not a consumer Bill. This is a Bill strictly for four or five great big banks in Chicago. And don't kid yourself, and don't kid yourself into thinking the people in your community are going to be better off if those Chicago banks own your bank. It just doesn't work that way. If we're going to have interstate banking, let's go nationwide and have national interstate banking. If it's good for us, it must be the other. It's only been a little while, if your memory's very good and you were here very long, we had the holding company Bill and the five areas were set up in this state. And they said, 'Okay, just let us have bank holding companies in the Chicago area. We'll protect you. No Chicago bank can ever own a bank in Centralia or Patoka or Kinmundy or anyplace else. You are protected.' What's the

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first thing they did in this Bill? Did away with those zones so that Chicago banks can go all the way to Cairo and gobble up a bank. Now, do you think that really means they're concerned about the consumer in the little town of Mt. Vernon or Centralia or even Champaign? They're interested in how big that bank in Chicago can get. And it will be controlled out of there, and if you want to follow my predictions you just follow it and see what happens if you pass this Bill."

Speaker Greiman: "The Gentleman from Lake, Mr. Churchill."

Churchill: "Thank you, Mr... Thank you, Mr. Speaker. You know, a bank means a lot to a community. A bank is more than just the financial center. Oftentimes, it is the heart of a community. In a small community, like the one in which I live in, the bank is probably the largest building. Sometimes second only to the schools, it becomes the largest building. The bank has the most employees. Usually, a bank will have a community room where it will offer space to the public for meetings. The bank provides community financial services, stability and leadership. In the old times of banking, a bank could operate solely in the community, isolated from outside influences to a great degree. But that is not true today. There have been a lot of changes in the financial services industries. Today the bank operates in a larger community. State and federal laws and regulations influence its behavior. The state, the national and an international economy regulates what happens to the bank as an economic business. Money supply, interest rates - these things are set at levels that are outside of that local community in which the bank used to isolate itself. Banks can no longer afford to think only in parochial terms. They're in competition on a state, a national and an international basis. We must allow banks

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to compete. We must remove hindrances from competition. We must allow them to grow, if they wish. We must allow them to join together, if they wish. We cannot artificially restrict growth by precluding them from joining together. But this process must be an orderly process, a thoughtful and planned process. Growth must be thoughtful and planned, orderly. Senate Bill 525 is just that. It is a logical step in an ongoing process of deregulating banks on a geographical basis. Remember the old days. No bank could own stock in another bank. No bank could have outside facilities. Then there was a logical step, a logical planned, thoughtful change. The creation of the bank holding company law allowed a holding company to own stock in other banks. And there were different regulations about facilities that came into being. But these were put into a certain framework of safeguards, put into the regional concept so that everybody would have a chance to expand within their regions without having to fear being, quote, unquote, 'gobbled up by other banks'. Now we're at 525. What this Bill does is, it permits bank holding companies to purchase other bank stock in Illinois and in those states which adjoin Illinois. And I would suggest with respect to legislative intent that it is not the intent of Senate Bill 525, as amended, that the Amendments to Section 3.07 Subsection (b) should apply to any bank holding company which was permitted to own or acquire an Illinois bank prior to December 31, 1981. Such a bank holding company is excluded from the definition of Midwest Bank Holding Company in Section 2(j) of Senate Bill 525. This Bill also has reciprocity, a concept which says that if we can do something in Illinois, we'll do it. If we can do something in other states, fine, we'll do that. But nobody can come into our state unless they permit us to

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go into their state and do the same thing. It preserves the safety and soundness standards. It sets up a definition of total capital which means the federal definition of total capital. Provides opt out language so that banks may prohibit acquisition. It permits increased competition. It's something from which the consumers may have great benefit. There is no trigger. It confines the process to another regional concept, but expands those regions to the adjoining states. It does not include nonbank banks. That's a separate issue which is not a part of this. We have also included various consumer issues. This Bill offers the consumers of Illinois many benefits. It is true that the consumer benefits of this legislation apply both to banks and to savings and loans. After all, if banks offer senior citizens a basic checking account, it is only fair that savings and loans do the same. A senior citizen, who has had an account for many, many years with a savings and loan, should not be required to close that account and open a new account at a bank in order to get the basic checking account. Savings and loans should favor the legislation extending the consumer benefits. After all, senior citizens are valuable customers of savings and loans as well as of banks. And, therefore, savings and loans should want to keep the business of the senior citizens. But most of all, Senate Bill 525 is a Bill which will work. It is a part of that logical, thoughtful, orderly planned process. It is not a Bill creating new rights. It is a Bill removing artificial restrictions in a geographical area. It's important that we pass this Bill now. I think that one of the things that I detect when I hear the other speakers about this Bill talking is a sense of fear, because there always is a sense of fear whenever we change something so complicated as the laws that regard

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banking in the State of Illinois. But I think that fear is unrealistic. It reminds me of a lady who came to me one day and had in her hand her little blue passbook. And she said, 'You know, I went to the bank, and the bank wanted to take my little blue passbook away from me. They were going to give me a statement account. Now I don't know what this statement account is, but if I don't have my little blue passbook, I must not have money in the bank.' And it took awhile to explain to this lady that the statement was the same as the blue passbook. But the blue passbook to that... to that lady was her money, much as sometimes people come to the bank. They think that the dollar bill they bring in is the dollar bill they'll get back when they withdraw. There are fears. There are misconceptions about what happens. But we cannot have fear. I do not fear logical, sound, controlled change. I fully believe in the citizens in our state, and I believe in the financial institutions of our state."

Speaker Greiman: "Bring your remarks to a close, Mr. Churchill."

Churchill: "If Illinois banks are to be given the right to compete, they will compete well and survive with strength. I would ask all of my colleagues to join with Representative Capparelli and Representative Bullock and with so many others who have been working on this fine Bill to pass this legislation today."

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

Berrios: "I move the previous question."

Speaker Greiman: "The Gentleman from Cook, Mr. Berrios, moves that the previous question be put. All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Mr. Capparelli to close."

Capparelli: "Thank you, Mr. Speaker. I can't remember in my 15 years where a Bill had such a thorough hearing. But let me

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summarize by saying that this measure represents a carefully constructed balanced and progressive step toward modernizing the banking industry in Illinois. We all recognize the dream of a revitalized state depending on a large part of the ability of Illinois banking industry to meet the complex credit needs of our changing commercial enterprise. Regional interstate banking is the middle ground between the nonviable status quo and the immediate ill-advised leap to full nationwide interstate banking. I think this Bill has had enough hearing, and I would ask for a favorable Roll Call."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. This is final action. The Gentleman from DuPage, Mr. Daniels, one minute to explain your vote."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this legislation - excellent piece of legislation that has been worked on for several months now. I feel that this Bill reflects a step in the right direction toward modernization of the banking industry in Illinois. As many of you know, I have been and will continue to remain a proponent of national interstate banking for Illinois to continue that movement of modernization. I believe national interstate banking is coming and coming swiftly. I would have hoped that this year the General Assembly could have passed that legislation that would have put Illinois in the position to be a step ahead of many other states in the Nation. I had hoped that this General Assembly would have seen that a move towards national interstate banking would have not only brought much needed modernization to our banking system in Illinois but would also have given a clear signal

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to other states in this country that we in Illinois are indeed the financial center of not only the United States but of the world. I believe that for this General Assembly to do nothing to modernize our banking system and industry is a severe mistake, especially when this Assembly has acted admirably in reforming and addressing problems with our education system, and especially when this Assembly passed landmark economic development legislation in Build Illinois. This proposal which allows for regional, reciprocal interstate banking within the seven state midwestern region is, in my opinion, limited but far superior to doing nothing at all. I will continue to advance the goals of national interstate banking, and I am pleased that those who support this legislation and the Illinois Bankers' Association have agreed to keep the discussions open regarding a more progressive system of banking and a national interstate banking plan for Illinois. In view of that, in view of the fine work that has been done by the Sponsors of this legislation and the attention that has been devoted by both sides of the aisle, I wholeheartedly support this legislation and recommend it to you for your passage. Thank you."

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

Ewing: "Thank you, Mr. Speaker. Very kind of you to call on me after my Leader's given such a good speech in favor of this Bill. But I think that I have to comment on my vote here. This is a shareholder's Bill. And as a shareholder in several banks, maybe I should excuse myself from voting on it, but those are the people that are going to benefit. We all represent individuals. This is not a Bill that benefits individuals in this state, and we should keep that in mind. Are we representing corporations or are we

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representing individuals? And for every new business that this Bill will assist, I can assure you there are many who may find their financial sources have... have dried up. And for those who live or who are in minority areas in this state, and that may be all of us, we may find that our banks are no longer very receptive to our needs. The community banks have served the needs in this state..."

Speaker Greiman: "Bring your remarks to a close."

Ewing: "...continue to serve the needs in this state, and I would suggest that a vote for people, a vote for individuals, a vote for small business is a 'no' vote on this Bill. Thank you."

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

Ronan: "Thank you, Mr. Speaker and Members of the House. I, too, rise in support of this legislation. In the last Session, this is the Bill that's truly been the most debated, the most discussed, the most analyzed. We've spent a dozen hours looking at Amendments, looking at compromises, looking at different considerations. It's not a perfect piece of legislation, but it's the best job that we could come out of this Session of the General Assembly. It's going to have the 60 votes required for passage. I urge us to move on to other issues. We've done as good as we can with banking this Session, and hopefully next Session we can continue in the movement that's been established at this point. And I'm happy to see that we'll have 60 votes on this Bill. Thank you very much."

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

Brookins: "Thank you, Mr. Speaker. Ladies and Gentlemen of the Assembly, I rise in support of this. I know that we need the community reinvestment. The banks have yielded, and

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we'll guarantee that we'll get that. The economic development will move back into the City of Chicago, and I hope and know that it then will reach out into our communities in aid. So with that, I'll vote in favor of this Bill."

Speaker Greiman: "The Lady from Sangamon, Ms. Oblinger, one minute to explain your vote."

Oblinger: "Thank you, Mr. Speaker. I'm voting 'no' on this Bill. I've heard so many promises on this floor. Some of you haven't been here very long. I was told if I would vote for two facilities for each bank, then three facilities, then five facilities. Every one was the best Bill. How am I to know that this is the best Bill? You've said that so many times I can't believe it any more."

Speaker Greiman: "Mr. Bullock, you spoke in debate, Sir."

Bullock: "Mr. Speaker..."

Speaker Greiman: "Yes, Mr. Bullock."

Bullock: "Am I a joint Sponsor on the Bill?"

Speaker Greiman: "Pardon?"

Bullock: "Am I a joint Sponsor of this Bill?"

Speaker Greiman: "Well... Well, you... you spoke. Mr. Capparelli spoke and you spoke. And I think we would be bending the rules. I mean if you have something greatly new, I... I'm sure the House will listen to you, you know. Mr. Ropp, one minute to explain your vote."

Ropp: "Thank you, Mr. Speaker and Members of the House. You know, in order to plan for the future, you have to start today. Certainly, in the financial institutions of this state, we have been extremely hampered by not being able to plan for the future. This Bill will allow that opportunity to begin. It has been stated that in small banks in downstate Illinois, currently it would be a disservice if, in fact, this Bill should pass. Let me tell you, in my

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judgment, if this Bill does not pass, we continue to have disservice, because of... a lot of small farms and even large ones are not in a position to go into their local banks and borrow money because of the high interest rates and the mere fact that there just isn't enough dollars there to operate. We will, in my judgment, under this provision, be able to better serve the fast growing needs of this state by the passage of this Bill. And I urge your support so that we can continue to look forward, to grow and to plan in the best economical way possible for the State of Illinois."

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

Huff: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I just received a call from E. F. Hutton. And E. F. Hutton says, 'Follow Al Bonan,' and that's good enough for me."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 72 voting 'aye', 38 voting 'no', 7 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Ms. Barnes, for what purpose do you seek recognition?"

Barnes: "I was sitting right at my desk, and I forgot to vote 'aye', please."

Speaker Greiman: "Let the transcript indicate that Ms. Barnes would have voted 'aye'. Mr. Preston."

Preston: "Mr. Speaker, finally, are we rid of the bankers?"

Speaker Greiman: "Mr. Preston, I suspect we are never rid of the bankers. Representative Breslin in the Chair."

Speaker Breslin: "Ladies and Gentlemen, we are going to the Order of Supplemental Calendar #1. On that Order there are amendatory veto... there is an amendatory veto Motion."

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That is House Bill 257, Representative Mautino."

Mautino: "Thank you, Madam Speaker. I move to accept the Governor's recommendations as they pertain to House Bill 257. The Governor agrees with the provisions of the legislation which is the net operating loss provision, and what his amendatory veto did was to set the provisions of the Act up so that they will apply in the taxable years commencing in 1986. He's moved it ahead. We accept that movement. Also, the technical changes that were made in the legislation have to do with 1156 that was recently passed by the General Assembly. All the rest are technical in nature. And the veto now... the veto message now creates the common base by deleting the credit of the replacement tax and the Prairie State 2000 Fund premiums and expenditures from the state income tax in creating the deductions for these expenses from the state's income tax. Therefore, I move to accept the Governor's amendatory veto as it pertains to House Bill 257."

Speaker Breslin: "The Gentleman has moved to accept the Governor's amendatory veto on House Bill 516 (sic - 257). And on that question, the Gentleman from Livingston, Representative Ewing."

Ewing: "Madam Speaker, Ladies and Gentlemen of the House, the Sponsor of this Bill has spoken very accurately on the... what the Governor's action did. This is a Bill that I think's pretty much agreed to by all parties. It brings fairness into our tax law. It has an effective date that won't go into effect for over a year, and if there is any loss of revenue, that will be delayed. And I certainly would encourage a 'yes' vote to accept this amendatory veto."

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

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O'Connell: "A question of the Sponsor."

Speaker Breslin: "Proceed."

O'Connell: "Representative, does this Bill contain the provisions that were in House Bill 83 which allowed for the circuit breaker or rather the deferral on special assessment and special service areas?"

Mautino: "No, as amended in the Senate, this legislation enacts the provisions for carrying forward a net operating loss under the income tax deduction. It does not do any of the original provisions of the Bill or anything else. It was stripped in the Senate, and it only addresses the new provisions of the net operating loss for corporations."

O'Connell: "So this does not address the senior citizen deferral."

Mautino: "No, Sir, it does not. This is... This is House Bill 257. Is that what you're looking at?"

Speaker Breslin: "Is there any further discussion, Representative O'Connell?"

O'Connell: "Madam Speaker, I apologize. I was looking at analysis on Senate Bill 257."

Speaker Breslin: "Very good. Is there any further discussion? If no discussion, the question is, 'Shall the House adopt the Governor's specific recommendations for change on House Bill 257, by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Gentleman from Vermilion, Representative Woodyard, one minute to explain your vote."

Woodyard: "Thank you, Madam Speaker. I know it's too late to... to ask a question, but would the Sponsor just nod? Is there anything in this Bill that would affect Mitsubishi? Not on the move..."

Speaker Breslin: "Let the record show that the Gentleman nodded"

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in the negative. Have all voted who wish? The Clerk will take the record. On this question, there are 111 voting 'aye', 5 voting 'no' and 2 voting 'present'. And the House does adopt the Governor's specific recommendations for change on House Bill 257. Under the Order of Motions on Supplemental #1 appears House Bill 516, Representative Hicks."

Hicks: "Yes, Madam Speaker, I would move to take from the table House Bill 516 at this time."

Speaker Breslin: "The Gentleman has moved to take House Bill 516 from the table, discharge Committee and place the Bill on the Order of Second Reading Second Legislative Day. Does the Gentleman have leave by use of the Attendance Roll Call? And on the question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Madam Speaker, I would object to that."

Speaker Breslin: "Okay. The Gentleman now moves that the House take this Bill from the table, discharge Committee and place it on the Order of Second Reading Second Legislative Day. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Hicks, do you wish to explain your vote as to what the Bill does?"

Hicks: "Yes, Madam Speaker. House Bill 516 was a Bill that was supposed to be included in Senate Bill 730 in the educational reform package. It's a very simple Bill changing the formula in which way that special education funds are allocated. It's a Bill that the State Board of Education has no problems with, and I think it's a Bill that as far as I know, I don't know of anyone who's opposed to the idea of what it's doing."

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

Vinson: "Well, Madam... Madam Speaker, Ladies and Gentlemen of

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the Assembly, just so you know what that little change is, it's a change that changes the distribution of state aid to student enrollment rather than a daily average attendance. What that does is to massive... massively reallocate state aid to the City of Chicago. It's another part of the Speaker's program to subsidize the City of Chicago and to let the rest of the state take the hindmost. I would urge a 'no' vote on this."

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

Hicks: "Yes, Madam Speaker, to make explanation. That only affects special education. It does not affect the entire School Code. It affects special education and special education only."

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

Daniels: "Madam Speaker, may I suggest you take this out of the record? I have been advised that the Governor has cancelled his trip to Korea, that we are going to be staying in Session and that we have a lot of time to talk about it. So maybe you want to take it out of the record so we can straighten it out before we have to move forward on it."

Speaker Breslin: "That prerogative is up to the Sponsor. Representative Hicks agrees to take the Bill out of the record. House Bill 1962, Representative Mays. Representative Mays. Representative Mays."

Mays: "Thank you very much, Madam Speaker. Has the Report been printed and distributed? It's not controversial, I don't believe, but I do want to be sure that we've got it around."

Speaker Breslin: "Well, this is... this is just the Motion to take it from the table so we will be ready to act on it."

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All of these are procedural matters that we just... kind of housekeeping things that we want to get done. So present your Motion."

Mays: "Representative Cullerton would like to have a little time before we do this, and I'm more than happy to accommodate if we could get back to it at a later date."

Speaker Breslin: "Out of the record. Representative Friedrich, for what reason do you rise?"

Friedrich: "Madam Speaker, I would like to ask for a 30 minute recess for a Republican Conference while the people on the other side of the aisle take a little rest."

Speaker Breslin: "Speaker Madigan."

Madigan: "Madam Speaker, to announce a Democratic Caucus at the same time as the Republican Caucus and to announce that we will stand in recess until 5:00 this afternoon. And I would advise all Members to prepare to be in Session tomorrow. So if you need to notify your hotels, your motels, I think you should do it right now."

Speaker Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, there will be a... a Caucus by both parties in your respective rooms. We are to return back here at the hour of 5:00. Thank you. Ladies and Gentlemen, the House will come to order. The announcement is that we are going to recess until 6:30. As you know, the Senate has recessed until 6:30. At that time, we anticipate coming back in and dealing with legislation. So we ask that you go, have a nice dinner, be back by 6:30 and be ready to work. Okay, so those of you in your offices, stay there, go to supper, but everyone be back at 6:30 and be ready to work. Thank you. We don't know yet whether or not we will be in tomorrow. Hopefully, we will know that by 6:30."

Speaker Greiman: "The House will be in order. The Chair recognizes the Gentleman from Cook, Speaker Madigan."

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Speaker Madigan: "Mr... Mr. Speaker and Ladies and Gentlemen of the House, I have just spoken with Senator Rock, and Mr. Daniels has spoken with Senator Philip, I believe, or somebody in the Senate, but the best information we have from the Senate is that there may be some activity tonight. However, that activity will not commence immediately. It will be somewhat delayed. The debate will be rather lengthy, and if any legislation is passed tonight, why, it would be late tonight and arrive here late. And so, my suggestion is that we go home for the night and come back at 10:00 in the morning. And if, in the event there is legislation passed by the Senate tonight, we can take it up tomorrow morning. In addition, the Conferees on the Appropriations Committees have not finished their work. I understand they're close to an agreement, but they have not yet met to iron out the agreement, which means that they have not yet begun to print the Report and process the paper, all of which generally takes three to four hours. So given all of that, Mr. Speaker, I move that we stand adjourned until 10 a.m. tomorrow morning."

Speaker Greiman: "The... The Gentleman from Cook, Mr. Madigan, moves that the House stand adjourned until the hour of 10:00 tomorrow. And on that, all those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House... the regular Session of the House does stand adjourned until the hour of 10:00 tomorrow morning, 10:00 tomorrow morning. The... The House will be in order with respect to the Second Special Session. Mr. Cullerton. Mr. Cullerton moves that the quorum of the regular Special... regular Session be used as the quorum for the Special... Second Special Session, with leave of the House. The Gentleman has leave, and that will be the quorum. Mr. Cullerton. Mr. Cullerton moves that

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the Second Special Session stand adjourned until the hour of 10:30 tomorrow. All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Second Special Session stands adjourned until the hour of 10:30 tomorrow."

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09:57

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