

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

74th Legislative Day

October 31, 1989

Speaker Giglio: "Ladies and Gentlemen, the hour of 12:15 having arrived, the House will come to order. The Chaplain for today is Reverend Farries H. Morrison, Sr. from Prayer Wheel Church of God in Christ in Springfield, Illinois. Reverend Morrison is a guest of Representative Curran. The guests in the gallery may wish to rise for the invocation."

Reverend Morrison: "We bow our heads. The topic of this prayer: Stewards of the hour. Our Father in Heaven, the Father of our Lord and Saviour, Jesus Christ, we humbly thank Thee for the time which is at hand. For the sunrise at Thy command and the earth is responding at Thy word as it turns with perfect precision upon its axis. Surely as the sun rises at Your command and the earth responds to Thy word, with joy the crowning of Your creation bow before Thee this morning. We yearn for Your knowledge. We yearn for Your wisdom. We yearn for Your understanding in the crucial times which is at hand. Abortion is on the rampage, taking innocent baby's lives. Horrible crimes are on the increase. Drugs and narcotics are destroying the thinking faculties and cooking the brains of young men and women. Alcohol is wrecking strong healthy bodies and minds. Homosexuals are bringing this nation down to degradation. Oh God, let the stewards of this hour and this time stand up against these terrible sins, which caused Sodom and Gomorrah to burn with fire and brimstone and brought Rome down to ashes. Grant that we may accept the challenge of every opportunity which comes to us. Keep the stewards of our time ever ready to share with those in need. Above all, grant that we may be conscious of the spiritual power which is available to all and every man. We do not walk alone, for Thou art with us according to Thy promise. Father, help us to honor Thee this whole day by using our

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time and business as faithful stewards. In Jesus' name,
Amen."

Speaker Giglio: "Representative McGann, would you lead us in the
Pledge of Allegiance?"

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

Speaker Giglio: "Roll Call for Attendance. Representative
Matijevich."

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

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

Piel: "Yes, Mr. Speaker. Will the record show that
Representative Jack Kubik is excused today?"

Speaker Giglio: "Let the record so indicate, Mr. Clerk. Mr.
Clerk, take the record. One hundred sixteen answering
'present', a quorum is present. The House will proceed.
Representative Daniels, the Minority Leader in the Chair."

Daniels: "Thank you, Mr. Speaker. Ladies and Gentlemen,
Representative McGann and I would like to have your
attention for a few moments. We have a special treat for
all of us today, for today we're joined by the Ray Graham
Association for the Handicapped Singers. Ray Graham
Association for the Handicapped was formed in 1951 by
concerned parents of disabled. It has served 1700 disabled
infants, children, adolescents and adults and has 14
program sites throughout Illinois. It's one of the largest
service orientated groups of its kind in the country today.
Its largest facility is in Addison, Illinois, the
Iona-Gloss Specialized Living Center which was created
years ago under Governor Walker's plans for specialized
living centers, which was sponsored in this House

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originally by Speaker Redmond and myself. It is the home of the Ray Graham Singers that are here with us today. They perform for local civic clubs, religious groups, United Way presentations, Ray Graham functions and Easter Seals telethon. They've had special invitations from throughout the country, but it's most special invitation, other than of course today, came from President Reagan when in 1987 they performed in the White House for the annual Press and Congressional Christmas Family Tour. At that time President Reagan said the performance added a special measure to his family's enjoyment of the Christmas season. Members of the group selected by facility wide auditions from the Iona-Gloss facility as well as the other 14 sites in the Ray Graham organization and their repertoire includes Beatle songs, show tunes, country music and Andrews Sisters routines. The singers are Mike Ebster, Mary Lou Funk, Dennis Grabowski, Jimmy Ludeman, Liz Marinowski, Doug Moore, Donna Packer, Richard Poulchard, Brian Press, Joan Price, Debbie Siebert and Melody Van Meter, and its director is Roger Anderson, and the executive director of Ray Graham Association for the Handicapped is John Voight. It's a very special treat for Representative McGann and myself, since we are very keenly interested in the developmentally disabled and disabled to be able to join in bringing to you a very, very special group, the Ray Graham Singers from Addison, Illinois."

(Ray Graham Singers sing)

Daniels: "The Ray Graham Singers. Ray Graham Association of Singers. We want to give a special thanks to Speaker Madigan for allowing us to work this into the schedule today and a very special thanks to the Ray Graham Singers. We're going to go over to the Senate, where they're going to have the pleasure of seeing one of the things we start

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in the House, but to all of you in the House of Representatives on behalf of the Ray Graham Association, let me tell you, you know that there's a place for these people because you recognize the needs of today and tomorrow and for all of them, we want to give you all a special thanks. Thank you, Ray Graham."

Speaker Giglio: "Committee Reports."

Clerk O'Brien: "The Committee on Rules has met and pursuant to Rule 29(c)3, the following Bills have been ruled exempt on October 31, 1989. House Bills 416, 1044, 1548 and 2733. Senate Bills number 85, 86, 125, 472, 856, 1161 and 1369."

Speaker Giglio: "Messages from the Senate."

Clerk O'Brien: "A message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of their Amendments to a Bill of the following title, to wit: Senate Bill #1402. Action taken by the Senate October 30, 1989. Linda Hawker, Secretary'."

Speaker Giglio: "Further Committee Reports."

Clerk O'Brien: "Representative Matijevich, Chairman of the Committee on Rules to which the following Resolution was referred, action taken October 31, 1989; reported the same back with the following recommendation: Be adopted, Senate Joint Resolution 13."

Speaker Giglio: "...The House proceed on page 3 of the Calendar, Total Veto Motions. On that, Representative John Dunn, Senate Bill 13. Out of the record. Senate Bill 373, Representative Hartke. Out of the record. Representative Hannig, Senate Bill 647. Is Representative Hannig in the chamber? Out of the record, Mr. Clerk. Representative Leitch. Representative Leitch in the chamber? Out of the record, Mr. Clerk. Representative Edley. Representative

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Edley, Senate Bill 1184. Out of the record. Representative White. Representative Jesse White. Out of the record, Mr. Clerk. On page 3 of the Calendar appears Conference Committee Reports. Representative Johnson. Representative Johnson in the chamber? Keane. Representative Keane. Representative Keane in the chamber? Representative Hannig. Representative Hannig in the chamber? Out of the record, Mr. Clerk. Page 2 of the Calendar, House Bills, Second Reading. Representative Homer. Representative Homer in the chamber? Out of the record. Senate Bills, Third Reading. Representative Sieben. Representative Sieben? Mr. Clerk, Senate Bills, Third Reading on page 2 of the Calendar appears Senate Bill 752. The Gentleman from Henry...Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 752, a Bill for an Act in relation to insuring against damages due to leaks. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Henry, Representative Sieben."

Sieben: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I ask...Mr. Speaker, I'd ask leave to return this Bill to Second for the purpose of an Amendment."

Speaker Giglio: "You heard the Gentleman's Motion. The Gentleman have leave? Hearing none, leave is granted. The Bill is on the Order of Second Reading. Mr. Clerk, read the Bill. Representative Sieben, we're tracking down if there are any further...previous Amendments on the...on the Bill. Representative Sieben."

Sieben: "There are two Amendments filed on the Bill. I would like to withdraw Amendment #2. Withdraw..."

Clerk O'Brien: "Amendment #1 was adopted in committee."

Speaker Giglio: "Are there any Motions filed, Mr. Clerk?"

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Clerk O'Brien: "No Motions relat...relating to Amendment #1."

Speaker Giglio: "Are there further Amendments?"

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

Speaker Giglio: "Withdraw Amendment #2. Are there further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Sieben."

Sieben: "Mr. Speaker, I would like to take this out of the record for a moment, so we can see that Amendment #3 was supposed to be filed on this Bill. I would like to take it out of the record at this time and get Amendment #3 filed."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Mr. Clerk, I believe we're ready on Senate Bill 752."

Clerk O'Brien: "Senate Bill 752 was read a second time previously. Amendment #1 was adopted in Committee. Floor Amendment #2 is offered by Representative Sieben."

Speaker Giglio: "Representative Sieben, out of the record on Amendment #2?"

Sieben: "No, withdraw. Withdraw Amendment #2."

Speaker Giglio: "Withdraw Amendment #2. Are there further Amendments, Mr. Clerk?"

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

Speaker Giglio: "Representative Sieben on Amendment #3."

Sieben: "Withdraw. I withdraw Amendment #3."

Speaker Giglio: "Withdraw Amendment #3, Mr. Clerk. Are there further Amendments?"

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

Speaker Giglio: "Representative Hicks."

Hicks: "Withdraw."

Speaker Giglio: "Withdraw Amendment #4, Mr. Clerk."

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

Speaker Giglio: "The Gentleman from Jefferson, Representative Hicks on Amendment #5 to Senate Bill 752."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #5 to Senate Bill 752...is technical in nature in the fact that we're trying to...clean up problems that were created in the underground tank...insurance fund that we put into effect during the Spring Session. It's technical in nature. It has some very complicated matters into it...as to who qualifies, the dates involved in those qualifications. I'd be happy to try to answer any questions about it."

Speaker Giglio: "Any discussion on Amendment #5? Hearing none, all those in favor signify by saying 'aye', those opposed 'nay'. The Amendment's adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 752, a Bill for an Act in relation to the underground storage of fuel and taxes on fuel, amending Acts therein named. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Henry, Representative Sieben."

Sieben: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Now Senate Bill 752, which has become...Amendment #5, becomes the Bill, and as Representative Hicks explained this is technical in nature to correct some of the language problems necessary by the Department of Revenue to implement the tax collection procedures and also to set

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specific dates dealing with the deductible amounts that will apply for those people that have leaking underground storage tanks. The Bill has been agreed to by the Illinois Environmental Protection Agency, the State Fire Marshal, the Department of Revenue, the Petroleum Council and Petroleum Marketers and the City of Chicago, and I would move for passage of Senate Bill 752."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall Senate Bill 752 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. 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 108 voting 'yes', 2 voting 'no', none voting 'present', and Senate Bill 752 having received the required number of votes is hereby declared passed. Nonconcurrency on page 3 of the Calendar appears House Bill 1621, Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move to nonconcur with Senate Amendment #3, which was added in the Senate. This Bill deals with adding a stipend increase in salaries to certain Members of the Legislature. I move to nonconcur with the Amendment."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? The Gentleman from DuPage, Representative McCracken. Further discussion? Hearing none, you heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Gentleman's Motion to nonconcur on Senate Amendment #3 to House Bill 1621 prevails. Representative Kulas, House Joint Resolution 58 on page 3 of the Calendar. It's on Concurrence, Representative Kulas. The Gentleman from Cook, Representative Kulas."

Kulas: "Thank you, Mr. Speaker. I would move that the House do

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concur with Senate Amendment #1 to House Joint Resolution 58."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? The Gentleman's Motion is the House do...does concur with Senate Amendment #1 to House Joint Resolution 58. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 110 voting 'yes', none voting 'no', and none voting 'present', and the House does concur with Senate Amendment #1 to House Joint Resolution 58, and this Resolution having received the Constitutional Majority is hereby declared passed. Representative Keane in the chamber? Representative Keane. Representative Hannig. Representative Hannig in the chamber? Conference Committee Reports on page 3 of the Calendar, Senate Bill 370. Are you ready, Sir?"

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. Originally this Bill was put in a Conference Committee for the purposes of keeping it around for our Fall Session in case we needed some vehicles for some programs to do with agriculture. And Representative Hartke had a Bill that got on a dead end. The proposal now goes onto this Bill and it has to do with the Sustainable Agricultural Act to help farmers. I won't go into any of the details because Representative Hartke can explain them much better than I, but I would like and say that I'm very happy to be a part of this and would move that we do adopt this House...or this Conference Committee Report."

Speaker Giglio: "Further discussion? The question is, 'Shall the House concur in the Conference Committee Report to Senate Bill 370?' All those in favor signify by voting 'aye', those opposed 'nay'. This is final action. All those in

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favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'yes', none voting 'no' and none voting 'present', and the House does adopt the Conference Committee Report to Senate Bill 370, and this Bill having received the required Constitutional Majority is hereby declared passed. The House is going to return to the Total Vetoes once again, on page 3 of the Calendar. The following...Bills: Representative John Dunn, Representative Hartke, Hannig, Leitch, Edley and White. These Bills appear on Total Veto Motions, page 3 of the Calendar. In that order, Representative John Dunn, Senate Bill 13, Total Veto. Out of the record. Representative Hartke. Is the Gentleman ready? Senate Bill 373, Mr. Clerk. Total Vetoes. The Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. I move to override the Governor's Veto Motion on...Veto on Senate Bill 373. Senate Bill 373 was the Private Enterprise Review Act and Advisory Board and the Governor vetoed this. I don't think he completely understands the...understood the legislation. The Bill passed in the Senate by an overwhelming margin and it passed the House 115 to nothing and I'd appreciate your support for the override and would be happy to answer any questions if you have them."

Speaker Giglio: "Any discussion? The Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in hesitant opposition to this Motion. I rise...my hesitancy is based upon my respect for the Sponsor, but my opposition is firm. This Bill is opposed

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by the AFL-CIO, the Teamsters, the Service Employees International, the Illinois Federation of Teachers, AFSCME, the Fire Fighters, the University of Illinois and Central Management Services. And I think this Bill is opposed by these good people for good reason. I think the board is ill constituted, there's no representation for labor. I think this is going to be an expensive proposition rather than an inexpensive proposition. I'm sure it is well-intentioned with a great House Sponsor, but I think this Bill has to die today and I think we can do so with our 'no' votes."

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

McCracken: "Last week...or the first week of the Veto Session, we defeated a House Bill which was identical to this Senate Bill. I suggest we should do the same here and in an irony not lost on me, certainly, I stand up and agree with Representative Curran. And I don't see why any Democrat should be for this Bill if the labor unions are not for the Bill and I rise in opposition."

Speaker Giglio: "Further discussion? The Gentleman from Effingham, Representative Hartke to close."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. I think this is an important piece of legislation to save the State of Illinois money. Many of the jobs we do in the State of Illinois could be done by private enterprise, possibly a whole lot cheaper. This does not mandate in any those...those specific jobs, but gives an opportunity to study which jobs or possibly could be done by the private enterprise a whole lot more reasonable. It's supported by the National Federation of Independent Business, the Independent Contractors in Illinois and many other private industry groups. I would think that we as Members of the

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General Assembly should try to save the State of Illinois money, and I think this advisory board could look into this to see if we could possibly save some money in the State of Illinois. I don't see where it's a major piece of legislation, but I think it's a very important piece of legislation and I urge your vote."

Speaker Giglio: "The question is, 'All those in favor...Senate Bill 373 pass, the Veto of the Governor notwithstanding?' Have all voted who wish? This is final action, takes 71 votes. Representative Regan, for what purpose do you rise, Sir?"

Regan: "To explain my vote, Mr. Speaker. Ladies and Gentlemen of the House, there shouldn't be a Republican that's not on this Bill. Margaret Thatcher in Britain has proved that privatization is the cheapest way to get things done and more effectively. Let's try to get the agencies in line at least with the threat of a study. That's all this is is a study. So look at what the government's doing and if private industry could do it better. I'd appreciate a lot more 'green' votes on there. Thank you."

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

Klemm: "Thank you, Mr. Speaker, to explain my vote. You know, I think government certainly should do what we can't do ourselves, but when government starts interfering and taking over the private sector, seems to me we're losing revenue, we're losing job creations...We're actually competing with the people that are paying our salaries and our bills. It seems to me that it makes good sense to have the private sector ending up creating these jobs, paying taxes, allowing us to use those income dollars for what we're supposed to be here for not to end up competing. So I'm in favor of this Bill and I certainly urge a 'green'

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vote."

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

Ropp: "Thank you, Mr. Speaker. I, too, would like to add my support and urge your change of vote, so that we can get enough votes to override this provision because we should not be in a position where we are discouraging private enterprise. Fact is, the more private enterprise we can get involved, the more money we can actually generate through income tax and sales tax, and so forth. So I would certainly urge all of you to consider supporting this override so that at least we can have a study. Now, I'm not generally in...a great supporter of a lot of studies, but certainly you can't be hurt with a study and the fact that this would come up with new innovative ideas, possibly, where we, as Legislators, can save money in addition to generating more dollars for the state general revenue fund, I think we ought to support it and I urge your 'green' vote."

Speaker Giglio: "The Gentleman from McDonough, Representative Edley."

Edley: "Thank you, Mr. Chairman, Ladies and Gentlemen of the General Assembly. I find it hard to imagine that there are 45 people out here that are against looking at ways to economize and ensure that the taxpayers of our state are getting their money's worth out of state government. If private business can provide the goods and services at a more reasonable cost than our government, then we have an obligation to let them do it. I urge more...more 'green' votes on this Bill. This is good legislation."

Speaker Giglio: "Further discussion? 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 63 voting 'yes', 46 voting 'no', 5 voting

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'present'...Representative Hartke."

Hartke: "Could we put this on Postponed for a minute? Withdraw this Motion, please."

Speaker Giglio: "Take the record, Mr. Clerk. Sixty-three voting 'yes', and 46 voting 'no', and 5 voting 'present'. The Motion fails. You can refile the Motion, Representative Hartke, tomorrow, to hear it again. Representative McCracken? Senate Bill 647, Representative Hannig. Representative Hannig on Senate Bill 647, Mr. Clerk."

Hannig: "Yes. Thank you, Mr. Speaker, and Members of the House. I would ask that we override the Governor's Veto of Senate Bill 647. The underlying Bill permits interest earned on reserve funds, which are used to guarantee farm and agricultural business loans to remain in the fund. And the information that I have indicates that we have underfunded the reserves, and that this additional money of approximately one million dollars would then be used to try to keep the fund in balance. I would point out that last Session we passed and the Governor signed legislation, which in part broadened the authority of the agency to make loans, and while the agency certainly has had a very outstanding policy of making good loans on behalf of the State of Illinois and has not had a lot of defaults, nevertheless, I think it is wise and prudent for us to establish a reasonable reserve for perhaps a time...economic time when we'll see more defaults. So this Bill will simply provide that the earnings from the fund, the interest from the fund would stay in the reserve. Since it's being underfunded, I don't believe that that's an unreasonable thing to do. We passed this Bill with 89 votes in the House and I would ask that we now move to override the Governor's Veto."

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

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Representative McCracken."

McCracken: "Yes. Before addressing the Bill...I don't recall. Hasn't it been the Chair's practice to print Motions on Total Vetoes? The Calendar has no Motion on Vetoes, only on Amendatory Vetoes. So I think it's not proper to consider them at this time without the Calendar requirement being met. But frankly, I don't recall. I thought we printed Motions for those as well as for Amendatory Vetoes."

Speaker Giglio: "The Clerk informs the Chair, Mr. McCracken, that we do have a written Motion filed. Representative McCracken."

McCracken: "Okay. To the Motion, then. I rise in opposition to the Motion and I find it ironic that that side of the aisle wants to take away some appropriation authority from this Body. By diverting the 1.5 to 1.6 million dollars from the General Revenue Fund and assigning it to another fund for a reserve, we lose the authority to appropriate that money. And that goes counter to what has been the strong assertion by many Democrats that they want to retain that right to appropriate funds on an annual basis, something you lose by doing this. So I think the Governor has acceded to your wishes generally and wants to leave this money in the General Revenue Fund where it belongs, rather than to freeze it on a single vote such as this. So I rise in opposition to the Motion and ask my colleagues to join me."

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

Mays: "Thank you very much, Mr. Speaker. Would you ask the people to talk louder so that nobody can hear anything around here? Seriously, Mr. Speaker, I've got a question of the Sponsor, I'd ask him to yield."

Speaker Giglio: "He indicates he will."

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Mays: "Representative Hannig, this Bill would seek to put more monies into the Agricultural Loan Guarantee Fund and the Illinois Farmer and Agri-Business Loan Guarantee Fund. Are there any deficiencies in the balances that you know of, of either of these funds at this time?"

Hannig: "Well, Representative, as we both understand, the defaults that we are trying to protect against will not occur until some future date, so it's in a...a liability that we don't have to pay today, but we know with some degree of accuracy, for example, that we will have defaults, unfortunately, and that we'll have to have reserves for them."

Mays: "So to your knowledge, there are no deficiencies in either of these funds?"

Hannig: "Well, based on those actuarial assumptions, what we are told is that there is over a million dollar deficiency in the fund and that this would go basically, most of the way in addressing that."

Mays: "So there's an actuarial deficiency at some point, maybe, by one actuarial. Is that kind of like the actuarials that do the pension systems to tell us we're billions of dollars underfunded in them?"

Hannig: "Well, that's correct, Representative."

Mays: "What are the fund balances in these funds, currently?"

Hannig: "I don't have the exact amount, but you are correct. It is like the pension fund systems which are actuarially underfunded, and someday we will have to pay them."

Mays: "Well, Mr. Speaker, to the..."

Speaker Giglio: "Will you give the Gentleman some order, please? It's very difficult. There's a lot of sound in the chamber today. The Gentleman from DuPage, Representative McCracken."

McCracken: "Yes. Point of order, Mr. Speaker. This Motion is

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out of order. Rule 47(b) provides that the Veto Motions must appear on the Calendar. This does not appear on any Calendar. It's out of order. I ask the Chair to take it out of the record."

Speaker Giglio: "Your point's well taken, Representative McCracken. Take the Bill out of the record. Speaker's Table, page 6 of the Calendar appears House Resolution 35. Representative Curran. Representative Curran in the chamber? House Resolution 35, Speaker's Table. There's an Amendment on file, Representative Curran? Mr. Clerk, is there an Amendment on file? Mr. Doorkeeper. Mr. Clerk, is there an Amendment on file? Did you...? Take it out of the record, Mr. Clerk. Representative Matijevich, House Resolution 990. The Gentleman from Lake, Representative Matijevich."

Matijevich: "Yes. Mr. Speaker and Ladies and Gentlemen of the House, House Bill 9...or House Resolution 990 was introduced and unanimously adopted by the Rules Committee. It would make the following changes in our rules and this is agreed to on both sides of the aisle. First, it would change the Short Debate Calendar to a Short Debate Status. That would mean that any Bill that is on Short Debate would remain in its order of reading, but it would be...contain the information that it was under Short Debate Status. In other words, there would not be a Calendar Reading of Short Debate as we have now. Two, we would change the date of introduction of appropriation Bills from April 13th, which is Good Friday, to April 6th, and we would change the committee deadline on Senate appropriation Bills from June 20th to June 5th, and change Third Reading deadlines on Senate appropriation Bills from June 27th to June 21. Mr. Speaker, Ladies and Gentlemen of the House, Senate...the House Resolution 990, the deadlines would conform to the

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Senate deadlines, and I would move the adoption of Senate...or House Resolution 990."

Speaker Giglio: "Any discussion on the Resolution? Representative McCracken."

McCracken: "We know it's a plot, but we can't figure it out, so since we can't figure out what's going to happen with this rule, we're all for it."

Speaker Giglio: "All those in favor by the Attendance Roll Call...the question is, 'Does the Gentleman have leave to use the Attendance Roll Call for the adoption of House Resolution 990?' Hearing none, leave is granted and the Resolution is adopted. Representative Curran. Representative Curran in the chamber? Representative Keane. Conference Committee Reports, House Bill 1192 on page 3 of the Calendar. Are you ready, Sir? Mr. Clerk, House Bill 1192, Conference Committee Report."

Keane: "Thank you, Mr. Speaker. House Bill 1192, Conference Committee Report transfers the Institute of Juvenile Research and the Illinois Institute for Developmental Disabilities to the University of Illinois Board of Trustees. This is partial implementation of the 1987 Governor Task Force on the Future of Mental Health. The Illinois State Psychiatric Institution will not be transferred. It...the transfer requires the U. of I. to establish and operate the Institutes and to do the other ongoing work of the Institute. It also requires the Department of Mental Health and the Department of Central...CMS to transfer all of the property of the Institutes on July 1, 1990, but requires that CMS maintain the property through July 1, 1991. It also makes conforming changes under the Department of Mental Health Enabling Law and the Mental Health and Developmental Disability Confidentiality Act. The University, if you

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read the analysis, indicates that the transfer will become effective July 1, 1990. The appropriations will be transferred to the U. of I. budget for fiscal '91 and there's a...the fiscal year '90 budget included a total of 4.4 million. I'd be happy to answer any questions and ask for a favorable Roll Call."

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

McCracken: "Yes, Speaker. I have an inquiry. Has this been distributed as the Conference Committee Report? I wonder if we could just have a minute to review it? Could we take it out of the record for just a few minutes?"

Speaker Giglio: "Representative Keane?"

Keane: "Yes, let's take it out of the record for a few minutes."

Speaker Giglio: "Alright, take it out of the record for a minute. And Representative Breslin, for what purpose do you seek recognition?"

Breslin: "Thank you, Mr. Speaker. I seek recognition to correct the record. I have just returned to the floor and learned that I was voted incorrectly on Senate Bill 373. I did not intend to vote 'aye', I intended to vote 'no' and I had made a commitment to vote 'no', so I apologize to the Body for taking up this time, but wish to...would wish that the record reflect that Representative Breslin wishes to vote 'no' on Senate Bill 373. Thank you."

Speaker Giglio: "Mr. Clerk, let the record so indicate. Alright, Representative Keane on Conference Committee Reports, House Bill 1192. The Gentleman from Cook, Representative Keane."

Keane: "Yes, Mr. Speaker. I believe that the question that Representative McCracken had has been answered. I would...since I just gave my comments on 1192, the Conference Committee Report, I would move its adoption."

Speaker Giglio: "Any discussion? Hearing none, the question is,

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'Shall the House adopt Conference Committee Report on House Bill 1192?', and on that question all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. The Lady from Cook, Representative Shirley Jones."

Jones, S.: "Mr. Speaker, on House Bill 1192, when we were in Session before, the Bill had failed in the Senate, and now they're trying to bring this Bill back to pass it now on a Conference Report. I don't think that's right. We gave you about 25 million dollars and why should they merge now with Michael Reese? I don't think it's right and I urge everybody, this is in my district, part of my district and I'm urging a 'no' vote on this Conference Report."

Speaker Giglio: "Further discussion? All those in favor signify by voting 'aye'. Mr. Clerk, take the record. On this question 104 voting 'yes', and 1 voting 'no', and 3 voting 'present', and the House does concur with Conference Committee Report to House Bill 1192 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative McCracken, are you seeking recognition, Sir?"

McCracken: "Yes. I was asked to inquire just to make sure...did someone already ask? This has been gutted and no longer transfers jurisdiction between the county and U. of I. of Cook County Hospital. Is anyone around?"

Speaker Giglio: "Representative Turner."

Turner: "Record me 'aye'."

Speaker Giglio: "Let the record show that Representative Turner wants to vote 'aye' on that Bill. Representative Keane. Representative Keane, can you answer Representative McCracken's inquiry?"

Keane: "Could the Gentleman repeat his question?"

Speaker Giglio: "Representative McCracken..."

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McCracken: "Yes. Just for the record, this no longer concerns at all the question of authority or jurisdiction over Cook County Hospital, is that right?"

Keane: "No. You are correct. If you read the analysis, the second paragraph says...guts the Bill, so the previous Bill has been gutted and this is just an agreed Bill that has been put in between U. of I. and the Department of Mental Health."

Speaker Giglio: "Representative Homer on 2402, House Bills, Second Reading. Are you ready with that one, Sir? Move it to Third. House Bill 2402, Mr. Clerk. Read the Bill. Page 2 of the Calendar."

Clerk O'Brien: "House Bill 2402, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. Supplemental Calendar Announcements, Mr. Clerk."

Clerk O'Brien: "Supplemental Calendar #2 is being distributed."

Speaker Giglio: "And on that Supplemental Calendar appears Senate Bill 647, Representative Hannig."

Hannig: "Well, thank you, Mr. Speaker and Members of the House. We're back to Senate Bill 647, which I guess was not correctly filed on the Calendar earlier, but to just refresh everybody's memory, the Bill...the underlying Bill would provide that interest earned would be retained by the Illinois Farm Development Authority and that would be used basically to ensure that there was adequate reserves in the farm program in case some of the agri-business loans that were made to encourage business here in Illinois were eventually in default. Basically, you know, insurance companies use the methods that...where they actuarially

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determine every day how many people will die in a certain group and then they fix the premium based on that and adding in their rate of return and do a very good job of determining how many people, perhaps, will die in each given class and consequently how much money needs to be set aside. These same actuarial people can, within certain limitations, determine how many reserves we need to put aside in order to pay future bad debts in this program. And as I said, the program has been very conservative. It has made very good loans, but unfortunately, we have underfunded that reserve, at least in part by leaving this approximately million dollars in the program will go a long way in ensuring that the fund is indeed a solid and satisfactory fund that will not call for a massive bailout by the State of Illinois at some future time. So we're simply asking that the Legislature be prudent, that we be conservative, that we make sure that the dollars of the taxpayers are adequately protected and that we pay the bills that really we owe today and not postpone them to some other day and some other time when the Legislature, perhaps like we see at the federal level with the savings and loan, are faced with a massive bailout because of some problem. So, that's what the real gist of this Bill is about and I'd ask that we indeed override the Governor's Veto on this Bill."

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

McCracken: "Thank you. This was taken out of the record previously, but I rise again in opposition to this Bill. There is absolutely no reason that this General Assembly should be giving up its power to appropriate funds from the General Revenue Fund. Currently these earnings are retained in General Revenue and are subject to our

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appropriation, a power which is jealously guarded by this General Assembly. There's absolutely no reason to do this. There's no reason to take 1.5 million out of the General Revenue Fund. We have to make a decision on an annual basis what are the priorities of this state, given our limited resources and what this Bill does is take away that authority to the extent of 1.6 million dollars. I say no to that. Let's resist the Motion to override the Veto. Let's retain our right to appropriate funds as the Constitution intended."

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

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

Speaker Giglio: "He indicates he will."

Ropp: "Representative, as this Bill now reads, would this be a continual buildup of roughly 1.6 million in interest money going back into this fund every year, and every year, and every year so that after 4 years you'd have something like close to 6 million additional dollars that would now be available in that fund?"

Hannig: "Well, Representative, indeed, money would go in each year if this were...if this Bill is overridden. We think about a million dollars, I think your side says about a million and a half or million point six. But the other side of the coin is, that when there are defaults, money goes out of this fund. So it's...it's you know, money in, money out. It's not just going to pile up. And I think that if it does...if it does pile up to a point that we can see that we've been too conservative, obviously we can change the law and take some of that money out."

Ropp: "Well, by the same token, it would seem quite logical that when there is a serious problem that this Body would address that. It seems now like...that agriculture, in at least many more areas, are on the increase. Income looks a

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bit better than it has been for some time, which is a positive move. I think the question is whether or not we ought to continue to add these funds and I would maybe ask that you consider putting some kind of limit as to the growth of this particular interest and then the balance of it would go into the General Revenue Fund. We have other programs that, frankly, have some caps on it and I use, for example, the insurance fund that we have in the State of Illinois for elevators that may go defunct. It's not exactly the same principle, but at least it provides a cap so that these reserves would not continue to build up when in fact we may need them...to appropriate in a more timely fashion than to just see this fund build up. Particularly when we're seeing a slight turn around in the positive side of our agricultural community."

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

Hannig: "Yes. Well, thank you, Mr. Speaker and Members of the House, and I think Representative Ropp does raise a very, very good point and I certainly agree that we should perhaps put some limits on the amount of money we would want to have in any fund and I'd be happy to work with him and other Members of this Body to try to do that, but unfortunately, at this point in the game we only have the option of voting 'yes' on this Bill or voting 'no' on this Bill. And I would simply say that if we want to be fair with the facts, if we want to indeed give the taxpayers the best effort for their dollars, if we want to be fair with what we really owe, if we want to pay the bills that we owe today, that this is what we really have to do. If we put this money in this fund, we set it aside and earmark it for these losses and do that on a actuarially sound basis, then we can be sure that if indeed, as is expected, that there

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are a certain amount of losses in the program that we'll have money there to cover those losses. That we won't be back here at some future date looking at a big bailout that we have to deal with on this program. On the other hand, if the assumptions are a bit too conservative and additional monies are in there, more than anyone agrees that we need, I agree that we should have some limits, some caps and we can do that. We can't do it in this Bill, but we can as a Body do that, and I would go on record saying I'm willing to work with other Members on both sides of the aisle to do that, cause I think Representative Ropp is indeed correct. But we need to be fair, and we need to be honest with ourselves. We need to pay the bills today that we're incurring today and this is a very good, sound accounting way of addressing this problem and I would ask that we vote 'yes'."

Speaker Giglio: "The question is, 'Shall Senate Bill 647 pass, the Veto of the Governor notwithstanding?' All those in favor vote 'aye', those opposed 'nay'. The voting is open. Seventy-one votes required. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 59 voting 'yes', 45 voting 'no', and 7 voting 'present', and this Motion fails. Representative Leitch. Senate Bill 816, Mr. Clerk. The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 815 (sic - 816) is a very simple Bill which went out of here 107 to nothing and which passed the Senate 50 to 1. It is not a controversial Bill. It enjoys total support on both sides of the aisle as far as I know. It's one which says that people who operate these small x-ray machines in our plants and shops around Illinois, pre-set machines where the person operating it is already

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not only operating under a doctor's supervision, but also has to just simply hit a button to operate the machine, be exempted from the recent requirements for continuing education and so far that were adopted last year by the Department of Nuclear Safety. Frankly, in my opinion these folks should never have been included to begin with. Most people believe that it is ridiculous to have these people hit this machine...button...be required to conform to the same kind of continuing education and requirements of people who operate the major medical CAD-CAM types of x-ray units in medical settings and I would appreciate an override...a 'yes' vote. I know of no opposition."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall Senate Bill 816 pass, the Veto of the Governor notwithstanding?' All those in favor vote 'aye', opposed 'nay'. The voting is open and on that... Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Harris 'aye', Mr. Clerk. Have all voted who wish? Mr. Clerk, take the record. On this question 106 voting 'yes', 5 voting 'no', and none voting 'present'. This Motion having received the required Three-Fifths Majority is adopted, and this Bill is hereby declared passed, the Veto of the Governor notwithstanding. Representative Edley, are you ready on Senate Bill 1184? Out of the record, Mr. Clerk. Representative White. Is Jesse White in the chamber? Representative White. Out of the record. Out of the record, Mr. Clerk. On page 7 of the Calendar on Motions appears House Bill 1382. Representative Cowlshaw moves to discharge from Higher Education Interim Study Calendar for further consideration, advance to the Order of Second Reading, Second Legislative Day and suspend Rule 37(g). Does the Lady have leave by the Attendance Roll Call? Hearing none, leave is granted.

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Senate Bill 472, Representative Bugielski moves to suspend Rule 79(c) and place on...79(e) and place on the Calendar on the Conference Committee Reports. Does the Gentleman have leave? Hearing none, leave is granted. The Motion prevails. Senate Bill 731, Representative Brunsvold moves to take from the table and return to the Order of Second Reading, Senate Bill 731. Gentleman have leave? Hearing none, leave is granted. Representative...Mr. Clerk, let the record show that on Senate Bill 472 and Senate Bill 731 leave is granted by the Attendance Roll Call on both these Bills. Introductions, First Reading. Mr. Clerk."

Clerk O'Brien: "House Bill 2862, offered by Representative Satterthwaite, a Bill for an Act to amend sections of the Freedom of Information Act. First Reading of the Bill. House Bill 2863, offered by Representative Saltsman, A Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill."

Speaker Giglio: "Supplemental #3 is now being distributed. Supplemental Calendar #1 appears Senate Bill 85. Representative Farley moves to suspend Rule 79(e) and place on the Order of Conference Committee Reports. Senate Bill 85, Mr. Clerk, on a Motion. On this Motion, all those signify by... Representative McCracken."

McCracken: "Parliamentary inquiry. How many votes does this take?"

Speaker Giglio: "Parliamentarian informs the Chair, Mr...Representative McCracken, that this particular Bill needs 60 votes."

McCracken: "Okay."

Speaker Giglio: "All those in favor of...Representative McCracken."

McCracken: "We just want a vote on it. Roll Call. Yes."

Speaker Giglio: "Yes. All those in favor of Representative

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Farley's Motion vote 'aye', opposed 'nay'. The voting is open. This takes 60 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McCracken."

McCracken: "For a verification, Mr. Speaker."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 62 voting 'yes', and 48 voting 'no', and 2 voting 'present', and the Gentleman from...Motion...Motions...Representative... Representative McCracken asks for a verification. Mr. Clerk, poll those not voting, please."

Clerk O'Brien: "A poll of those not voting. DeLeo, Deuchler, Klemm, Krska, Martinez. No further."

Speaker Giglio: "Proceed with the Affirmative Roll. Representative Davis votes 'aye', Mr. Clerk. Representative LeFlore? Representative LeFlore votes 'aye'. Proceed with the Affirmative vote, Mr. Clerk."

Clerk O'Brien: "Balanoff. Bowman. Breslin. Brunsvold. Bugielski. Capparelli. Cullerton. Curran. Currie. Davis. DeJaegher. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Hicks. Homer. Shirley Jones. Keane. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Matijevich. Mautino. McGann. McNamara. McPike."

Speaker Giglio: "Representative McCracken withdraws the verification. And on that question there's 64 voting 'aye', 47 voting 'no', and 1 voting 'present', and the Motion passes. Representative Martinez, for what purpose do you rise, Sir?"

Martinez: "Record reflect that I'd like to vote 'aye' on this Bill."

Speaker Giglio: "Mr. Clerk, let the record indicate that Representative Martinez wishes to vote 'aye' on

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Representative Farley's Motion, Senate Bill 86. Supplemental Calendar #1 appears Senate Bill 125, Representative Black. Representative Black moves to suspend House...suspend Rule 79(e) and place on the Order of Conference Committee Reports. All those in favor...discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. On behalf of the Democrats on this side of the aisle, we'd like to extend our opposition to the Gentleman's Motion."

Speaker Giglio: "Any further discussion? Hearing none, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This requires 60 votes. The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I'm not sure why the opposition has surfaced to this, but let me just assure people that this is a Conference Committee Report that with my Amendment out of it on juvenile jail detention, and that Amendment is out of it, I'm not aware of any significant opposition to the Conference Committee Report. And so if the opposition is based on some kind of Juvenile Jail Detention Act language, that Amendment is out of it. It now becomes a Conference Committee Report that I thought other people wanted."

Speaker Giglio: "All those in favor...Mr. Clerk, take the record. On this question there's 54 voting 'yes', 38 voting 'no', 5 voting 'present', and the Motion fails. On Supplemental Calendar #1 appears Senate Bill 856, Representative Leitch. Representative Leitch, do you want to proceed, Sir? Supplemental Calendar #1 appears Senate Bill 1161, Representative Steczo. Representative Steczo moves to discharge from Counties and Townships the Interim Study Calendar from further consideration and advance to the

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Order of Second Reading, Second Legislative Day. Is there leave for the Attendance Roll Call? Hearing none, leave is granted. Senate Bill 1369, Representative Ronan. Representative Ronan moves to suspend Rule 79(e) and place on the Calendar on the Order of Conference Committee Reports. Does the Gentleman have leave? Hearing none, leave is granted by the Attendance Roll Call. Senate Bill 856. Representative Leitch moves to suspend Rule 79(e) and place on the Calendar of Conference Committee Reports. Any discussion? Hearing none, leave is granted by the Attendance Roll Call, Mr. Clerk. Senate Bill 125. Representative Black moves for the second time to suspend Rule 79(e) and place on the Order of Conference Committee Report. Does the Gentleman have leave by the Attendance Roll Call? Hearing none, leave is granted, the Motion prevails. On the Supplemental Calendar also appears House Bill 1548. Representative Levin moves to take from the table and suspend Rule 79(e) and place on the Order of Conference Committee Reports. Gentleman have leave? Representative McCracken."

McCracken: "Thank you, Mr. Speaker. As this is a House Bill this will require 71 votes, is that right?"

Speaker Giglio: "The Parliamentarian informs the Chair that you are correct."

McCracken: "Okay. I rise in opposition to this Motion to take from the table. I ask my Republican colleagues to join me in opposing the Motion."

Speaker Giglio: "The question is, 'Shall the Motion prevail?' On that, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there's 62 voting 'yes', 50 voting 'no', and

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1 voting 'present', and the Gentleman's Motion fails. On page 2 of the Calendar appears Senate Bills, Second Reading. In order to get these Bills in order for Amendments later on, the Clerk will read these Bills into the record for the second time. Mr. Clerk."

Clerk O'Brien: "Senate Bill 734, a Bill for an Act concerning medical specialty care. Second Reading of the Bill. Senate Bill 801, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. Senate Bill 1096, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of the Bill. Senate Bill 1136, a Bill for an Act to amend the Land Trust Recondition and Transfer Tax Act. Second Reading of the Bill. Senate Bill 1276, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill."

Speaker Giglio: "The Bills will be held on Second Reading. Page 8 of the Calendar under Motions appears SR...SJR 25, Representative Bob Olson. Representative Olson. Representative Bob Olson, Senate Joint Resolution 25 on page 8 of the Calendar."

Olson, B.: "Mr. Speaker, we will be amending that Resolution, so take it out of the record for now."

Speaker Giglio: "Mr. Clerk. We'll...we'll go ahead and discharge it, Representative, and then it'll be on the Speaker's Table and then we can put the Amendments on it."

Olson, B: "That'll be fine."

Speaker Giglio: "The Gentleman moves to discharge the assignment from further consideration and advance to the Order of Speaker's Table. Does the Gentleman have leave? Hearing none, leave is granted. By the Attendance Roll Call, Gentleman have leave? Senate Joint Resolution 25? Hearing none, leave is granted. On the same page of the Calendar under Motions appears Senate Joint Resolution 84,

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Representative Williams...son. Representative Williamson. Alright, out of the record for a moment, Mr. Clerk. Supplemental Calendar #3 appears Conference Committee Report, House Bill 1131, Representative Levin. Representative Levin in the chamber? Representative Cullerton, you want to handle this? Representative Levin, House Bill 1131, Conference Committee Report."

Levin: "Okay. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move that we adopt Conference Committee Report #1 to House Bill 1131. This Bill contains simply 2 provisions. The primary provision which has a...which we need to act on today is when we passed the Chicago School Reform Bill, we intended to move all of the levy authority for the schools in Chicago from the Chicago City Council to the Board of Education. Inadvertently, one levy authority was not included in the language of the School Reform Bill and that was with respect to the Chicago Teachers' Pension Retirement funding. This legislation in 1131 corrects that error by inserting language which takes the levy authority from the Chicago City Council and gives it to the Board of Education. You may recall there was a court case that held that the Board of...that the City of Chicago ...City Council had no discretion and had to act whatever the Board of Education gave them and that's what led initially to the movement of that levy authority. In addition, there is a second part of the Bill which contains an Amendment requested by...by Representative Kirkland and if there are questions about that I would yield to him."

Speaker Giglio: "Representative Parke."

Parke: "Thank you, Mr. Speaker. Representative Levin, have you checked with our side of the aisle, and they've agreed to work with you on this Bill? That's a 'yes'?"

Levin: "Yes."

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Parke: "Thank you."

Speaker Giglio: "You've heard the Gentleman's Motion. The question is, 'Shall the House adopt the Conference Committee Report to House Bill 1131?' This is final action. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This requires 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 110 voting 'yes', 1 voting 'no', and 2 voting 'present'. The House does adopt Conference Committee Report to House Bill 1131, and this Bill having received the required Constitutional Majority is hereby declared passed. Agreed Resolutions."

Clerk O'Brien: "House Resolution 1035, offered by Representative Terzich. 1036, Matijevec. 1037, Johnson. 1038, McGann. 1039, Parke. 1041, Regan. 1043, Deuchler. 1044, Daniels. 1045, Daniels. 1046, McNamara. 1047, McNamara. 1049, Johnson. 1050, Hultgren. 1051, Countryman. 1052, Didrickson. 1055, Farley. 1056, Novak. 1057, DeJaegher. 1058, DeJaegher. 1059, DeJaegher. 1060, DeJaegher. 1061, Regan. 1062, Phelps. 1063, Hoffman. 1064, Balanoff. 1066, Hartke."

Speaker Giglio: "Is there a Mr. Larrison in the chambers? Would you kindly come to the podium?"

Clerk O'Brien: "Senate Joint Resolutions 95, Churchill. Senate Joint Resolution 96, Harris. Senate Joint Resolution 97, Munizzi. Senate Joint Resolution 99, Barger. Senate Joint Resolution 100, Munizzi. Senate Joint Resolution 102, Daniels and Senate Joint Resolution 104, Lou Jones."

Speaker Giglio: "Representative Matijevec on the Agreed Resolutions."

Matijevec: "Speaker, Ladies and Gentlemen of the House, we have...both sides of the aisle have examined all the

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Resolutions. They are agreed to. I move the adoption of the Agreed Resolutions."

Speaker Giglio: "Heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Resolutions are adopted. Death Resolutions. Death Resolutions, Mr. Clerk."

Clerk O'Brien: "Senate Joint Resolution 98, offered by Representative Munizzi, with respect to the memory of Janet Pascente. House Resolution 1040, offered by Representative Stern, with respect to the memory of Irl Marshall. House Resolution 1042, offered by Representative Kubik, with respect to the memory of Henry C. Piel. House Resolution 1048, offered by Representative Johnson, with respect to the memory of Edward H. English. House Resolution 1053, offered by Representative Flowers, with respect to the memory of Ruth Isby. House Resolution 1065, offered by Representative Churchill, with respect to the memory of Frank H. Slazes."

Speaker Giglio: "Representative Matijevecich moves for the adoption of the Death Resolutions. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Resolutions are adopted. Representative Matijevecich."

Matijevecich: "Yes. First, Mr. Speaker, I would ask leave of the House and to use the Attendance Roll Call to waive the posting notice, so that House Bill 2798 and 2079 can be heard in the Rules Committee immediately after adjournment in Room 114. This has been cleared with the other side of the aisle, so I would ask leave of the House."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, the Motion carries. Introduction and First Readings."

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Clerk O'Brien: "House Bill 2864, offered by Representative Breslin, a Bill for an Act concerning membership of the State Treasurer and various state authorities, boards and commissions. First Reading of the Bill."

Speaker Giglio: "Senate Bill 100, Representative Capparelli. On the Order of Consideration Postponed appears Senate Bill 100. Page 2 of the Calendar. The Gentleman from Cook, Representative Ralph Capparelli."

Capparelli: "Are there any Amendments to this? Would the Clerk read the Amendments? May I have leave to take this back to Second Reading for an Amendment?"

Speaker Giglio: "Representative Breslin in the Chair."

Speaker Breslin: "The Bill is on the Order of Third Reading. The Gentleman asks leave to return this Bill to the Order of Second for the purposes of an Amendment. On that question, the Gentleman from Cook, Representative Parke."

Parke: "I do not...I ask that the Body do not grant that Motion. I object."

Speaker Breslin: "Okay. The question will be put to the Membership. 'Shall this Bill be returned to the Order of Second Reading for the purposes of an Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. Sixty votes are required for this Motion to carry. The Motion is to return this Bill to the Order of Second for the purposes of an Amendment. Representative Parke is recognized to explain his vote."

Parke: "I would like a verification of the Roll Call."

Speaker Breslin: "Very good. The Gentleman from Will, Representative Regan, do you wish to explain your vote, Sir?"

Regan: "Yes, Madam Speaker and Members of the House, we've gone around and around on this, banks selling insurance. Not a very good idea and I say, why waste our time this

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

McGann: "Yes, Madam Speaker and Members of the Assembly, in a possible conflict of interest, but at the same time at this time, I will vote my conscience in order to find out what's going on in this Amendment. I will vote 'aye'."

Speaker Breslin: "The Gentleman from Livingston, Representative Ewing, one minute to explain your vote. To explain your vote, Sir."

Ewing: "No...how many votes does this take, Madam..."

Speaker Breslin: "This requires 60 votes and a verification has already been requested."

Ewing: "Yes, well, in explanation of my vote. I think we all look ridiculous having voted on this matter so many times this Session and we continue to do it. Let us all stay here 'till we do the will of the banks. I vote 'no'."

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

Wojcik: "I rise in support of this. I think this is a good compromise Amendment. What it's doing is, it is going to permit a state bank...on the Motion. I think it's great. I think it's a service that we're going to be providing and there's a compromise here and that the insurance people will be appeased and so will the bankers. It's a good Amendment."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 61 voting 'aye', 37 voting 'no', 8 voting 'present'. Poll the...the Absentees, Mr. Clerk."

Clerk O'Brien: "Poll of those not voting. Black. Lou Jones. Shirley Jones. McPike. Morrow. Ronan. Saltsman. Turner. Williams. And Anthony Young."

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Speaker Breslin: "Representative Dunn wishes to change his vote from 'no' to 'aye'. Poll the Affirmative, Mr. Clerk."

Clerk O'Brien: "Barnes. Bowman. Breslin. Brunsvold. Bugielski. Capparelli. Churchill. Cowlshaw. Curran. Currie. Daniels. Davis. DeJaegher. Dunn. Farley. Flinn. Flowers. Giglio. Goforth. Granberg. Harris. Hasara. Hensel. Hoffman. Homer. Hultgren. Keane. Kirkland. Kulas. Lang. Laurino. Leitch. Leverenz. Levin. Martinez. Matijevich. Mays. McAuliffe. McCracken. McGann. McNamara. Mulcahey..."

Speaker Breslin: "Excuse me. Representative McPike votes 'aye'. Proceed, Sir."

Clerk O'Brien: "Bob Olson. Myron Olson. W. Peterson. Piel. Preston. Pullen. Rice. Santiago. Satterthwaite. Shaw. Sieben. Stange. Steczko. Stern. Terzich. Van Duyne. Weaver. White. Williamson. And Wojcik. No further."

Speaker Breslin: "Mr. Parke, do you have any questions of the Affirmative Roll?"

Parke: "Yes. Thank you, Madam Speaker. Representative Young? Anthony Young?"

Speaker Breslin: "Anthony Young. Is the Gentleman in the chamber? He is not voting, Sir."

Parke: "Thank you. Representative DeLeo?"

Speaker Breslin: "Representative DeLeo is not voting either."

Parke: "Thank you. Representative Olson?"

Speaker Breslin: "Representative Bob Olson or Myron Olson?"

Parke: "...Bob...Bob."

Speaker Breslin: "Both are in the chamber."

Parke: "Representative Giglio?"

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

Parke: "Representative Curran?"

Speaker Breslin: "Representative Curran. Michael Curran is in the chamber."

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Parke: "Representative Laurino?"

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

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

Speaker Breslin: "Representative Bill Laurino. Remove him from the Roll Call."

Parke: "Representative White?"

Speaker Breslin: "Representative White. Jesse White is in his chair."

Parke: "Thank you. Thank you, Madam Speaker, I have no more."

Speaker Breslin: "On the question there are 62 voting 'aye', 36 voting 'no', 8 voting 'present'. And the Motion...Representative Saltsman. Record Representative Saltsman as voting 'no'. There are therefore 37 voting 'no', 8 voting 'present'. Representative Turner votes 'aye'. So there is 63 voting 'aye', 37 voting 'no'. The Motion carries. Are there any Amendments filed, Mr. Clerk?"

Clerk O'Brien: "Amendment #1 and 2 lost previously. Floor Amendment #3, offered by Representative Capparelli."

Speaker Breslin: "Out of the record. Any further Amendments? Excuse me, withdraw the Amendment please, Mr. Clerk."

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

Speaker Breslin: "Representative Shaw."

Shaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #4 is a compromise Amendment and I believe that Amendment #4, what it does, it disallows the banks themselves from selling insurance or becoming insurance agents as the Bill is now written. And it allows them to...they can...they would have to do business with an existing insurance agent or producer in order to sell insurance. And I think this is a good compromise

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Amendment, and I think this Amendment go a long ways towards some of the concerns that people have had on the Bill. And I urge for the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 4 to Senate Bill 100. On the question, the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I don't know who Representative Shaw talked to about a compromise, probably between bankers and bankers. But I'll assure you that the agents' associations and the small independent agents have not compromised on this issue. Their position remains adamantly against this idea. You know, all this is, is a reiteration of the original Bill. There's nothing different on this Amendment. It is exactly as it was presented except that they've decided to take this out in Amendment form. I will tell you, if you look at the explanation that's been put out on this Amendment, it says, it's going to work with insur...existing insurance agencies. Well, I will tell you, that that does not mean that the small independent insurance agent that's doing his own job and the small life underwriter, who does not belong to some major insurance agency that they're going to deal with, is going to be benefited by this. I might also point out that the insurance agents...are still not going to be benefited by this. One other thing it says in their explanation sheet, that they're going to expand their potential customer base. And my question that I would have of the Sponsor of this Amendment is, how, Representative Shaw, in the explanation sheet that I have before me, are they going to expand their potential customer base? Do you know how they're going to do that, Representative Shaw?"

Shaw: "What was the question, Representative Parke?"

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Parke: "In the explanation of this Amendment that's been passed out by the Illinois Bankers Association, they stated that they going...that they're going to have an expanded...expand their potential customer base. Can you explain to me how this Amendment is going to expand the customer base?"

Shaw: "...That's...that's true, but that's their explanation. But, I'm saying that's...that's true what you're saying but that's the bankers' explanation. And that's a question that should be put to the bankers."

Parke: "I see. I should put that to the banks. Okay. Well, I'm going to put it to the Body. I might point out that the only way that obviously, they mean that they are going to be able to expand their customer base is that they are going to have access to the customers of the bank. Which is exactly what we've been standing up arguing all along, that it's unfair practice of allowing the customer base of the bank to be used by the insurance company...by the insurance agency that they are supposedly going to do business with. I can't emphasize that enough, that it's not proper for them to take advantage of the...customer base...bank...base of the bank. We want them to be able to go out in the marketplace and be able to buy their insurance at competitive rates. Not feel that there's an obligation to buy their insurance through the same financial institution that which they got their loans, though they say in the legislation itself, that they've built in safeguards. And I will say to you as I have said, as we have argued this Bill in the past, those safeguards may be built in, but we're all human and those safeguards, as many safeguards throughout time that they have been compromised by people who though in the small minority, still are able to compromise some...some pieces of law, and

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that's why we have courts and jails because people compromise that. So, I would say to you that this does not achieve anything more than a new wrinkle into the same argument we've had before. The agents' associations are adamantly against it. And I might point out under this Bill, they're going to be able to work with one insurance agency if they pass this Amendment on. Not...all the other agents that are in your area are not going to benefit by this. They may be able...they may be able to hire one insurance agency that they were putting under their wing, but all the rest of those small agents, all those other businessmen and women that are out there...are going to be out of luck. This is not achieve anything other than a new direction in the same Bill that they presented month after month, that we have defeated time and time, and I would ask that this Body again reject this Amendment as we have rejected the others because it is just not good public policy. Thank you."

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

Turner: "Will the Gentleman yield for a question?"

Speaker Breslin: "Representative Shaw will yield for a question."

Shaw: "Go ahead, yes."

Speaker Breslin: "Proceed, Sir."

Turner: "I was just curious, Representative Shaw. This Amendment says that...that if the agent or firm has to be in business for a year or two years, I remember there was some discussion about it being in business for two years or is this the one year..."

Shaw: "This is one year, because I felt as though that it would be too much trouble to get the Amendment, we redrafted to get the two years in there, and they would have had to do the whole thing and I didn't feel as though we had enough

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time for that."

Turner: "So now, according to this Amendment...there are three parts to it, am I correct? The one says that a bank can do business or make an arrangement with an insurance agency and they...that would allow them to sell insurance."

Shaw: "No, it would not allow the bank to sell insurance..."

Turner: "The bank can set up an agreement with an agency, so that my local..."

Shaw: "No. No. No. That's not what it says. The bank has to form a subsidiary and that subsidiary has to set up the agreement with the agency."

Turner: "Okay. I thought I read that it said, the bank can enter into an agreement to provide insurance services through a registered firm. So the registered firm is a subsidiary."

Shaw: "No...no...not...through the subsidiary."

Turner: "Okay. Then they can also buy...am I correct, that a bank can buy an insurance agency and that agency..."

Shaw: "Nope...nope...the subsidiary."

Turner: "So the subsidiary of the bank is the insurance company."

Shaw: "Right. Well, yeah, right, under this leg...under this Amendment."

Turner: "Okay. Well, I talked to some of my independent agents back home and in particular, I talked to members of Poeblo, which is an insurance agency that rep...it's an association that represents minority insurance brokers, and this is probably one of their last few industries that minorities have a part or some stake in doing business here in the State of Illinois, and they're all opposed to this. I rise in opposition to this Amendment and I urge everybody to vote 'no' on this Amendment also."

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

Pedersen: "Thank you, Madam Speaker and Ladies and Gentlemen of

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the House. The truth is, folks, the insurance business is now very, very competitive. And this Amendment doesn't change anything that we have talked about before, except for a minor deal that allows a favored insurance agent to coerce in the place of a bank. This...the coercion that's built into this legislation hurts hundreds of small businessmen. We're talking the small independent agents, that are such a great contribution to our communities in this state. In addition to that, it hurts hundreds of small businesses who need credit. They are so small they've got to go to the bank. They've got to have money for inventory, and they roll those inventories over, and they constantly have to have a need for credit, but they don't have the power to tell a bank to forget it. What we're really talking about here is a form of coercion. This is not competitive, because the people are buying the product for a different reason. They're buying the product because they need credit, and that doesn't encourage competition at all. In fact, it encouraged less competition and higher prices because, you know, you are selling a product they got to buy. And that is the problem with this, and all we're really talking about what this Amendment does, is a few chosen agents are going to be able to do the coercing for the banks against all their peers in the business. It's a bad concept. It's never worked and why...for the sake of good competition and a...hundreds and hundreds of small business in this state. I urge a 'no' vote."

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

Steczko: "Thank you, Madam Speaker, Members of the House. I rise in support of Amendment #4 to Senate Bill 100. And it's ironic, we're listening to the opponents. Amendment #4 is

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actually directed toward trying to resolve the problem that we've heard about for the last year and that is, the banks being able to sell insurance and put agents out of business, taking away from the agent bases. This Amendment allows the banks to be able to purchase an interest in an insurance agency that has been doing business for one year. That means that generally those established agents would be able to...or agencies would be able to form contractual agreements with the banks, and we all know that that, in those cases, as per the comments made by a Gentleman before, will add to that agency's base. Secondly, agents the same way, that agent's base would be expanded to the extent that they would have access to the banks customers or the customer base. But let's not be fooled when we hear objections by those who say that access to customers and access to customer bases is wrong. Let me just tell you that a week and a half ago I happened to be walking through my local supermarket and there was a insurance booth in the supermarket. It wasn't wrong to go after that supermarket's base by that agent or agency, just as it is not wrong for an agent or agency to have access to a bank's customer base. The purpose of this Amendment is try to...is trying to address those problems which people felt before were problematic in an attempt to try to make the Bill workable and to end some of the doubts. I think it's a good attempt at doing that, and I would support its adoption."

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

Barger: "Thank you, Madam Speaker. This is a very interesting concept. You know, I have favored independence and independent businessmen for a great number of years. But what we are now being allowed to have or the suggestion is

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being made, is that we have plantation type insurance companies, where the banks will choose who is going to be able to sell insurance and who can't. As Representative Turner said earlier, one of the few areas where the person who wants to be an independent businessman has an opportunity to achieve his aims and his desires is the insurance business. I think taking that right away from them and giving that right to the five, six big banking industries in the United States, and then just a few more years it's going to be down to just a couple of them. I think this is totally unfair because then everybody, instead of be...having an independent business will be required to work for an employer. Employers might be wonderful people, I support them because they support the income of those people who pay the taxes. But to take the right to become an independent businessman away from such a large group of people, I feel is totally...totally against the best interest of the people of the State of Illinois and to all of us as individuals. Thank you very much, Madam Speaker."

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

Lang: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of this Amendment. It's a good Amendment and speaking specifically to the opponents, those of you who have been in the past opposed to the concept of banks being involved in the insurance industry, won't have your minds changed by this Amendment. But let me speak to those of you who have been wavering on this, who have been unsure on this. Some of you have said that you're opposed...you're opposed to the prior Bill...the prior proposals because banks may not know enough about insurance to properly be involved in that business. This Amendment addresses that problem. This Amendment tells banks, you

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can be involved in the insurance business, but you can only be involved in it if you do it in conjunction with a current insurance agency, someone who knows what he or she is doing, will help you be involved in the insurance business. And now some of those arguments are gone. Some of the arguments that said, banks don't know what they are doing. Banks won't help the consumers, because they're not specifically...or trained in insurance to...to do this properly. By this Amendment, you will now be able to see that banks will have that training, because they won't be specifically involved in the sale of insurance, but a subsidiary will assume an agency or a subsidiary will combine with an agency with the expertise to properly deal with their customers. Because of this, those of you that have had that objection, I hope will take a second look at this. This is a good Amendment. This Amendment will keep the sale of insurance occurring only through licensed insurance people, experts in the field and therefore, the consumer will benefit. I urge the adoption of this Amendment."

Speaker Breslin: "The Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I, too, rise in support of this Amendment. I think Representative Lang has hit the nail right on the head. In the past all we've heard about this Bill is the criticism that one, it would lead to coercion of people who were buying insurance services and two, that those services would be given out by people who were inexperienced in the marketplace. So what this Amendment does is to create a method by which banks can go into insurance agencies and either through contractual arrangements or through purchasing an interest, those banks can sell the insurance

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products through those agencies. It puts one more step in the process so that coercion is eliminated. And if you don't agree with all of the anti-coercion elements that are in the original Bill, this is certainly one particular issue that is going to put a step between the consumer and the banker. And that is the issue that the people on this floor have argued about in coercion ever since this Bill was instituted. It will also provide for experience, because the agency that is purchased will have the experience. They have to be in operation for more than a year. This is a fine Amendment. I think we have to proceed with this Bill. This is something we've been trying to do for a long time now, because the marketplace is going on as we sit here and talk about this Bill year after year after year. And what we see is a cafeteria style of marketing where you can go into one store and you can buy tires. You can buy clothes. You can sell your house. You can get your teeth fixed. You can get your glasses. You can do everything in one stop shopping. There's no reason why banks should be restricted in their powers and their abilities when other people in the marketplace have the ability to sell every product. I would say give this vote a 'green' one."

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

Rice: "Will the...will the Sponsor yield?"

Speaker Breslin: "Yes, he will."

Rice: "Maybe...not yield, maybe I'll make a statement and be through with it. For the last month and a half or six weeks, I've been receiving telephone calls at the district office from agents, whom my colleagues have referred to me, regarding the support of this Bill. They were only concerned about the small agents losing the opportunity to participate at the marketplace. Now today we hear, there's

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some other problems. I think we need to search ourselves and be honest with ourselves, when we look at big companies that have already exploited or put the small agent out of business. We will find ourselves in a position of being...fooling ourselves because they still out there doing the same thing. You're not going to put the small man out of business as the Bill has been redrafted at this point. That local bank want to do business with you, because you're the local politician and that's what the bottom line is. He's going to contact you for all those of you that have agencies. And all the folks that are raising...saying about this Bill in this business...in this Assembly has an agency. And you're not fooling anybody. I have one. And I'm going to do what my conscience says and support that bank, so I can get those policies financed. Thank you."

Speaker Breslin: "The Gentleman from Peoria, Representative Leitch. Excuse me. Representative Parke, for what reason do you seek recognition?"

Parke: "Yes, Madam Speaker, I have an inquiry of the Chair. Is this Amendment been printed and distributed? I don't see any...the Amendment anywhere. We've been looking for it, trying to find out. I don't believe it's been printed and distributed."

Speaker Breslin: "Yes, Sir. It has been printed and distributed. The Gentleman..."

Parke: "It has not been distributed on this side then."

Speaker Breslin: "Okay. We will have to ask the...Republican Pages to please search to get that to the Members. It certainly has not inhibited discussion, however. There are several Members still seeking recognition. The Gentleman from Peoria, Representative Leitch."

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

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House. I rise in support of this Amendment as well. I would like to ask the opponents, what coercion? What is the problem with financial...the financial services industry selling insurance? They already are. I happen to work at a bank in Peoria. Our largest competitor is a credit union which has been selling insurance for years. Savings and Loans has been selling insurance for years. The only people who are not in the financial services industry able to sell insurance are national chartered banks. So where is the coercion? Where is all the evil that is suppose to unfold as result of granting financial institutions the power to sell insurance? We don't have to guess about this. All we have to do is look out and see that the evil things that are supposedly going to occur have not occurred and no doubt will not occur when banks finally get the right to sell insurance. Thank you."

Speaker Breslin: "The Gentleman from McDonough, Representative Edley."

Edley: "Madam Speaker, you know what? This Bill just has more lives. It keeps coming up over and over again. You're talking about why people don't want banks to sell insurance or why small business...I'll tell you why small businesses don't want banks to sell insurance. Banks have a special role to play in each one of our small communities. Small businesses are almost totally dependent upon their local commercial banks for...for their...for their financing needs. They don't want to have to take their insurance policies along with them when they go to the bank for a loan. That's the bottom line. I question as a small businessman, why do banks want to sell insurance? They get an excellent deal. I can't go down and...and start a bank on the street corner. They have...they are chartered institutions. They hold a special place in our community

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and small businesses overwhelmingly, 80 percent of them, do not support this kind of legislation. I urge a 'no' vote."

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

Regan: "Thank you, Madam Speaker, Members of the House. There's a strong feeling both sides of the aisle don't have this Amendment. I wish the Clerk would check one more time before I make my comments. Has this been distributed? There you go, Parke, go get it. Okay, the issue is this. It has nothing to do whether it's an old agent or a new agent that is connected with the bank or an agency or a subsidiary. It's the position of the insurance salesman in the same location with the person that okays the loan. That condition is not healthy for business. It's not healthy for anyone in the insurance industry out on the street trying to make a living. It's a definite disadvantage. Yes, we've applied for your loan. We're looking at it, it looks pretty good, but you better go next door here and check in the other office about insurance. That's what I went through. That's what other people will go through. All banks are perfectly honest, some are not. This is a situation we're looking at that's dangerous. Second point, it is not the banking industry against the insurance industry, two giants. It's the banking industry against the small independent agent. I was one for 30 years. Politics has taken that living away from me, but it was a very hard living to support kids on. All done on commission, all done meeting people, all done knocking on doors. It's a tough way to make a living. This will just take it away, make it less competitive for them to do it, and I think that it's a...certainly not a good idea, and I would advise that this would be a 'no' vote. Thank you."

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

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Kulas: "I move the previous question."

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

Shaw: "Thank you again, Madam Speaker. But I think one of the Gentleman on the other side of the aisle said it best. As what all of the opponents of this Amendment forgot to tell the...this Body is that every savings and loan association in this state, every credit union in this state could now sell insurance, but it have not hurt the...they have not chosen to do so, and it has not hurt that independent agency. This Amendment...all this Amendment would do is add another method to a bank trying to sell insurance. I...I think this is a good Amendment. This Amendment need to be on the Bill, and you should vote for this Amendment because it's fair. This is a fair Amendment. It opens the door, it does not allow the banks to go in and take over insurance companies or insurance agents or producers. What this does is give the producers and the agent an opportunity to do business with the subsidiary of the bank. It opens up a brand new market for them. You might not see this today, those of you who are against this Amendment, but you will see it farther down the road, and I ask for an 'aye' vote on the Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #4 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Parke, you have already spoken in debate. For what reason do you rise?"

Parke: "I would like a...verification of the Roll Call if this gets a required number."

Speaker Breslin: "Very good. The Gentleman from McLean,

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Representative Ropp, one minute to explain your vote."

Ropp: "Thank you, Madam Speaker. I think this is an interesting Amendment. It's kind of interesting if we're attempting to encourage good business practices, we're allowing through this Amendment to have someone come in who's only been in business at least one year. I'm sure you can't be a very good professional in just one year of experience in this particular business. I see this as an opportunity to take away a competitive edge that we have in small business operators as private individual insurance agents. And I think this is certainly a bad move and urge you to oppose it."

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

Olson, B.: "Thank you, Madam Speaker. In my district, one of the larger communities of Lincoln, has three banks, 43 independent insurance agents or insurance agencies. Those three banks are all owned by holding companies from elsewhere. Those three banks will buy three insurance agencies; there is 40 left. Those 40 people are good community people. They go to church. They have a loan down at the bank. They're little league coaches. They're civic people. I don't believe it's right that holding companies owning banks in our communities can come in and get in the insurance business and take the money elsewhere. I don't think it's good for our local businessmen, and it's certainly not a pro-consumer activity. I urge a 'no' vote."

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

Wojcik: "Thank you, Madam Speaker and Members of the House. I'd like to point out that..."

Speaker Breslin: "Proceed, Representative Wojcik. The Lady did

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not speak in debate."

Wojcik: "I would like to point out that after...I did not speak in debate. After June I did go back home, and I sent out a questionnaire regarding this specific subject. I said, 'Would you want a service provided to you wherein you could purchase insurance in your own local bank?'. Overwhelmingly, the answer was, 'yes'. All this is doing is providing a service to your constituency, and that's what your constituents are asking for. We live in a very fast paced life style today, and why not offer them something that would be for the best to them. Also, I would like to point out that in the Midwest area, Indiana, Iowa, Missouri and Wisconsin already allow their states to sell insurance in the banks. Why not? Let's Illinois take up their habit and let's stop being parochial. Let's vote 'aye'."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 56 voting 'aye', 48 voting 'no', 6 voting 'present'. Do you still need a verification, Mr. Parke? No. This Bill has...this Amendment is therefore adopted since it has received the Constitutional amount necessary. Are there any further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Capparelli now asks leave for immediate consideration of this Bill as amended. Does he have leave? Hearing...Okay. There is objection to that, Representative Capparelli. It would require 71 votes. We'll take the Bill out of the record. The next Bill is under the Order of Motions on Supplemental #1. It is House Bill 1548, Representative Levin. Mr. Levin. Proceed, Sir, with your Motion."

Levin: "Okay. Thank...thank you, Madam Speaker, Ladies and

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Gentlemen of the House. I would move to take House Bill 1548 from the table. I have talked to the other side of the aisle and I think we're okay on this at this point."

Speaker Breslin: "The Gentleman has moved to take House Bill 1548 from the table. On that question, is there any discussion? Hearing no discussion, the question is, 'Shall the Bill be taken from the table?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Seventy-one votes are required. Have all voted who wish? The Clerk will take the record. On this question there 93 voting 'aye', 10 voting 'no', 1 voting 'present'. And the Motion carries. Agreed Resolutions."

Clerk O'Brien: "House Resolution 1068, offered by Representative Parcells. House Resolution 1067, offered by Representative Stern."

Speaker Breslin: "Representative Matijevich moves that the Agreed Resolutions be adopted. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Ladies and Gentlemen, would you rise for the reading of a Death Resolution."

Clerk Leone: "House Resolution 981, offered by Representatives John Dunn and Johnson. Whereas, The House learned with sorrow of the death of Albert Webber Borchers of Decatur; and Whereas, Albert Webber Borchers was born July 1, 1906, in Decatur, Illinois, to Charles Martin Borchers and Alice Matilda Bowman Borchers; his father was to become a United States congressman, serving in the Congress from 1913 to 1915, and he was to be twice elected mayor of Decatur; and Whereas, Webber was proud of the fact that five generations of his family have lived in the family home at 695 S. Crea Street in Decatur, a home built by his grandfather and father; and Whereas, Webber attended Decatur public schools

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and the University of Illinois, from which he graduated with a B. A. and a Master's Degree in Political Science; and created the Chief Illiniwek legend; having observed a student named Lieutwiler put on a war dance during an Illinois football game in 1928, Webber realized the great significance of an Indian Chief symbol to the University, and he performed during the football season of 1929, in a temporary Indian costume; and reservation that an original war bonnet and genuine war suit were made in the ancient way; and Whereas, Webber was made a blood brother to the Oglala Sioux, and his name was "White Buffalo"; and on October 19, 1935, Webber married Sara Margret Stevens, and their union was blessed with two daughters, Margret Cuttill and Elizabeth Jane Hawkins; seven grandchildren; and seven great-grandchildren; and During his army career, Webber went from R.O.T.C. at the University of Illinois to Captain of Cavalry at Fort Knox, Kentucky; and Whereas, For the duration of World War II, Webber served under General Patton, and he assisted the French underground in liberating France as a reconnaissance and G-2 officer; and For outstanding valor as an American officer during World War II, Webber was awarded two Purple Hearts, 10 decorations and the French Croix de Guerre with Palm, which is the equivalent to a Congressional Medal of Honor; and Whereas, In addition, Webber was the officer who liberated the German concentration camp called Ordruf; and The founder of the Young Republican Party in Macon County, Webber served on the Board of Supervisors of Macon County for 12 years; and Whereas, In 1968, he was elected to the 76th General Assembly of the State of Illinois in the House of Representatives, and he served in the 76th, 77th, 78th, 79th, and 81st General Assemblies; and Whereas, For 29 years, Webber was a Scout Master of Troop

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3, and he led them on 21 expeditions, both domestic and foreign, and encouraged 123 of his 403 scouts to become Eagle Scouts, like himself; and Whereas, In the late 1950's, Webber reorganized the then defunct Macon County Historical Society which now is active and flourishing; and Whereas, As a member of the Illinois House of Representatives, Webber was invited to participate in the celebration of the 30th anniversary of the liberation of Paris; and Whereas, A former commander of the Stephen Decatur Chapter of the Military Order of the Purple Heart, Webber was fiercely independent and loyal to his friends and to his philosophy; in 1961, he went through two trials over his refusal to obtain a building permit to build a nuclear fallout shelter in his home because he insisted that the United States was then in a state of undeclared war against communism and that each citizen is entitled to act in self-defense; and Whereas, Webber Borchers was a family man with a fierce sense of loyalty, honor, patriotism, and chivalry; he was steeped in Indian lore, military history, and European and American history; therefore, be it resolved, by the House of Representatives of the Eighty-Sixth General Assembly of the State of Illinois, that we express our deep sorrow at the death of Albert Webber Borchers; that we offer our sincere sympathy to his family; and that we join his friends and fellow citizens in honoring the memory of this remarkable man; and be it further Resolved, That a suitable copy of this preamble and resolution be presented to the family of Albert Webber Borchers with our heartfelt condolences. And a further showing of our respect. The House will now stand adjourned."

Speaker Breslin: "Representative Dunn, is recognized on the Resolution."

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Dunn: "Thank you, Madam Speaker, and Ladies and Gentlemen of the House. To put Webber Borchers in...perspective for our colleagues here. He was first elected to this House of the Illinois General Assembly in 1968, and he was last elected to this House in 1978. So, there are a number of you here who have served with Webber and a number of you here who probably know little or nothing about him. Death Resolutions are always difficult and in the case of Albert Webber Borchers, it is more difficult than most because of his colorful nature. Webber Borchers was a man who...to whom controversy came and a man who...who sought controversy. He was a man who for 29 years, was a legendary Boy Scout leader in our community of Decatur under his tutelage. He had 123 Eagle Scouts, 6 of whom were pallbearers at his funeral. Against that background you have to know Webber to understand that ultimately he was drummed out of the Boy Scouts. And if you know Webber, that's so, and he wouldn't take that as criticism. Webber was a man who, if you said he was irascible would consider it to be a compliment. After all those years...he was disappointed of course, but because of his stubborn independent nature, he and the Boy Scouts ultimately parted company. Webber was very proud of his military record during World War II, and as has been indicated, served under General Patton and it's no secret to those of us back home that Webber also had difficulty with his superiors in the military, once again because Webber was not very good at following rules provided for him by others. Webber's colorful character also included a classic law case in our community in the early 1960's, during the cold war, the tail end of the cold war, late 50's early 60's. Webber decided to build a fallout shelter for his family, at his home at 695 South Crea Street, incidentally which is just

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one block from where I live. Webber was confronted by the City of Decatur for his failure to take out a building permit to construct the fallout shelter. And Webber said, he didn't need one. Webber said, that we were in a state of undeclared war against communism and everyone should have the right to self-defense. Webber and the City of Decatur went to court, he went through two trials, both at his own expense and acting as his own lawyer and, in vintage Webber form, he quoted the Encyclopedia Britanica, the Encyclopedia Americana, some defense manuals quoted from...and even quoted from Carl Marx in his defense. Ultimately after two trials, Webber was fined \$10 and the case was put to rest. This is the kind of man that all his life sought out controversy and it may seem that...that I'm somewhat irreverent and perhaps not respectful about this man who was my neighbor and a man that I grew to know and to like and knew well, but Webber was just that kind of person. I think if...to those of you who have not served with him, I would like you to remember especially his devotion to the Chief Illiniwek tradition at the University of Illinois. Webber was not modest about his own accomplishments, but he was willing to indicate and did so in a white paper presented to University of Illinois Alumni in this chamber before he left, that the Chief Illiniwek tradition at the University of Illinois originated with a man named Lieutwiler, as it indicated in the Resolution. And that was a performance according to him, done as a stunt in 1928, and Webber appreciated the significance of a proud Indian tradition to the University of Illinois, performed in a temporary costume in 1929, and spent the entire summer of 1930 on an Indian Reservation, Pine Ridge Indian Reservation, in South Dakota, where he negotiated for the first authentic Chief Illiniwek war suit and war

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bonnet made in the authentic traditional old Indian ways. From that early beginning, the Chief Illiniwek legend has continued and it is, I suppose appropriate at this time, that even that tradition is now being challenged. Webber I'm sure, would wish he were here to confront that challenge. We could go on and on about Webber, but if you knew him you have your own memories about his colorful career and lifetime. If you didn't know him the stories we would tell would probably not be believable. In summary, I would just like to say that to Webber from all of us who are his neighbors, to his family and to his relatives, we express our condolences and, Webber, we will miss you. As the Decatur newspaper said, in a very sensitive and touching editorial on the occasion of his death, especially pointed, because the newspaper only endorsed Webber once. Webber ran many, many times. Not only just for the Illinois General Assembly but he ran for a local office, for a township office, for Macon County Board of supervisors and never was endorsed by the Decatur Newspaper, except once and he lost that election. Webber...the newspaper said about him and they had classic, classic confrontations in what I thought was a very sensitive thing, they said, 'We're going to miss Webber, they just don't make him like that anymore'. Webber, Godspeed and, Madam Speaker, I now move for the adoption of this Death Resolution and ask leave that all Members of this Body be added as Cosponsors."

Speaker Breslin: "The Gentleman asks leave that all Members be added as Cosponsors. Hearing no objection, that will be done. The Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Madam Speaker. To those who never had the pleasure of knowing Webber Borchers, he was certainly an individual that you could never say ever stood the...ever

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straddled the fence on any issue. He was truly one that decided where he was going to be and made clear note of that. Just to follow up on the fact about him being a Chief Illinwek, during his latter years, which was only a couple of years ago, during the half time at all Illinois Football games at homecoming, they have the former Chiefs come out and they dance. And this particular time, which was about 2 years ago, Webber was wheeled out in a wheelchair carrying his tomahawk. And I told my wife, I know he'll get up from that wheelchair and dance, and sure enough when the appropriate time came the music for the Fighting Illini and the chief to dance, Webber truly did arise from that wheelchair and danced around the wheelchair two times and then sat down and was wheeled off. Truly a guy that we'll never, never forget and I'm sure that those of you who have remembered him have special memories about him. And, Webber, we will remember you for all the things that you stood for, certainly some of the interesting things that you brought to this chamber. And I'm sure that you for some, were truly the last of your kind. God bless you."

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

Ewing: "Madam...Madam Speaker, Ladies and Gentlemen of the House, it's hard to add much to what John and Gordon have said about this man, but he was very, very unique. But I think the record should show that Webber Borchers lost his seat in this House because the court said he misappropriated some of his home office allowance, and there was a long court case. And some of us...all of us who have to deal with that problem could probably relate to this man and I don't think anybody here or very few ever thought that he did really use any of that money for anything illegal. But

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he didn't follow the rules too well, as has been pointed out. But, the thing I think he'd want to be remembered is, that he fought the case until it was thrown out, I believe, and then ran for re-election and won his seat back. The man never gave up, never gave up, and he must have been in his 70's then, and he should go down in history of this Body as one of the most tenacious people I've ever met."

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

Satterthwaite: "Madam Speaker and Members of the House, the accolades for Webber have been long and humorous in many ways, but one of the things that I remember in addition to seeing him out on the field in his later years when he was hardly able to stand, but would go through the dance because he loved the Chief Illiwek symbol so much; add to that, my memory of Webber here on the House floor. And those of you who served along with him are aware that he frequently had Susan Catania's seat nearby. And in the years when Susan came down with a small baby in tow, the baby slept in a carrier under her desk. If Susan happened to be away from her desk when the baby roused, Webber without any hesitation would pick up the baby and walk around the House floor tenderly carrying that baby and giving it his love. He is truly a man who loved life at all ages and all stages. Well should we remember him and emulate him."

Speaker Breslin: "The question is, 'Shall the Resolution be adopted?' Hearing no objection, the Resolution is adopted unanimously. And now Representative Dunn moves that the House stand adjourned until 11:00 o'clock tomorrow in respect for Representative Webber Borchers. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The ho...Ladies and Gentlemen,

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there is a Rules Committee meeting immediately. A Rules Committee meeting in Room 114. Right now, please. This House stands adjourned until 11:00 o'clock tomorrow morning."

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