

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. All unauthorized personbel shall please leave the floor. If we could have your attention, the House shall be led in prayer today by Reverend Carl J. Clark, the Pastor of the Auburn Baptist Church in Auburn, Illinois. Reverend Clark is a guest of Representative Josephine Oblinger. Will the guests in the gallery please rise to join us for the invocation?"

Reverend Clark: "Let us at this time take this opportunity to address our Lord God each in our own manner. Our heavenly Father, we thank Thee for this day and the opportunity to serve the people of this state. And I think You know, Lord, what these Representatives are up against, because You were the greatest Lawmaker. And Your laws were great, Lord, because You put the love of God, the love of Your neighbors, compassion and understanding, and this is what made them endure with longevity. And Lord, we ask You to give some of this understanding to this Legislature; that they use these same qualities to place in their laws that they too might stand with longevity. And we know, Lord, that there are those that view laws as mountains. Some view them with magnificence, and just talk about them - some negatively, some positively. Others try to get around them or tunnel through them, and yet others know that they're going to be placed there to be used, to help them, to satisfy needs. Lord, let us walk hand in hand with Thee and do Thy will in all that we say and all that we do. And as we are in this House this morning, let us be respectful of one another; and, when we leave, let us do so in peace. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Ropp."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

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

Speaker Madigan: "Roll Call for Attendance. For what purpose does Mr. Piel seek recognition?"

Piel: "Morning, Mr. Speaker. Would the record show that Representative Neff is excused because of illness?"

Speaker Madigan: "Let the record reflect the excused absence of Representative Neff. Mr. Giorgi, are there any excused absences?"

Giorgi: "I'm not aware of any, Mr. Speaker."

Speaker Madigan: "Thank you, Mr. Giorgi. Mr. Clerk, take the record. On this question, there are 115 Members responding to the Attendance Roll Call. There is a quorum present. Mr. Clerk, Messages from the Senate."

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in passage of Bills with the following title, together with the attached Amendments, to wit: House Bills #2805, 2810, 2827, 2856, 2857, 2871, 2950, 2887, 2961, 2987, 2992, 3059, 3092, 3099, 3110, 2714, 3123, 3128 and 3205, passed by the Senate as amended June 21, 1984. Kenneth Wright, Secretary.'"

Speaker Madigan: "Agreed Resolutions."

Clerk O'Brien: "House Resolution 1089, Madigan - Daniels - et al; House Joint Resolution 168, Oblinger and Curran."

Speaker Madigan: "Mr. Giorgi."

Giorgi: "Mr. Speaker, 1089, by the exalted Speaker Madigan and the exalted Leader Daniels, announce a retirement; 168, by Oblinger, honors Sangamon State University. I move for the adoption of the Agreed Resolutions."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Speaker Madigan: "Those in favor will say 'aye'... For what purpose does Mr. Piel seek recognition?"

Piel: "I didn't quite catch the first Resolution about Mr. Daniels. The Speaker wouldn't be picking on our Leader on this side, would he?"

Giorgi: "He's a Cosponsor of a Resolution lauding the retirement of Robert E. Cook from the Realtors' Association."

Piel: "Fine. Thank you."

Speaker Madigan: "Those in favor will say 'aye', those opposed say 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Mr. Clerk. On page two of the Calendar, on the Order of Senate Bills Third Reading, Short Debate Calendar, there appears Senate Bill 1425, Mr. Steczo. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1425, a Bill for an Act in relation to the sale of liquid fueled portable space heating devices. Third Reading of the Bill."

Speaker Madigan: "Please be advised that we are on the Order of Third Reading, Third Reading consideration, final passage stage. Mr. Steczo."

Steczko: "Thank you, Mr. Speaker. I would ask leave of the House to bring Senate Bill 1425 back to the Order of Second Reading for the purposes of an Amendment."

Speaker Madigan: "Is there leave? Leave is granted. The Bill shall be placed on the Order of Second Reading. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Amendment #7, Steczo and Virginia Frederick, amends Senate Bill 1425 as amended with reference to page and line number..."

Speaker Madigan: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker. I'd like to withdraw Amendment #7, please."

Speaker Madigan: "The Gentleman requests permission to withdraw

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 22, 1984

Amendment #7. Is there leave? Leave is granted. The Amendment is withdrawn. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative Steczo and Virginia Frederick."

Speaker Madigan: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker. Amendment #8 to Senate Bill 1425 allows the Amusement Ride Safety Board to adopt a schedule of inspection fees and also provides that at some point if an amusement company, or a carnival or fair happens to use the waiver process that the inspection fees would be waived in those instances. And I would ask favorable approval of Amendment #8."

Speaker Madigan: "Is there any discussion? The question is, 'Shall the Amendment be adopted?' Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Is there leave that this Bill shall remain on the Order of the Short Debate Calendar? Leave is granted. For what purpose does Mr. Steczo seek recognition?"

Steczko: "Yes, Mr. Speaker, I would ask leave of the House to have House... Senate Bill 1425 heard today, please."

Speaker Madigan: "Mr. Steczo has requested leave to consider Senate Bill 1425 on the Order of Third Reading, the Bill having been amended today. Is there leave? Leave is granted. Mr. Clerk, read the Bill for a third time."

Clerk O'Brien: "Senate Bill 1425, a Bill for an Act in relation to the sale of liquid-fueled portable space heating devices. Third Reading of the Bill."

Speaker Madigan: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1425 as amended seeks to do two things. As this Bill

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 22, 1984

came over from the Senate, Senate Bill 1425 prohibits the sale of liquid-fueled portable space heating devices unless those devices are equipped with automatic shut-off mechanisms or warnings regarding care and maintenance as approved by the Office of the State Fire Marshal, and the State Fire Marshal is... is in favor of that provision. And that Bill passed the Senate unanimously. Secondly, Mr. Speaker, Members of the House, Amendment... subsequent Amendments to Senate Bill 1425 do what this House attempted to do with the passage of House Bill 3277, and along with my hyphenated Sponsor, Representative Frederick, we think in a much better way and that is to enact the Carnival and Amusement Ride and Equipment Safety Act, which is a response to the accidents we have seen both at Great America and with the various kinds of traveling carnivals that we have in the State of Illinois or traveling throughout the State of Illinois. We know that when House Bill 3277 was heard on Third Reading in this House, and unfortunately that Bill did not get out of the Senate Rules Committee, there was many questions that were raised by Members of this House of Representatives. We have attempted to address those questions and deal with those questions, and we feel that the changes in the... in the definition of 'amusement device' and the addition of a definition of 'amusement attraction', et cetera, are such that the Bill is in... is in great shape. And we can also announce that the Governor has announced that he is favor of Senate Bill 1425; and, after many, many long days and hours of negotiation, Great America also has announced that they are in favor of Senate Bill 1425. And I would urge the House to accept and adopt Senate Bill 1425."

Speaker Madigan: "The question is, 'Shall this Bill pass?' The Chair recognizes Representative Virginia Frederick."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Frederick: "Mr. Speaker, Ladies and Gentlemen of the House, will the Sponsor yield?"

Speaker Madigan: "The Sponsor indicates that he will yield."

Frederick: "Representative Steczo, in definition of amusement ride and amusement attraction, do you feel this definition really covers stationary amusement parks such as Great America?"

Steczko: "Representative Frederick, our use of the term 'carnival' as a definition is one that we use in a generic sense, and we would take that to mean not only the traveling carnivals or carnivals as most people would think of them but also Great America and the other stationary types of amusement parks."

Frederick: "Thank you very much."

Speaker Madigan: "Is there any further discussion? There being no further discussion, the question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye', all those opposed by voting 'no'. This is a Third Reading Roll Call. This is a Third Reading Roll Call. Final passage. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 107 'aye', 1 person voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1457, Mr. Keane. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1457, a Bill for an Act to amend Sections of an Act in relation to state monies. Third Reading of the Bill."

Speaker Madigan: "Mr. Keane."

Keane: "Thank you, Mr. Speaker. Senate Bill 457 (sic - 1457) was taken out of the record yesterday for some clarifications. I think the clarifications have been made. Basically the Bill eliminates the requirement that the State Treasurer

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

annually notify banks of the date he'll receive sealed proposals, and there's an Amendment that also says that the Treasurer can collect or charge those who request electronic transfers or wires. He can collect for the cost of that electronic transfer or wire. Be happy to answer any questions and ask for a favorable Roll Call."

Speaker Madigan: "Mr. Piel."

Piel: "Thank you, Mr. Speaker. I know we're on Short Debate, but would the Gentleman yield for one short question?"

Speaker Madigan: "The Sponsor indicates that he will yield."

Piel: "Representative, there's two questions. First, you had... Representative Vinson asked you to take this out of the record. Were those problems clarified?"

Keane: "Yes. He's right behind you if you want to check."

Piel: "Thank you. And the second question, I noticed that it was brought up yesterday during the discussion before it was taken out of the record that the, you know, the State Treasurer as far as putting things out for bids... and they were a little bit skeptical that you just leave it in certain depositories for an indefinite period of time. Is there safeguards against this in the Bill?"

Keane: "Under the present law... Under the present conditions, what we're doing is we're actually borrowing money so there are... there is no need for bids to go out. There's no money to be deposited. When the bids go out and the bank submits a request for a deposit, that's only... that's only advisory. I mean he doesn't have to accept... the Treasurer's never had to accept that."

Piel: "Thank you very much."

Speaker Madigan: "Is there any further discussion? The question is, 'Shall this Bill pass?' Those in favor will signify by voting 'aye', those opposed by voting 'no'. This is a Third Reading Roll Call. Have all voted who wish? Have

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 108 'ayes', no one voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1735, Mr. Nash. Is Mr. Nash in the chamber? Senate Bill 1797, Representative Currie. Is Representative Currie in the chamber? The Sponsor indicates that she does not wish to call the Bill. Senate Bill 1943, Representative Breslin. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1943, a Bill for an Act to amend Sections of the Environmental Facilities' Financing Act. Third Reading of the Bill."

Speaker Madigan: "Representative Breslin."

Breslin: "Thank you. Thank you, Mr. Speaker, Ladies and Gentlemen. I would ask leave at this time to bring this Bill back to the Order of Second Reading for the purposes of an Amendment, Mr. Speaker. Bring this Bill back to the Order of Second Reading for the purposes of an Amendment."

Speaker Madigan: "The Lady request leave to return the Bill to the Order of Second Reading for the purpose of Amendment. Is there leave? Leave is granted. The Amendment shall be placed... The Bill shall be placed on the Order of Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker Madigan: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Amendment #5 clears up a problem with the original Bill that specifically designates that the tank storage and treatment in tanks shall be above-ground treatment or above-ground tank storage. This was assumed by myself and others when the Bill was originally drafted, but it has been suggested that it would be more clear if we actually put 'above ground' into the language."



STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Speaker Madigan: "Is there any discussion? Those in favor of the Amendment will say 'aye', those opposed will say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Representative Breslin."

Breslin: "Mr. Speaker, I would ask leave to have this Bill heard immediately on the Order of Third Reading."

Speaker Madigan: "Is there leave? Leave is granted. Mr. Clerk, read this Bill for a third time."

Clerk O'Brien: "Senate Bill 1943, a Bill for an Act to amend Sections of the Illinois Environmental Facilities' Financing Act. Third Reading of the Bill."

Speaker Madigan: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, this Bill is a Bill that has already passed out of this House. Actually it contains two Bills that have already passed out of this House. The original Bill amends the Illinois Environmental Financing Act to specifically indicate that the intent of the General Assembly is that the Authority give special consideration to projects which involve a reduction in volume of hazardous waste products generated or the recycling, reuse, reclamation or treatment of hazardous wastes. At the same time, the Bill includes House Bill 2534, which was sponsored by Representative Van Dyne and others, which allowed... allowed an Amendment to the Environmental Protection Act and the Financing Act to allow environmental facilities to include landfill gas recovery facilities. That Bill passed out of this House by a wide margin, ran into a little bit of difficulty in the Senate; therefore, it has been put onto.. onto this Bill. I ask for your favorable consideration."

Speaker Madigan: "Is there any discussion? There being no

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

discussion, the question is, 'Shall this Bill pass?' Those in favor will signify by voting 'aye', those opposed by voting 'no'. This is a Third Reading Roll Call. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 111 'ayes', no one voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page nine of the Calendar, on the Order of Concurrence there appears House Bill 598, Representative Braun. Is Representative Braun in the chamber? House Bill 877, Representative Levin. The Sponsor indicates that he does not wish to call the Bill. House Bill 1190, Representative Steczo. Mr. Steczo. Is Mr. Steczo in the chamber? The Gentleman indicates that he does not wish to call the Bill. House Bill 1427, Mr. Steczo. The Gentleman indicates he does not wish to call the Bill. House Bill 1448, Mr. Terzich. Is Mr. Terzich in the chamber? House Bill 1563, Mr. McGann. Mr. Clerk."

Clerk O'Brien: "House Bill 1563, a Bill for an Act to amend the Revenue Act, together with Senate Amendments #1, 2 and 3."

Speaker Madigan: "Mr. McGann."

McGann: "Thank you, Mr. Speaker and Members of this Assembly. I concur with Senate Amendments #1, 2, and 3 to House Bill 1563."

Speaker Madigan: "Did you wish to explain the Amendments, Mr. McGann?"

McGann: "Thank you, Mr. Speaker and Members of the Assembly. Amendment #1 we really don't have to go into too much because Amendment #2 became the Bill. What this Amendment does... If I could have your attention, Mr. Speaker and the Members of this Assembly, I think this is very important. Senate Amendment #2 to House Bill 1563 becomes the Bill. It establishes a Local School Fund which is to

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

be supported by a 25% surcharge on the price of Lottery tickets. This Bill will be... have an effective, immediate effective date. The surcharge is to exist only from the effective date until December 31, 1985. Now, I believe we all were listening to the school associations and the school superintendents throughout the State of Illinois, their representatives yesterday. I think they sent a message to this General Assembly. We have faltered in our obligation to fund education to the 50% mark. I think now we have a vehicle here that will help quite a bit, a possibility that it could raise... amount totalling roughly about 250 dollars (sic - 285 million) in the fiscal year which will help the educational programs of the State of Illinois. I, therefore, would ask your support in concurring with this Amendment #2. Amendment #3 was placed in the Senate by the Republicans. And what it does is, in case we listen to all this rhetoric about the possibility that it's going to tear down the sale of the Lottery tickets, well, in six months, if we have dropped below 15% in sales, the Lottery Board has the right to cancel this program immediately. So we've got some safeguards built in there; and therefore, I'd ask, once again, support to concur with Senate Amendment #3 to House Bill 1563. Thank you."

Speaker Madigan: "Mr. Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I believe that this is a most important vote, and I believe that Members ought to watch this vote very carefully. Now, I rise in opposition to the Gentleman's Motion because of the contents of Senate Amendment #1. Senate Amendment #1 does two things. It applies a tax to the sale of Lottery tickets, and then it provides for the distribution of that tax. I would make one point at the

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

outset. If you tax something, you're going to get less of it. That's going to result in this case in a reduction in Lottery receipts. The result of the tax... The way in which the tax must be distributed is back to the districts, the school districts in which the Lottery tickets are sold. Now currently, Ladies and Gentlemen, Lottery receipts are deposited into the General Fund. A great deal of the General Fund, as you know, goes into the Common School Fund and is distributed through the school formula. That school formula was devised for the purposes of being a fair formula. We all know, everybody who has carefully studied that school formula knows that its current effect is to distribute about 33% of the school funds to a particular school district which only educates or is only supposed to educate about 22% of the school students. The affect of this Amendment would be to skew the distribution of school funds even more to that particular school district. And if it results in a reduction in Lottery receipts, it, in effect, creates a system whereby you are transferring money from every downstate school district and from every suburban school district to the City of Chicago School District. Now if you believe that we need to skew the school formula more, that we ought to spend more than 33% of the school funds on that 22% of the students that they're educating in the Chicago School District, then you will be for this Amendment. But if you are concerned about the financial viability of the little school districts around this state, which are against the wall and which cannot do anything to control their situation, if you are concerned about downstate school districts in general or about suburban school districts, then you might have some pause in voting for this particular Amendment. And, in fact, you might conclude that you ought to vote 'no',

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

because you are, in fact, taking money away from downstate and suburban school districts and skewing the distribution even more disproportionately to Chicago. I would urge a 'no' vote on this Amendment. I think it's a very bad Amendment. I don't think it does anything to ensure fiscal control in the City School District, and I believe, in fact, it does maldistribute the money even more than it is currently. I would urge a 'no' vote."

Speaker Madigan: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker Madigan: "The Sponsor indicates that he will yield."

Brunsvold: "Representative, how much money would this raise again - total?"

McGann: "It is... There are no definite figures that can substantiate just exactly what's going to happen. But if the sales do not drop, we will be able to raise approximately 285 million dollars in the Fiscal Year 1985 before this sunset provision of December 31 of 1985. So the '84-'85 budget, it probably... revenue would be approximately 285 million throughout this state."

Brunsvold: "And how is this money going to be distributed? Is it going into the General Fund or locally?"

McGann: "No. A special school fund is being created to handle it. It will be allocated quarterly, and it's going to be directed to the various education service regions. And the amounts directed to the service regions are to be equivalent to the amount deposited in the Fund as a result of the Lottery ticket sales within a particular preceding three months."

Brunsvold: "Is this then, in effect, going to raise the top dollar amount to education?"

McGann: "Yes, it will. It will. What it's going to do, it's

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

going to, shall we say, acknowledge our responsibility to the educational programs in the State of Illinois."

Brunsvold: "If we pump 285 million dollars into education, what's stopping this General Assembly from subtracting 285 million from the General Revenue Fund going into education and ending up with the same top dollar amount?"

McGann: "Well, I... I would hope... I would hope that the Governor would realize the urgency and the crisis that's occurring in the State of Illinois and would not take that kind of action. And I think that he would express the sentiments, if this was to pass out, in concurrence... that he would express the sentiments of the General Assembly of both Houses, both sides of the aisle and the Senate and state that we have to support this educational program. And this is the only vehicle aboard that we have presently to do so, because the Governor has expressed months ago, before the budgets ever came out, that he did not want an extension of the surcharge on the income tax. We have no other vehicle. This is a vehicle. If it doesn't work out, the Lottery Board is still the... still remains the power here because in six months they can turn it off if they don't want it. So I think it's a good program, and I don't think it's going to affect the revenues that much because those people in our state that have been gracious enough to buy Lottery tickets are going to buy them at any price because that's what they want to do. And I think this is what we should be using now to help fund and to bring up the level of funding. When we talk... If I may, Representative Brunsvold, two years ago the Governor indicated that 174.4 million in Lottery revenues had been allocated to the Common School Fund. That was out of some 422.2 million, enough revenues accruing since the Lottery's inception. So in other words, in the fiscal year of '83,

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

41% went in the General Revenue Fund which was filtered into the schools for the state. We need this. We need it badly."

Brunsvold: "Thank you, Representative. To the Bill, Mr. Speaker. I rise in mixed emotions on this Bill. I am in support of education, and the House Appropriation II Committee the other day, it got very lonely when it came to voting on 1611. I wonder, in fact, if we aren't raising 285 million dollars to put into education so we can free up that same exact amount for other agencies in the state... in State Government as has happened before when education has become the whipping boy to raise tax monies for other agencies. So with that, I am going to rise in opposition to this... to this Bill and ask for a 'no' vote."

Speaker Madigan: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I too rise in opposition to this legislation. And let me share some information with you in regard to what's happening with the Lottery program. I would point to you that the Lottery number that is in the budget book is predicated on 22 million dollars a week receipts in the Lottery. Since the time the budget book was prepared, that 22 million dollar figure has dropped down to 18, which means that the present Lottery program is going to somewhere in the neighborhood of between 125 million and 200 million dollars below the estimate in the Bureau of the Budget in terms of its intake for General Revenue alone. A surcharge on those Lottery tickets will only drive that number lower, and we all are going to be the losers. I, for one, in my 18 years in the General Assembly, have never supported any form of... of gambling which supported governmental programs. I happen to believe that it is not only bad state policy, but 506 is a moral issue also

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

involved. But that's my own particular point of view. But I will say to you today that this is not good state governmental policy. It is good publicity. We can throw big numbers around. But as the previous speaker indicated, this is not a solution to the issue that is trying to be addressed. That solution is much bigger. It's important that we do not... It's important that we do not get the point of view across that we are somehow solving the problems of education. We are not solving the problems of education this Session of the Legislature. But I'm very hopeful that in the 1985 Session of the Legislature, that we will have an education General Assembly, and we will address not only the kinds of... of reforms that we need in education itself, but that we will put education on a sound and solid fiscal base. This kind of legislation will only dilute that effort. It dilutes people into thinking that we are doing something that we are not. And in terms of the present condition of the Lottery, this will only drive the Lottery sales down. And it doesn't take people very long to figure out that they can buy the Lottery tickets, and if they... all they end up with blank pieces of paper, eventually a number of them smarten up. And that's exactly what is going on out in the field today, out in this state. And for those reasons, Ladies and Gentlemen, I rise in opposition to the House concurrence in the Amendments which have been filed of House Bill 1563."

Speaker Madigan: "Mr. Stuffle."

Stuffle: "Mr. Speaker and Members of the House, I think for the first time on an education Bill, I rise in opposition to my good friend, Representative McGann. The arguments stated here are valid in opposition. The fact is that the money under this Bill is driven back into the educational service regions on the basis of where the ticket sales are



STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

triggered. And fact of the matter, even if you separate the distribution out from Cook County to downstate, even within downstate, it makes no sense to distribute in that manner. If you look at an area such as mine, the ticket sales happen to be in the smaller of the two educational service regions. There's no relationship to the needs of education in the triggering mechanism or the distribution mechanism. To drive the money back in such a way as to put 77 or 78% in one county is also wrong. We ought to be doing something besides playing games with the Lottery. Some want earmarked money and others don't. We could in fact leave the thing at a dollar, not go to the surcharge at all and earmark above a certain level for education and drive that money back through the school aid formula in the fairest manner. This Amendment does none of those things. This Amendment will only cause the loss of revenue and the diminution of ticket sales. You need only walk across the street, as I did this morning, and talk to people who I see every day buying Lottery tickets, and they'll tell you they won't buy Lottery tickets if you put a quarter surcharge on this Bill. They won't, and they mean it. And they aren't going to change their mind, and they aren't going to keep the revenue up from the Lottery if this passes. It's not fair. It's not a way of distributing money that's equitable, and it's not the means we ought to be seeking to put more revenue in the schools. We've only got so much money. We'll only have so much money even if this passes. Sales will go down. We ought to be looking at what's there now. We ought to be looking at prioritizing spending for education and stop playing games with this and other things. It's too bad that Representative McGann even has to come before us with this proposal, because he's a sincere individual who fights hard for education, who

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

believes it's a priority, who wants to fund it, and so do I. But this isn't the way."

Speaker Madigan: "Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I usually would be in favor of any idea which would raise money from those areas where that money is going to be spent. We have heard some excellent arguments today on why this won't solve the problem in education. But I think an even better argument, and I hope all of you that are going to vote for this are listening, because this morning, as I said, at a... at a restaurant at the bar, and I was having a cup of coffee... No, not at Baur's. I said... at the counter, shall we say, at the counter having coffee, there were some gentlemen talking at the other end of that counter, and they were saying, 'By golly, can government get things screwed up. Here we've got the Lottery going, and now they want to put a surcharge on it.' Ladies and Gentlemen, the people back home aren't going to buy that. They don't like it. It's not a good idea, and it certainly won't solve the problem. All you're using it for is political purposes, and I would suggest that we resoundingly turn this idea down."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm rather amazed at my learned colleagues on the minority side of the aisle and the Leadership, thereof, taking a position in opposition to this legislation. In my tenure down here, I have heard many Members, some past, present Members that have always talked about the priorities of the General Assembly as it pertains to educational funding. In that regard, Representative McGann has placed an Amendment on this Bill and the concurrence thereof that would allow for funding by virtue of the

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Lottery which was the original intention when sold to this General Assembly. It seems to me that if in fact the priority cannot be met and has not been met for the ten years that I know of, we have an avenue available here to respond to those individuals who have been asking us as Legislators, 'Where does the money go from the Lottery?' This is the opportunity to stand up and vote for exactly what you've been telling them. The initial intent was for the educational system of our state. We should, therefore, be implementing this proposal since there has been no proposal submitted by one of the learned Minority Members who spoke in opposition to this legislation. But I think you're missing one point when you talk about what happens to the Lottery. When the Lottery increased the numbers by four over the initial forty provisions, it increased the odds against an individual to about 3.6 million to 1. I think that in that regard the individuals in this state who play the Lottery will be ready, willing and able to pay that extra 25 cents knowing full well that 25 cents goes for the education of their children. And maybe we'll stop some of the raids on the Treasury here in Springfield, and I stand in support and hope that the downstate Member who spoke in opposition to this legislation will reevaluate his position and support the legislation which will provide funds at the local level where the Lottery is sold."

Speaker Madigan: "Mr. Hastert."

Hastert: "Would the Sponsor yield?"

Speaker Madigan: "The Sponsor indicates that he will yield."

Hastert: "Thank you. Representative McGann, this Bill, 1563, that was a Bill that we heard in Revenue Committee, correct, this spring?"

McGann: "That is correct, Representative."

Hastert: "That wasn't one of the Bills that you had that were

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

held over from last year. Is that correct?"

McGann: "That is... It was not, no."

Hastert: "And that was one of the Bills, I believe, that Senator Degnan was a Cosponsor with you at that time."

McGann: "No. That was... That was Senate Bill 833 and 835, Representative Hastert."

Hastert: "Alright. Well, this is the Bill then that you were Cosponsor with Senator Savickas. Is that correct?"

McGann: "No. I asked Senator Degnan to handle... I believe it was Senator Degnan or Senator Savickas to handle Senate Bill 1563, I mean House Bill 1563 in the Senate for me at that time. That's correct."

Hastert: "Alright. So if I remember and go back in my notes from Revenue Committee, this was one of the Bills that you said you really didn't plan to have amended. Is that correct? That you didn't plan to use this for a vehicle Bill in one of the questions we asked. I have that noted here in my notes."

McGann: "Alright, Representative Hastert, I want to answer that question this way. At no time did any of the Bills that I had in Revenue were ever to be used as a vehicle. At that time, and sincerely and honestly from my heart, I expressed this here to you that at no time would I ever do something like that. But there are circumstances that come along, and the circumstances sometimes have to change your mind about things. And very, very honest and directly, you have to go along with what's needed. That is why I accepted the thoughts of the people in the Senate to try and help the educational programs here in the State of Illinois."

Hastert: "Representative McGann, I appreciate that. I know that you try to go along, and work things out and help, and you have a very good record of that. I'm just trying to understand if that was one of the Bills that we were

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

talking about. Representative McGann, the mechanics of this Bill itself, the money is collected at 25% surcharge, which is a quarter on every dollar ticket. And where does that money go? Does the quarter go to the state, or does the quarter go to the city, or where does that money go specifically?"

McGann: "No. It goes into the Local School Fund that's to provide the... to be the depository for these monies, and then they will be paid out quarterly in proportion throughout the state on a quarterly basis."

Hastert: "By... By the number of students. Is that correct?"

McGann: "I believe it. Just one moment. I'll check with that about the number of students or whether it just... It goes to the educational service region first, and then it is disbursed according to the... on an enrollment basis."

Hastert: "Alright. So by... Is that the enrollment at September 1st or October 1st which is sometimes the official head count time, or is that through the year?"

McGann: "I would think on a quarterly basis. It's going to be based on the State Board of Education figures of the previous year for those districts."

Hastert: "So it's a previous year figure. Then is that money distributed much like we had the debate in the Treasurer's Fund that it has to be distributed in a timely manner, you know, 15 days after, and they can't hold it there for interest? It comes under all those other priorities and perimeters that we set up."

McGann: "It states very clearly on a quarterly basis."

Hastert: "It's distributed on a quarterly basis."

McGann: "Right."

Hastert: "Alright, then, that... And that's put in an... in an interest-bearing account, I'm sure. Where does that interest bearing... What does that interest money go?"

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

McGann: "Oh, I imagine I... The only way that I could answer that, I imagine it would remain in that school fund."

Hastert: "But it couldn't go for the support of certainly the Cook County Superintendent of Education or anything like that. There are provisions in the Bill to protect against that?"

McGann: "I would think there would be protection there, but if it wasn't, I would be certainly the first one to come to this General Assembly to correct any inequities such as you're stating that could possible occur."

Hastert: "Alright. And I don't want to belabor any points, Representative McGann, but it's my understanding that you have no real feel or statistics on if we put a supply and demand of this... the Lottery situation, if we put a 25 cent surcharge, you have no real feel about what decline in sales would be."

McGann: "No. Representative Hastert, that's a very good question, and I would hope that everyone in the House would give a little attention to this good question. It's true we don't know exactly what it's going to do to the sales, but we have implemented a safeguard through the wisdom of Senator Grotberg in the Senate that is stating that the State Lottery Board has the say in six months if the sales drop below 15%. The program is zilch at that time if it does happen accordingly. So, therefore, that safeguard is there."

Hastert: "Thank you, Representative. One other question, then. Is this all Lottery games, or just Lotto or the Daily Game?"

McGann: "This is all Lottery... The only one that it does not affect, I understand, is the 50 cent."

Hastert: "I beg your pardon. I didn't..."

McGann: "I understand it does not affect the 50 cent ticket."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

All... I'm sorry. I'll stand corrected. It affects all."

Hastert: "So it affects all."

McGann: "Right."

Hastert: "Now, the 25 cents on a 50 cent ticket, how do they break that out? Is it 13 1/2 cents."

McGann: "That would be... That's correct."

Hastert: "It is 13 1/2 cents. 11... 12 1/2... My math sometimes gets screwed up over here on this side of the aisle."

McGann: "It is 25% on all Lottery tickets no matter what it may be."

Hastert: "So it's 25%."

McGann: "Of whatever..."

Hastert: "So on a 50... 50 cent ticket, it would be 12 1/2 cents."

McGann: "That's correct. It would be sixty-two fifty."

Hastert: "Thank you. Thank you, Representative McGann. Mr. Speaker, to the Bill."

Speaker Madigan: "Mr. Hastert."

Hastert: "I respect very greatly Representative McGann's position. I respect his efforts in trying to find a solution to the funding problem that we have in education. We can stand here and criticize solution, after solution, after solution, but at least somebody has some courage to bring forth something that we can debate. And for that, I salute Representative McGann. However, I want to also say that I'm very cautious about this Bill. I'm very cautious about this remedy; because, as you know, we are looking forward to maybe to 400 to 500 million dollars from the Lottery proceeds that will into the Common School... that will go into the General Revenue Fund and will flow into the Common School Fund. We know that that money flows in that direction. I'm very hesitant about doing anything that would slay the proverbial golden goose. I think we

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

have to be very, very cautious about that. I think also that the 25 cents on the dollar or the 12 1/2 cents on a 50... on a 50 cent ticket becomes a very burdensome type of thing. It discourages people from the involvement. And even after a six month level, if we discourage people from getting involved in this, once discouraged, always discouraged. I would hope that we could find another solution. I know solutions are tough to find. But I again salute Representative McGann for bringing this idea forward. But I must ask that we vote 'no'."

Speaker Madigan: "Representative Satterthwaite."

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

Speaker Madigan: "The Sponsor indicates that..."

Satterthwaite: "Representative McGann, our staff analysis indicates that for the split tickets of the Daily Game which are purchased for 50 cents, the surcharge would not apply. But it would apply, I gather, only for the full ticket that was a dollar. Is that correct or is the analysis in error?"

McGann: "No. That was my... That was my impression when I read the analysis also, Representative. But then in checking with the staff, that is incorrect. It is tax... The surcharge will be placed on all."

Satterthwaite: "Thank you. Well, in spite of that, I think that we are really nit-picking when we look at a sincere effort to bring more money into education in the state and then talk about the adverse effect that people may have with an increased cost of the Lottery ticket. It is very clear that most people felt that when the Lottery was established that all of the proceeds from that sale was to go into education. We have not been successful in earmarking that directly for education. But it does seem to me that this is a novel way of trying to generate new money for



STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

education. I am surprised that on the one hand many people on this House floor indicate that education is a high priority; and, on the other hand, they seem unwilling to support something that will provide the possibility at least for the generation of new funds in support of education. It is true that the distribution of these dollars would be different than the distribution of dollars under the distributive aid formula; however, this is not a tax as is the income tax or the sales tax imposed on every citizen of the state. This is a voluntary purchase. And if people feel that they want to contribute more directly to their educational systems by purchasing Lottery tickets and reserving a part of that for their own school district, then I think that option ought to be provided for them. There are sufficient safeguards, as the Sponsor has indicated. If sales drop, the program will automatically be disband. Even without a drop in sales, the whole program sunsets and would have to be recreated at the end of 1985 if it were to be continuous. I think this is an innovative suggestion; that we ought to give it a chance to operate, see whether or not it does generate additional dollars for our schools and provide that additional option. We all know that real estate tax has gotten to the point that we cannot go back to the people and ask them to raise their own real estate tax. We have decided that we are not going to continue the additional income tax. And so I think that it behooves us to support this measure to see whether in fact it does generate the new money that we hope it would and that that money deserves to go back to the school district from which it was generated. And for that reason, I urge a 'yes' vote on the Amendment."

Speaker Madigan: "Representative Nelson."

Nelson: "Thank you very much, Mr. Speaker, Ladies and Gentlemen

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

of the House. Many of the arguments that are being raised to increase the price of Lottery tickets are those same arguments that were raised when we debated the Lottery in the first place. I believe that the Amendment itself is self-defeating and that if we do add on a surtax or if we do increase the price of Lottery tickets, sales most certainly will drop and Amendment #3 will kick in. And we will be right back here today where we started and where we ought to be deciding that educational funding ought to come first. If that is to happen, we are going to have to say no to other special interest groups and recognize the fact that the money that we use on our educational system pay us back time and time again. The Lottery is a tax. People are going to realize that. And I believe that those people who buy or purchase Lottery tickets are those most unable to afford it. Finally, I believe that the reason we may see in this Session of the General Assembly demise of some very good commissions, which have served us well over the years, is that as a Body we got too greedy. And once again the General Assembly sees a good thing going, the Lottery, and we are going to get too greedy and this good thing that we have going which does generate money for the schools at the present time will begin to become a money loser. That's why I'm going to vote 'no'."

Speaker Madigan: "Representative Keane."

Keane: "Thank you, Mr. Speaker. One of the previous opponents to this Bill indicated that we have to find some other alternative to fund education. The problem is is that this is one of the few alternatives that's been provided. We'll have another one in a short while, but these are really not going to take care of the full problem. However, I think that unless we start funding public education a little better than we are, we may be back here before election in

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

an attempt to fund education, to do the job that we should do now and provide some stability in education throughout the state. If the education Bills go out at the Governor's level, I think what we're going to have is we're going to have sufficient number of teacher strikes in the State of Illinois that all of us will be back here at a time when we don't want to be back here, when we'd much rather be out campaigning for reelection. Therefore, I would urge... for that reason and for the needs of education, I would urge that the Members support this Bill. Thank you."

Speaker Madigan: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. As all of us well know here, Speaker has called a Committee about three of four months ago dealing with the excellence in education, and I don't think that, though there has been an initial report, there are to be other meetings to come up with further implementation of those guidelines. Last year we passed the House... Joint Resolution in which a group of people have been studying this concern for education for nearly a year and will be coming up with their official report very soon. Michael 'Bakalis' has just received a sizable grant and is in the process of establishing district hearings throughout the State of Illinois to also come up with proposals for increasing and improving the quality of education. Yesterday we heard some eight speakers of distinction speak in this very chamber. Not one of them, in my understanding, indicated that we ought to move in the Lottery tax area; that an income tax of some kind down the road was the more concrete approach. It seems to me that with all these proposals that are in the mill, it would not be wise at this time to attempt to stopgap the money crunch on education with this particular proposal. Education is too important to allow partial

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

funding to be placed on the variable rise and fall of the Lottery sales in the State of Illinois. I urge a 'no' vote on this so that we can in fact review and receive the results of all of the people who are attempting to address the need for quality education and at that point move forward next year so that we can systematically move in the direction of adequately funding education for the young people in the State of Illinois."

Speaker Madigan: "Representative Marzuki."

Marzuki: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. For those of us who have been in the forefront of attempting to modify the appropriations for education, this does not represent what we would desire at all. What we have attempted to do is to meet the real costs of education head on. We have, to this point, not been very successful. Representative McGann has offered a means of attempting to increase the funding of education. No one wants to tie it to a system that may rise and fall, but we have little choice. Certainly, no one has come forward to support those Amendments that would have added funds for education. They have been regularly defeated in Committee. They have been regularly defeated on the House floor. This is risky. There is no doubt about it. But I would urge that all of you would attempt a partial solution to this problem by voting 'yes' on behalf of this Bill."

Speaker Madigan: "Representative Klemm."

Klemm: "Thank you, Mr. Speaker. You know, I can really understand Representative McGann's point about tying it in with the Lottery because it seems to me funding for education for the past few years has really been a gamble. I really think that our schools have had to play a game of chance with the General Assembly to try to get monies for education. So it's no wonder that we try to tie now at

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

this time funding for education on gimmicky game. But I really think education deserves more than that. I think education deserves the commitment of the General Assembly that it has our high priority and that it is not really merely dependent upon the gambler to pay for. I think education is so important that all of us must pay for education if we want quality schools and have our children be prepared for the coming generations and not merely on 25% of ticket sales of some sort of a game. I stand in opposition to the concept because I believe that we simply need the courage here in the General Assembly to say we will appropriate more funds. We will do what we are supposed to do. And hopefully we can bring it up to the priority that I think everybody in the State of Illinois feels it should be and not have games of chance, and ideas such as that, and lotteries, and bingo and anything else that we have to fund. So I stand in opposition to it because I do join Representative McGann and others that we do need more money, but I think there's a better way."

Speaker Madigan: "Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's... Thank you. Of course a Lottery surcharge is no substitute, no panacea for state support of education. Our state has a primary responsibility to fund public education as the Constitution made clear. We have not only failed to live up to that responsibility but we have slipped further, and further, and further and further behind in supporting our schools. Now yesterday we had a Committee of the Whole to address school financing, and superintendents from all over this state came down here to tell you, to tell us, that the schools were going to close in the fall if we don't do something. So far every attempt to extend the income tax and to use an income tax base for

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

state support has failed in this General Assembly. You and I know that, while the push continues, the likelihood of that coming out of this Session is not great. As such, we have to ask the question, what then are the alternatives, Representative Klemm? What are the alternatives? Who has a better idea? If indeed the state is not going to live up to its responsibility, then I say to you at a minimum, let the people who care about the schools, who play the Lottery, make some contributions, make some small contribution to keeping these schools open. Local effort is no substitute, but, by gosh, I can't... if the state is not going to pay its fair share, then I suggest to you that this is the only game in town, that we have no alternatives. There are no other proposals and that we would be remiss in... in nonconcurrence in House Bill 1563. I ask for an 'aye' vote."

Speaker Madigan: "Representative Harris."

Harris: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, given enough time this Assembly will certainly kill the goose that lays the golden egg. We have here a major revenue source. And what do we do with it? Well, first of all, the Lottery Commission increases the odds against the ticket purchaser. Now we talk about a surcharge on a Lottery ticket, and the surcharge in nothing more than a tax. It is nothing more than increasing the price of a Lottery ticket. Given enough time, we'll reduce Lottery revenues. If you really want to increase them, if you really want to get more money for education, which indeed I think we all share that objective, if you really want to do that, let's employ the same technique that Secretary Kramer used in getting more riders back on the RTA. You know what he did? It's very simple. Probably something that we wouldn't want to do here, but he lowered ticket prices.

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Oh, it was... Ridership increased in suburbs. Lower ticket prices, lower Lottery prices, and you may just see an increase in the Lottery sales. That may be a more appropriate approach than raising them by 25%. We ought to consider cutting them by 25%. The payouts might not be as great, but the... but the purchases of tickets would be substantially higher. I would certainly urge a 'no' vote."

Speaker Madigan: "Representative Huff."

Huff: "Thank you, Mr. Speaker. I rise with mixed emotions about this proposal. I think that if the Lottery sales were to diminish as results of this proposal being adopted, I think it would be because people had the perception that originally that all of the proceeds... that 100% of the proceeds from the Lottery were going to be used on... to support education in the state. I think, Mr. Speaker, that the most violent dissenters of reasons are those who feel betrayed by it. And I think that if the ticket sales were to diminish it would be for this reason and not for an increase. Last year we raised the property income tax in Chicago for the benefit of education 50 cents to generate about 190 million dollars. We saw the Chicago Teachers' Union and all the other 18 unions attentive to this particular school district come out and strike for 90% of that money, not one dime of which went to curriculum improvement. We have a school system in Chicago that one district... one of the subdistrict is larger than many of the counties that you represent, but yet these school... these school districts have no books. Many of the teachers in there, 70% of the teachers in this system don't even have their own children in the school system. I think that we do an incredible job of compounding the problems in Illinois rather than solving them. I think that what we really need to do, as some people have already spoken to,

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

if we're concerned about helping education, we should reform education. There are those of us that see ways to generate additional revenues for the school system without ever raising taxes, but we are not listened to. I think that if we do not give the Board of Education in Chicago some help, we'll be compounding the situation, because we're going to have thousands of teachers, thousands of employees laid off who are going to cause a drain on the trust fund on the Unemployment Security Fund. What do we do when that happens?"

Speaker Madigan: "Representative Oblinger."

Oblinger: "Thank you, Mr. Speaker, Members of the House. I stand in support of this Amendment and this Bill too. And I have three reasons that are entirely different than the rest of you have proposed. Number one, I voted for the Lottery back when we had it on the Amendment, the Constitutional Amendment, because I thought it was going to education. At least I can get 25% of it to it now, and I think that's at least a step in the right direction. Number two, this is not without precedent. Whenever we want to raise money or the Federal Government, they put a tax on cigarettes, they put a tax on alcohol, because they say these are not necessities. So why can't we put a tax on the Lottery which is not a necessity? And number three, Representative Ralph Dunn and I had a Constitutional Amendment proposal where the state would be bound to pay the primary part, 51% of education. And where has that gone? Right down the drain. So I'm not so sure everybody wants to put that much money in. At least this is a step the way we all thought the Lottery was going, and I do support it."

Speaker Madigan: "Representative Shaw."

Shaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Amendment. I think it's a good



STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Amendment. I think it's a good Bill. But I think that all of the people that have talked that is opponent of this Amendment, no person has come up with any better solution. Where is the solution that you have? Where is the Bill that you have? This is the only train at the station. The train is about to be... is about to pull off. And one of the other things that no one has talked about here is the... we're talking about money for the children of this state, the little children, not only of the City of Chicago but for the entire State of Illinois. And I don't think that the people that play the Lottery would mind paying the additional money for education. Certainly Chicago pays a great portion of the money into the Lottery system, but at the same time Chicago have a bigger school system than any other district in this state. I think before you can get up and criticize a program such as we have before us today that you should have prepared a Bill, prepared the extension for the income tax. Maybe that's what you're for. Let's extend the half a percent income tax and mandate it for the school system. But you have not done that. But someone has introduced a Bill here, and all you are doing is getting up criticizing this proposal. But yet you'll go back to your respective districts and talk about what you are for. But I hope that you will take the Bills that you have introduced that would fund education back to the people of your district and show them what you have done if you vote against this proposal here. I think the people of this state is not going to buy that lip service, and come September, the schools are not going to open. The school system will be bankrupt. I don't think they will buy that. And I think you will see it in November at the polls if you defeat this Amendment."

Speaker Madigan: "Mr. Vitek."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Vitek: "Thank you, Mr. Speaker. I move the previous question."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The previous question has been moved. Mr. McGann, to close the debate."

McGann: "Thank you, Mr. Speaker and my most esteemed colleagues in this Assembly. This morning I got up after very little sleep because I spent the time going over the budgets that were prepared for us, the Assembly, in regards to the programs in the State of Illinois educational system. I wanted to be sure that we were going to put forth a piece of legislation today that was going to be a benefit, knowing that those monies are going to be totally needed. On this beautiful, bright morning, I came into this Assembly chipper as I can be. At this point I'm most flabbergasted. I can't believe what I have heard from the opponents of this legislation this morning. Let us go back a little bit. Oh, yes, I'm a freshman, but I've observed the dealings of State Government for many years. And I've noticed how this state has circumvented... this Assembly has circumvented their obligation to the educational programs in this state of ours. They are mandated to appropriate 50%. Presently they come around with 38%. The Governor is mandated to sign those appropriations. They have failed. The Governor, after many years of problems, decided we had to have an income tax program in this state that would sufficiently fund the problems that we have in education and in other areas. He came forth with a program a year and some months ago. There are a lot of deaf ears in this Assembly. Finally they came into a compromise with the Minority Leader, Representative Daniels' program, that would give some relief to a bankrupt state. It was a very successful program. I was one of the Democrats that stood up and went out on the limb and voted for that income tax

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

knowing the needs of the State of Illinois. But many of you were glued to your seats when the vote came about, not even supporting the administration, not even supporting the people in the State of Illinois. We came about. Oh, we were going to do a lot of things for people. We were going to help education which we're specifically talking about this morning. So I'll stick with that. All we can do so many programs... start up this reform program. We'll do this. We'll do that. Well, you've done nothing, absolutely nothing. Now a crisis time has come again. And what is that crisis? Funding. We can set up all our reforms for all our programs. We talk about killing the golden goose. We've been draining on that golden goose for education - it's the only way we can do it - for years. Let's face up to it. Now this vehicle we have here before you this morning... You talk about a moral issue. Well, let's go back once again. Nobody was screaming morality about using gambling funds to support education when you are using it each year as you've been to help it out, because without it, we would have nothing. We talk about programs, and we should have reform. Well right now, the crisis tells us we have to pay for the things we got right now. We want the schools in the State of Illinois to open. We want our teachers to be proud of what... the salaries they receive. And if you look over the salary schedule, believe me, we're not top in the nation by any... stretch of the imagination. Believe me. We are not. Oh, we've got problems in education. Now we have a vehicle that can work. But we also have a safeguard on that vehicle that says that if it doesn't work in six months, it's taken away. The Lottery Board has the final say. The Governor came out that he could not extend the surcharge on the income tax beyond June 30th in good conscience. I question

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

him, but I will go with what our Governor says. But in the meantime, we need funding. And this is the only way we can fund is through this vehicle. Not one of you... 117 others on this floor has come up with any other idea. And as much as you haven't, let's try something new. Let's try something old accompanied with the new and that is taking the voluntary... Remember now... Now just a few more minutes of your time. Remember, there's nobody going over anybody's head with a hammer and saying you have to buy a Lottery ticket. This is voluntary, just like the person that goes to the race track. It's voluntary. We need those monies from it. If we go below 15... If we go beyond 15%, it'll be stopped. Let's try something new. Let's not continually stick with the old guard but let's try a viable program. That's this 25% surcharge. I'm asking for your vote. I'm asking for the kids of Illinois, not for myself. My children are raised, but for the children of the State of Illinois. Let's have a vote for them, a good green vote up there, and let them know we're behind them. Thank you."

Speaker Madigan: "The question is, 'Shall the House concur in Senate Amendments #1, 2 and 3 to House Bill 1563?' Those in favor will signify by voting 'aye', those opposed by voting 'no'. Mr. Bullock, to explain his vote."

Bullock: "Well, thank you, Mr. Speaker. I don't think anything else can be said that Representative McGann has not already said, but I'll make an effort. Rural counties should support this Amendment. Downstate Illinois will benefit under this Amendment. This is new money. It's not tax dollars. The formula for distribution is directly related to school enrollment per district. Your downstate teachers' union ought to be behind this proposition. The downstate school boards ought to be behind the proposition. The alternative is too costly. The alternative is a tax

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

increase which you don't want and probably can't support. You ought to support the concurrence Motion. This is the last chance we have to fully fund our schools. And rural counties will benefit. It's a misnomer. It's a myth. It's inaccurate to think that downstate communities cannot and will not benefit under this proposition, and I think you're missing an opportunity. And I plead with you not to hold the historical biases, prejudices against urban areas because rural communities and counties will benefit. I vote 'aye'."

Speaker Madigan: "Mr. Friedrich, to explain his vote."

Friedrich: "Mr. Speaker, Members of the House, Representative McGann made a very convincing argument. But in... during the debate, I got to thinking about one of the fellows that won lately, and he said that he was really happy to win because he was about to run out of unemployment. His house payments were past due. His car payment was past due, and he was only buying 20 dollars worth a week. Well, I figured that up. That would cost this fellow 250 dollars a year, and he'd lost his car a month earlier. And I think that we ought to look out for people like that because that's not fair to them."

Speaker Madigan: "Representative Zwick, to explain her vote."

Zwick: "Thank you, Mr. Speaker, Members of the House. I believe it was said in debate that if we want to help the school children of Illinois this is the only way. Well, I disagree with you. I want to help the school children of Illinois, and every time we voted even to earmark the Lottery money for education, I've been there voting for it. And I had mixed emotion about this initially, because I want to get more money to education. But this is a cop out. I don't want to be able to say, 'Yeah, I voted for a 25% tax on the Lottery for children and then didn't vote to fund

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

education appropriately'. We need to raise the appropriation for education for general state aid. We need to make a commitment. We need to prioritize and make sure that education gets funded properly. We are not going to do it with this Bill. And I don't want people to be able to say, 'Yeah, I helped education by voting for a tax on the Lottery', because that's not what's going to do it. It's going to take a long-term commitment of prioritizing education as the top priority of this state. And this doesn't do it and; therefore, I'm going to vote 'no'. Thank you."

Speaker Madigan: "Have all voted who wish? The Clerk shall take the record. On this question, there are 53 'ayes' and 56 'nos', and the Motion fails. For what purpose does Mr. McGann seek recognition?"

McGann: "Mr. Speaker, what are my alternatives now? Do I... Can I file a Motion here or can I... Is there Postponed Consideration on concurrence? I'd like to get a..."

Speaker Madigan: "Mr. McGann, on a Motion for Concurrence where the Motion fails, the Motion can be offered again."

McGann: "I will file that again. Thank you."

Speaker Madigan: "We'll keep the... the Bill close at hand. We will not let it get lost."

McGann: "Thank you, Mr. Speaker, and thank you, Members of the Assembly, for those that did support me on those 53 green votes."

Speaker Madigan: "On page six of the Calendar, on the Order of Senate Bills Second Reading, Short Debate Calendar, there appears Senate Bill 1607. The Sponsor indicates he does not wish to call the Bill. Senate Bill 1659, Mr. Capparelli. Do you wish to call the Bill? On page six of the Calendar, on the Order of Senate Bills Second Reading, Short Debate Calendar, Senate Bill 1659. Mr. Clerk, has

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

this been read a second time?"

Clerk Leone: "Senate Bill 1659, a Bill for an Act to authorize municipalities, counties and townships to appropriate funds in private non-for-profit (sic - nonprofit) organizations servicing runaway youths. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any... Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Keane - McGann - McAuliffe, amends Senate Bill 1659 by deleting the title and inserting there in lieu of the following."

Speaker Madigan: "Mr. Clerk, who is the Sponsor of the Amendment?"

Clerk Leone: "Keane, McGann and McAuliffe."

Speaker Madigan: "Mr. Keane."

Keane: "Yes, I'd like to offer Amendment #1 to Senate Bill 1659. Amendment #1 to Senate Bill 1659..."

Speaker Madigan: "Mr. Keane, the Sponsor of the Bill, Mr. Capparelli, has requested that the Bill be taken out of the record."

Keane: "Thank you."

Speaker Madigan: "So the Bill shall be taken out of the record. Senate Bill 1876, Mr. Vinson. Mr. Vinson, do you wish to call your Bill? 1876. You do not wish to call this Bill. You understand that today, for practical purposes, is the last day to call a Bill of Second Reading. You understand that? On the Order of Senate Bills Second Reading there appears Senate Bill 495, Representative Braun. Representative Braun on Senate Bill 495. Mr. Clerk... For what purpose does Representative Braun seek recognition?"

Braun: "Mr. Speaker, if we could hold this Bill until later in the day when the Amendments have been finalized, I would appreciate it. It's a complicated area, and I would not

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

want to rush on it."

Speaker Madigan: "You understand that for practical purposes today is the last day to call a Bill on Second Reading."

Braun: "Yes, Sir. Yes, I do."

Speaker Madigan: "Fine. Thank you."

Braun: "You could hold it for maybe an hour or so. Thank you, Sir."

Speaker Madigan: "Fine. Thank you. Senate Bill 626, Representative Currie. The Lady indicates that she does not wish to call the Bill. Senate Bill 1236, Mr. Flinn. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1236, a Bill for an Act to amend the Illinois Bank Holding Company Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, O'Connell, amends Senate Bill 1236 by deleting the title and inserting there in lieu of the following."

Speaker Madigan: "Mr. Flinn. Mr. Flinn, we shall take this Bill out of the record at this time. There is another Amendment which is on the way. So we'll come back to the Bill in just a little bit. On the Subject Matter of State Treasury - Special Funds, there appears Senate Bill 1933, page nine of the Calendar on the Order of Second Reading, Mr. Kulas. Mr. Clerk, read that Bill for a second time. 1933."

Clerk Leone: "Senate Bill 1933, a Bill for an Act to amend the law regarding special funds in the State Treasury and related matters. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Mr. Clerk, are there any Committee Amendments?"

Clerk Leone: "Amendment #1 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

Clerk Leone: "No Motions filed."



STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Madigan: "Third Reading. Senate Bill 1524, Mr. Stuffle.

Is Mr. Stuffle in the chamber? Do you wish to call the Bill? Mr. Clerk, read Senate Bill 1524 for a second time."

Clerk Leone: "Senate Bill 1524, a Bill for an Act relating to motor vehicles and motor fuel tax. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 was withdrawn by Stuffle. Floor Amendment #2, Stuffle, amends Senate Bill 1524 on page one and so forth."

Speaker Madigan: "Mr. Stuffle."

Stuffle: "I'd like to withdraw Amendment #2."

Speaker Madigan: "Gentleman requests leave to withdraw Amendment #2. Is there leave? Leave is granted. The Amendment is withdrawn. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Stuffle - Klemm, amends Senate Bill 1524 on page one and so forth."

Speaker Madigan: "Mr. Stuffle."

Stuffle: "Amendment #3 incorporates, in part, the Senate Amendment that deals with the roll offs that last year we inadvertently changed the language when we passed changes in the Motor Vehicle Code and passed the gas tax. We failed to provide for certain exemptions. And it also provides additionally for striking language in the Bill that dealt with identification and enforcement with regard to interstate trucks and the paying of special fuel taxes. The Bill that went to the Senate from the House passed there unanimously. So, that's no longer needed. So that's stricken. In addition, the Amendment provides for a piece of legislation the House passed overwhelmingly regarding safety on motorcycles and hand grips. And, thirdly, it

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

provides for an Amendment with regard to a Bill of Representative Klemm's that deals with the adoption of the Motor Vehicle Code in certain unincorporated areas and park districts that have no jurisdiction now for enforcement of vehicle laws, wherein they would have to go to the corporate body, the county board or what have you to provide for enforcement in the erection of traffic signs and the enforcement of traffic laws with regard to their jurisdiction where now there is no specific motor vehicle law or enforcement. I know of no opposition to any of the components of the Amendment, and Representative Klemm and I would ask for your affirmative vote on Amendment 3."

Speaker Madigan: "The Gentleman moves for the adoption of Amendment #3. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, Topinka, amends Senate Bill 1524 as amended."

Speaker Madigan: "Representative Topinka."

Topinka: "Amendment #4, Ladies and Gentlemen of the House, basically codifies what the Illinois Department of Transportation now has as policy from a standpoint of installing traffic signals where the conditions warrant it and which serve privately-owned commercial facilities. Basically, the Department installs such signals and devices and reconstructs the intersection if necessary, and the owner of the privately-owned commercial facility is responsible thereafter for all costs, including construction, maintenance and operation. I would seek the passage of this or the acceptance of this."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Representative Leverenz."

Leverenz: "Sponsor yield?"

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Topinka: "Yes."

Leverenz: "Who would pay for the installation of ... This is the installation of signalization on private property?"

Topinka: "Yes. It basically gets into the question of where you have malls on highways. And at this moment in time, IDOT does have the policy that these have to be privately installed. They will do the work, but they are paid... they are paid back for this and ultimately it becomes the responsibility of the private facility."

Leverenz: "So, the state does the work but is totally reimbursed?"

Topinka: "That's correct. It ultimately is a private cost, and this is their policy at this time, and it is being codified."

Leverenz: "Who would pay then for the ongoing energy cost?"

Topinka: "The private facility."

Leverenz: "Totally."

Topinka: "Yes, that's correct."

Leverenz: "Good Amendment. Thank you."

Speaker Madigan: "Are there any further questions? Representative Topinka, to close."

Topinka: "I would just ask for the adoption of this Amendment, please."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #5, John Dunn, amends Senate Bill 1524 as amended."

Speaker Madigan: "Mr. Dunn. Mr. John Dunn. The Clerk tells me that the Amendment has not been distributed but filed."

Dunn: "The Amendment has been filed, Mr. Speaker, but it's my understanding it has not yet been printed or distributed."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Speaker Madigan: "Right."

Dunn: "I do wish to have the Amendment heard. I wonder if we could come back to this Bill in a short while."

Speaker Madigan: "Mr. Stuffle."

Stuffle: "Well, I don't know that there's any opposition to the Amendment. If we could move to suspend the printing rule."

Speaker Madigan: "The Amendment just arrived, and it can be... Has the Amendment arrived? Fine. So, the Amendment has arrived, and it can be distributed immediately and then we'll take up consideration. So, distribute the Amendments. We'll wait a couple of minutes for distribution. Amendment #5 having been distributed, the Chair recognizes Mr. John Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a technical corrective Amendment relating to the General Assembly retired plates. And what it does is say that if you served ten years in the General Assembly and then you retire, you don't have to wait until you're 55. Some of you kids who came in here as babes in arms serve ten years and retire and have to wait a long time till you're 55. So, this would accommodate those people and accommodate people who have served eight years and have retired before the start of the next General Assembly; or, if you're 62 years or older and have served four years, which is the current law, you can receive legislative retirement plates. And I would ask for a favorable Roll... and I want a Roll Call - adoption of the Amendment."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment... For what purpose does Mr. Piel seek recognition?"

Piel: "Question... Question of the Parliamentarian, Mr. Speaker. Is this germane to the Motor Vehicle Code? Will you take a

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

look at the Amendment, please, and tell me if it's a germane Amendment?"

Speaker Madigan: "There's a question whether the Amendment is germane."

Parliamentarian Pollak: "On behalf of the Speaker, the Amendment is germane. The Bill deals with the Motor Vehicle Code and so does the Amendment."

Speaker Madigan: "Mr. Stuffle."

Stuffle: "Mr. Speaker and Members..."

Speaker Madigan: "Mr. Stuffle."

Stuffle: "We have no opposition as a Sponsor of the Bill. I just wondered, Representative Davis and I were concerned that we, having eight years of service and aren't old enough to qualify for your Bill, we thought maybe you should have made it eight years for everybody."

Speaker Madigan: "The question is, 'Shall Amendment #5 be adopted?' Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Senate Bill 1612, Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Yesterday we took House Bill 1612 out of the record after adopting Amendment #4. Would the Clerk please check that?"

Speaker Madigan: "Mr. Clerk, are there any Committee Amendments?"

Clerk Leone: "Senate Bill 1612, a Bill for an Act to amend an Act in relationship to civic centers. Second Reading of the Bill. Amendments #1, 2 and 4 were adopted previously. Floor Amendment #5, Brunsvold, amends Senate Bill 1612 on page 120 and so forth."

Speaker Madigan: "For what purpose does Mr. Cullerton seek recognition?"

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Cullerton: "Mr. Speaker, I filed a Motion with regard to Amendment #1."

Clerk Leone: "Motion. 'I move to table House Amendment #1 to Senate Bill 1612. Representative Cullerton.'"

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Yes, Amendment #1 establishes an operating subsidy program for the civic center authorities. I'd like to remove that from this particular Bill. So, I move to table Amendment #1."

Speaker Madigan: "Gentleman moves to table Amendment #1. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Motion to table Amendment #1 is adopted. Are there any further Motions?"

Clerk Leone: "No further Motions pertaining to Amendments 1 through 4."

Speaker Madigan: "Concerning Amendment #5, the Chair recognizes Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. As I described yesterday, Amendment #5 would simply add the Aledo Community Center Authority to the Bill, and I move for the adoption of Amendment #5."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #6, Younge, amends Senate Bill 1612 on page 137 and so forth."

Speaker Madigan: "Representative Younge."

Younge: "Thank you, Mr. Speaker. I move to withdraw Amendment #6."

Speaker Madigan: "They Lady requests leave to withdraw Amendment #6. Is there leave? Leave is granted. The Amendment is withdrawn. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #7, Doyle, amends Senate Bill 1612

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

as amended."

Speaker Madigan: "Mr. Doyle. Mr. Doyle."

Doyle: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #7 is a correction which inadvertently Amendment 2 called Rosemont Horizon be eligible and Rosemont Horizon is an... is a misnomer. And instead of that, we insert O'Hare Exposition Center. It's just a technical matter, eliminating one name and putting in the proper one."

Speaker Madigan: "Those in favor will say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #8, Giorgi, amends Senate Bill 1612 as amended."

Speaker Madigan: "And Mr. Giorgi."

Giorgi: "Mr. Speaker, I'd like leave of the House to withdraw Amendment #8 to Senate Bill 1612."

Speaker Madigan: "Okay. So, the Gentleman requests leave to withdraw Amendment #8. Is there leave? Leave is granted. The Amendment is withdrawn. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #9, Younge, amends Senate Bill 1612 as amended."

Speaker Madigan: "Representative Younge."

Younge: "Yes, thank you, Mr. Speaker and Members of the House. Amendment #9 creates the Katherine Dunham Exposition Authority, and I move for the adoption of the Amendment."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #10, Deuchler, amends Senate Bill 1612 as amended."

Speaker Madigan: "Representative Deuchler."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House,

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Amendment 10 eliminates the potential problem of double counting a metropolitan area that is already a part of the Aurora Civic Center's boundaries, and I move the adoption of Amendment 10."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Concerning Senate Bill 1524, let the record show that that Bill has been placed on the Order of Third Reading. And Senate Bill 1629, Mr. Giorgi. Mr. Giorgi. Mr. Clerk, read the Bill for a second time."

Clerk Leone: "Senate Bill 1629, a Bill for an Act to amend the Illinois Horse Racing Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

Clerk Leone: "Motion. Motion to table Amendment #1 to Senate Bill 1629, filed by Representative Cullerton."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "I would ask leave to withdraw that Motion, please."

Speaker Madigan: "The Gentleman requests leave to withdraw his Motion to table. Is there leave? Leave is granted. The Motion is withdrawn. Mr. Clerk, are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Giorgi, amends Senate Bill 1629 on page #1 and so forth."

Speaker Madigan: "Mr. Giorgi."

Giorgi: "Mr... Mr. Speaker, Amendment #2 provides that a uniform security guard be present when the veterinarian takes the blood sample of a horse on the bleeder list and just prior to the treatment of Lasix or other approved bleeder medications. I urge the adoption of Amendment #2."

Speaker Madigan: "Those in favor of the Amendment say 'aye',



STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 22, 1984

those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Giorgi - Countryman, amends Senate Bill 1629 as amended."

Speaker Madigan: "Mr. Giorgi."

Giorgi: "Mr. Speaker, Amendment #3 provides that the Illinois Racing Board has authority to spend 15,000 dollars to hire hearing officers because of their overload of work and as needed on a contractual basis, and I urge the adoption of Amendment #3."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, Piel, amends Senate Bill 1629 as amended."

Speaker Madigan: "Mr. Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #4 basically puts the Bill back in the way... in the original form that it came in from the Senate making the mile limitation 35 miles. It basically affects two tracks in the State of Illinois, Balmoral and Sportsmen's to give them simultaneous racing time, and I would ask for adoption of Amendment #4."

Speaker Madigan: "The Gentleman moves for the adoption of Amendment #4. On that question, the Chair recognizes Representative Topinka."

Topinka: "Yes, Mr. Speaker, may I ask some questions of the Sponsor? No, he doesn't want to answer any. If I might. That is, why would the racing associations of Illinois be in opposition, in fact, unanimous opposition to your Amendment?"

Piel: "Representative Topinka, I don't have the slightest idea why the racing associations are against the... are against

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

the Amendment. If you know the layout of the Balmoral situation, it's in Will County, and the majority of customers from Balmoral come from far southern Cook, northern Will and from Indiana. So, it's not necessarily... I think they're afraid that it's going to take business away from Sportmen's Park, which it won't do."

Topinka: "To the Bill, if I might; because, first of all, I do believe that it would take business away from Sportsmen's Park in Cicero. Let me just suggest too that the unanimous opposition, at least I find, by the racing associations of Illinois, which consists of the owners and operators of six of the seven racetracks which include Arlington Park, Fairmont Park, Maywood Park, Hawthorn and Sportsmen's Park and Quad City Downs, they object because they claim this 45 mile limit maintains the balance of the way the horses run. They also feel that any attempt to reduce this would affect the Agricultural Premium Fund, McCormick Place funds, exposition funds, county fairs, all the stuff that we normally get from parimutuel dollars. Now, as we all know, horse racing in general, the money that has been being taken in, has been being hurt, has been consistently going down. In fact, to that effect, the Governor has established a horse racing task force on which Representatives McPike, Giorgi and I now sit, including Senators from over on the other side. And the object of that exercise is to come up with recommendations on how to improve horse racing in Illinois and make it the viable industry that it deserves to be and what it once was. I do stand in opposition to this Amendment, because I think it's dilatorious not only to Sportsmen's Park, which serves our district, but also the other parks that are in Illinois. Thank you."

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Speaker Madigan: "Mr. Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Gentleman's Amendment. The Gentleman understands the dynamics in Illinois at present regarding harness racing and the competitive nature of the business. We also understand the need to continue that revenue stream that Representative Topinka mentioned. It will continue unabated if we satisfy the customers in this particular instance. I think the Gentleman's Amendment is in order. It certainly is long overdue, and I would urge an 'aye' vote."

Speaker Madigan: "Mr. Marzuki."

Marzuki: "Thank you, Mr. Speaker. I also urge an 'aye' vote on this. I think that most people who attend these events now attend the one that is most convenient. I don't think we can force them to go to a track that is somewhat out of their sphere of travel. I think it's a good Amendment."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. Those in favor of the Amendment will signify by voting 'aye', those opposed by voting 'no'. Mr. Vitek, do you wish to explain your vote?"

Vitek: "Well, I support... Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I agree heartily with Judy Topinka and also the letters that I got from the horse racing associations. They are opposed to it. They're opposed to any Amendments to be put on this Bill. They wanted to leave it as it was before. And for that reason, I'm supporting what Judy Topinka brought forth to this Legislature. Thank you."

Speaker Madigan: "Have all voted who wish? The Clerk shall take the record. On this question there are 70 'ayes', 30 'nos'. The Amendment is adopted. Are there any further Amendments?"

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Clerk Leone: "Floor Amendment #5, Johnson - Bullock, amends Senate Bill 1629 as amended."

Speaker Madigan: "Mr. Johnson. Mr. Johnson."

Johnson: "Mr. Speaker and Members of the House, I'll differ along the way to Representative Bullock who's cosponsoring this Amendment with me. Amendment #5 to Senate Bill 1629 amends the Act to provide for limited legalization of dog racing in Illinois. Among other things, all the current protections of the Illinois Horse Racing Act are built into this Amendment with respect to location and mile limitation and so forth. In addition and most importantly, based on the experience of other states, and I do have a listing of states here from Alabama, Arizona, Arkansas and on down the line through West Virginia who have legalized dog racing, based on their experience the amount of new revenues for the State of Illinois will be substantial. The estimates range from 35 to 70 million dollars a year in new revenues. The experience in Florida, I think, sets that figure at about 91 million, but obviously, as the program gets off the ground in Illinois, the amount of revenues will probably grow more slowly towards that level. Unique to this Bill, unique in our funding system in Illinois is the fact that all of the dollars to be generated by this Bill will be paid into the Common School Fund - strictly for education. We talk a lot about... about prioritization of education in our structure of priorities and where... what we want to do with our state tax dollars. This specifies where they're going to be used. I think we can probably elaborate a little more fully in response to questions as best we can, but I think it's a good Amendment. It's an idea whose time has come. It's particularly a good idea who has come because of the need of education in Illinois for dollars from legitimate revenue sources. And I think

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

this is a Bill that will well serve all those objectives."

Speaker Madigan: "Mr. Nash."

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I sponsored this Bill in the Senate a few years ago, and the idea came to me from... from the minority... the Minority Leader of the House, Representatives in New Hampshire. And they do get quite a bit of revenue in the state of New Hampshire from dog racing. It's a good Amendment, and I urge an 'aye' vote on it."

Speaker Madigan: "Representative Topinka."

Topinka: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I think we went through this Bill last Session, and it was resoundly defeated and... resoundingly defeated, and I think that was the wise course to take. I once again, you know, return back to the fact that the racing industry has been lowering its handle all the time. It has been suffering for a number of reasons. That is why the Governor has established a task force to try and get some resolutions to this. We will be meeting throughout the year with some ideas on how this is supposed to operate. And one of the suggestions has been to discuss dog racing - to discuss. Now we're preempting any type of thinking that this commission will come forth with by ... going ahead here with dog racing at this time where it has consistently in other states been so competitive with horse racing that it's absolutely lowered any potential that horse racing has been able to muster. In the past, too, we have seen just by virtue of the... the smaller investment that dog owners have to put into this industry as compared to the large investment that horse owners and horse breeders have to put into this industry, which is finally beginning to thrive - horse breeding in Illinois - we're going to put a real nut, bolt and jolt into this whole thing by attempting to go...

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

go ahead here with dogs. And I think it's an inappropriate time to bring this up. It is totally dilatorious to the horse racing industry and hits us at an already bad time. I would encourage a 'no' vote."

Speaker Madigan: "Mr. Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Amendment, and I'd like to, first of all, try and contradict a couple of statements that were made inaccurately by the previous Representative. The fact of the matter is this legislation was not resoundingly defeated in prior years. It received 48 votes, and my understanding was it took 60 for passage. That's certainly not a resounding rejection. I also would like to recognize to this Body that certainly some of us in this chamber in our infinite wisdom have seen fit to do away with commissions and task forces that sometimes are duplicative and inefficient and wasteful and that might be the fate of the greyhound... of the harness racing task force appointed by the Governor. To the Bill, the fact of the matter is in this legislation once again we will attempt to create about 600 jobs at individual tracks in the state. Assuming we have ten tracks, that's 6000 new jobs. The fact of the matter is at each track we need about 4500 patrons times a hundred for a hundred days to really break even. Greyhound racing is the sixth largest spectator sport in the United States. I'm certain we could more than generate 5000 patrons per track to make it successful. Significantly in this legislation is a 55 mile limit for the granting of a license which, for all intent and purpose, excludes Cook County-Chicago from utilizing the provisions of this Bill. And more specifically, as Representative Johnson indicated, the wagering - or Zeke would say - the handle from this, these proceeds would go

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

directly into the Common School Fund at a time when we are in a crisis situation, and those funds are sorely needed. I urge an 'aye' vote. I rise in support of the proposition, and I respectfully suggest, Mr. Speaker, that we pass... that we adopt the Amendment and pass the legislation."

Speaker Madigan: "Mr. Harris."

Harris: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, it is indeed accurate that we talked and discussed this Bill last year. It was beaten here in the House. I think it's inappropriate that it come back again on this Amendment. To... To follow on what the previous speaker said, the fact of the matter is is that dollars and cents speak for themselves. The racing privilege tax in the State of Illinois is at 1976 levels. Those are dollars which we appropriate here. They're at 1976 levels. That should be proof positive that the racing industry, the horse racing industry in the State of Illinois is not in good shape. Now I am all for competition, but I think it's the inappropriate time to bring dog racing competition against an industry which is already floundering in the state. It is inappropriate. It is not timely. We've already beaten it back. We have a task force which is studying the matter. That is the tact that we should take, and I would strongly urge a 'no' vote on this Amendment."

Speaker Madigan: "Mr. DeJaegher."

DeJaegher: "Thank you, Mr. Speaker and Members of the General Assembly. Last year I took opposition to this Bill and for this particular reason I will take opposition again to this particular Bill. I think primarily what my concern is at this particular time, as Judy did mention, the Governor is setting up a special task force to deal with racing. I think that we would be premature if we took action on this

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Bill pertaining to dog racing. It's a ... It's a sport that, at this particular time, is really unfair to the horse racing industry. The State of Illinois is just slowly beginning to be recognized as one of the leaders in the development and breeding of horse racing. You have set up legislation which is encouraging breeding to take place. To remove or to not consider this particular element, I think you would be doing wrong. I think that we must again vote this Bill down at the present time. Let's see what the recommendations of the Governor's special task force are pertaining to racing. Maybe next year there is a possibility we can come... come to some conclusion pertaining to this particular sport. Across the river in Davenport, Iowa they will be putting a dog racetrack. I think it's going to have a serious impact on the present facilities that we have in the Quad City area. I think it's going to affect downstate. I'm talking about probably the livelihood of anywhere from three to four hundred people. For this particular time, hopefully that all of you will vote 'no' until the recommendations of the Governor's task force is before us. Thank you."

Speaker Madigan: "Mr. Johnson."

Johnson: "While the... Do you want me to close now, or do we still got people who want to talk about it? Close? Okay. Thank you, Mr. Speaker and Members of the House. In closing, I just want to point out several factors that I think are important and perhaps in partial response to some of the previous speakers. There is no evidence, in fact evidence to the contrary, that creating another type of gaming diminishes the revenue from existing gaming within a state. For example, the experience in the State of New Jersey where casinos were opened in the State of New Jersey; and, at the same and subsequent to that and on an



STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

increasing basis, horse track revenues increased along with it. Somewhat similar, although the analogy is maybe not complete to one department store in the location of another in a similar area having added revenue to both. To the people here on both sides of the aisle who believe in the free enterprise system, this is the epitomy of the free enterprise system. We're simply letting businesses operate within that system and either fail or succeed based on the attractiveness of their product and the willingness of consumers to consume. And I don't think that in this area or any other area that it's government's position to overregulate, and I think we're letting that operate. But most importantly, the dollars to be raised from this change in the law are specifically earmarked for the Common School Fund, are going to benefit the school children of Illinois without any increase on the tax to the taxpayers of Illinois. That, combined with a free enterprise system and all the other arguments that have been made by Representative Nash and Bullock and others, would say to me that this is a common-sense, good change for all of the people of Illinois and most particularly the school children of Illinois. I urge a 'yes' vote on this Amendment #5."

Speaker Madigan: "Representative Topinka."

Topinka: "Yes, if I might possibly have a Roll Call vote on this and should it possibly win, I would like a verification of those who vote 'aye'."

Speaker Madigan: "The question is, 'Shall the Amendment be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 59 'ayes', 37 'nos'. Representative Topinka."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Topinka: "Yes, I withdraw my verification request."

Speaker Madigan: "Thank you, Representative. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Senate Bills 1664, Representative Oblinger. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1664, a Bill for an Act to create the Illinois Roofing Industry Licensing Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Keane, amends Senate Bill 1664 in the title and so forth."

Speaker Madigan: "Mr. Keane."

Keane: "Mr. Speaker, please withdraw Amendment #1."

Speaker Madigan: "The Gentleman requests leave to withdraw Amendment #1. Is there leave? Leave is granted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Woodyard, amends Senate Bill 1664 on page ten and so forth."

Speaker Madigan: "Mr. Woodyard."

Woodyard: "Thank you, Mr. Speaker. Leave to withdraw Amendment #2."

Speaker Madigan: "Gentleman requests leave to withdraw Amendment #2. Is there leave? Leave is granted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Senate Bill 1649, Mr. Leverenz. Do you wish to call your Bill? Gentleman indicates he does not wish to call his Bill. Senate Bill 1654, Mr. Leverenz. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1654, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Illinois Arts Council. Second Reading of the Bill. No

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Tate, amends Senate Bill 1654 on page two and so forth."

Speaker Madigan: "The Gentleman requests leave to withdraw Amendment #1. Is there leave? Leave is granted. The Amendment is withdrawn. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Senate Bill 1727, Mr. Pierce. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1727, a Bill for an Act to exempt legal tender, currency, medallions, gold or silver coinage and bouillions. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Bullock - Turner, amends Senate Bill 1727 on page one and so forth."

Speaker Madigan: "Mr. Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment to Senate Bill 1727 which amends the Sales Tax Act would, in fact, exclude gold coins issued by the Republic of South Africa, commonly called krugersands, from the sales tax exemption proposed by the Bill. The Amendment does not prohibit, however, the sale of such coins, only the tax exemption with the sale of those coins. Most importantly, the Amendment has a severability clause to the Bill that in the event there is court dispute and resolution of that in any part of this that is found to be out of compliance or unconstitutional will not affect the remaining portion of the Bill. I think we know the subject matter that's being addressed here, and I would urge adoption of this Amendment."

Speaker Madigan: "The Gentleman moves for the adoption of

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Amendment #1. Is there any discussion? There being no discussion, the question is, 'Shall the Amendment be adopted?' Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Senate Bill 1733, Mr. Vinson. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1733, a Bill for an Act to amend certain Acts in relationship to toll highways. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

Clerk Leone: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Hallock, amends Senate Bill 1733 on page..."

Speaker Madigan: "Mr. Hallock, on Amendment #2."

Hallock: "Thank you, Mr. Speaker. It appears there's not enough support for this Amendment. I would move that it be withdrawn."

Speaker Madigan: "Gentleman requests leave to withdraw the Amendment. Is there leave? Leave is granted. The Amendment is withdrawn. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Cullerton - Levin, amends Senate Bill 1733..."

Speaker Madigan: "Mr. Cullerton, on Amendment #3. Mr. Cullerton, on Amendment #3."

Cullerton: "Yes, I would ask to withdraw Amendment #3."

Speaker Madigan: "The Gentleman requests leave to withdraw Amendment #3. Is there leave? Leave is granted. The Amendment is withdrawn. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, Greiman, amends Senate Bill

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 22, 1984

1733 on page eight and ..."

Speaker Madigan: "Mr. Greiman."

Greiman: "Mr. Speaker, Ladies and Gentlemen of the House, with respect to Amendment #4 to Senate Bill 1733, I would like to proceed."

Speaker Madigan: "Proceed, Mr. Greiman."

Greiman: "The... The Bill removes the State Treasurer as the custodian of the Authority's bond funds. The present law requires that the State Treasurer, by statute, be the custodian of the Authority's bond funds. Now, it may well be that the drafters have some personal thing with our fine State Treasurer, Mr. Donnewald. He has been a Member of this General Assembly for years. He's a fine..."

Speaker Madigan: "For what purpose does Mr. Vinson seek recognition?"

Vinson: "Mr. Speaker, just to save Mr. Greiman's time, I have no opposition to the Amendment."

Speaker Madigan: "Mr. Greiman."

Greiman: "Well, Mr. Speaker, it's certainly nice of Mr. Vinson, but I will finish anyhow, very briefly, however - thank you, Mr. Vinson - merely to say that for whatever reason the State Treasurer has been removed from this Bill, this Amendment 4 places the State Treasurer back in as the mandatory, statutory custodian of the Authority's bond funds. Thank you, Mr. Vinson, for joining me in this good thought."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #5, John Dunn - Cullerton, amends Senate Bill 1733 on page four and so forth."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

of the House. This Amendment provides that the Authority may exercise the right of eminent domain upon the concurrence of two-thirds of its directors. It provides that any judicial proceedings take place in the affected county, and it requires the Authority to conduct a study showing that there is no other alternative and that advantages outweigh the disadvantages before taking any property which is used for public parks, state forests, or forests or wildlife preserves. It would ... It would require the courts to approve the Authority's findings before allowing acquisition of such property and prohibit the Authority from acquiring nature preserve properties as provided in the Illinois Natural Areas Preservation Act. This is patterned... This language is patterned after the language in the statute regarding the RTA."

Speaker Madigan: "For what purpose does Mr. Vinson seek recognition?"

Vinson: "Mr. Cullerton has to speak often. He doesn't need to speak a great length on this, because I rise in support of the Amendment."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #6, Greiman, amends Senate Bill 1733 on page one and so forth."

Speaker Madigan: "Mr. Greiman."

Greiman: "Yes, if Mr. Vinson is for this Amendment, we could save a lot of time. Mr. Vinson..."

Speaker Madigan: "Mr. Vinson."

Vinson: "To save everybody's time, I'm for all the Amendments."

Greiman: "I see. Okay."

Speaker Madigan: "So, Mr. Greiman moves for the adoption of Amendment #6. Those in favor say 'aye', those opposed say

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #7, Cullerton - O'Connell - Levin."

Speaker Madigan: "Mr. Cullerton. Mr. Cullerton."

Cullerton: "Yes, this Amendment would require that the Chicago area transportation study conduct an environmental impact statement of the proposed tollway. I move for the adoption of the Amendment."

Speaker Madigan: "Those in favor of the Amendment say 'aye'. For what purpose does Mr. Leverenz seek recognition?"

Leverenz: "A question of the Sponsor."

Speaker Madigan: "Sponsor indicates that he will yield."

Leverenz: "Why would they be asked to make the environmental impact study instead of someone else?"

Cullerton: "Well, in normal..."

Leverenz: "If, in fact, they're even in existence."

Cullerton: "Right. The Authority conducts the study, but the Chicago area transportation study would have the approval. And this patterned after a federal environmental impact statement requirement that would be required on federal highways. This not being a federal highway, rather than use the Federal Government, we're using the Chicago area transportation study."

Leverenz: "Okay."

Speaker Madigan: "Mr. Levin."

Levin: "I rise in support of Amendment... Are we on Amendment #7? Oh, he agreed to 7. Oh, great."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #8, Hallock, amends Senate Bill..."

Speaker Madigan: "Mr. Hallock."

Hallock: "This Amendment makes some changes in... on the

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Northwest Tollway. Precisely, it adds an interchange in Rockford. We've had two for many years. The demand has outgrown those two, and we need a third one. This puts that on, and I ask for its support."

Speaker Madigan: "Mr. Giorgi."

Giorgi: "Mr. Speaker, as you know, the tollway starts at Rockford at the Wisconsin line where I've represented the Rockford area for the last 20 years, and I was here in 1965 when I thought we'd see the tollways or freeway in my lifetime. But it doesn't seem like I'll see them in my lifetime, although I have an Amendment to cut the tolls down to 25 years instead of 40. But, in this case, this is an exit that has been promised to the us since 1955. It's only 30 years ago they promised us this exit at Love's Park and Riverside Boulevard, and I'd like to leave it in the law today so that the Tollway Authority knows that we mean business. And I support this effort by my colleague, John Hallock."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #9, Cullerton - Greiman, amends Senate Bill 1733..."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Yes, current law requires the Authority to sell its bonds by comparative bid. For some reason, the Bill repeals this requirement to allow negotiated bids with regard to the bonds. Negotiated bonds sell for a higher interest rate. This Amendment will perhaps save - we estimate about 16 million dollars to the highway... to the tollway users. I move for the adoption of Amendment #9."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are



STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

there any further Amendments?"

Clerk Leone: "Floor Amendment #10, Giorgi, amends Senate Bill 1733."

Speaker Madigan: "Mr. Giorgi."

Giorgi: "Mr. Speaker, again, in 1955 we were promised up in the northwest corridor that there would be freeways by about 1985, and here we are embarking on another 40 year program. So, I thought we ought to cut it back to at least 25 years so that in my lifetime I might see a freeway. That's the reason for this Amendment. I urge support of the House."

Speaker Madigan: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. We have a ... We seem to have a large collection of cakes over here next to my desk, and... and the cakes say, 'Happy Birthday, Jesse White'. Jesse, if you watched the ballgame the other night, won't think he's this old, but he's reached the big 50. And before these cakes start drawing flies, we'd like to cut it up and give each one of you a piece of it. So, come on over and get a piece of cake. Thank you, Mr. Speaker."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #11, Brookins - Panayotovich, amends Senate Bill 1733 as amended."

Speaker Madigan: "Mr. Brookins."

Brookins: "Mr. Speaker, Ladies and Gentlemen of this Assembly, this Amendment will require a study to determine the feasibility of transferring the Skyway to the Authority. The Amendment would assure that the legitimate study would be conducted by requiring the Governor and the General Assembly to approve the study before the Authority could proceed with the bond sales on the DuPage toll road. The Amendment also would require further approval by the

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Governor, the General Assembly before any action can be taken to acquire the Skyway. It further provides that the Authority may issue bonds for the purpose of acquiring the Skyway if approved by the Governor and the General Assembly through a Joint Resolution. I move for the passage of this Amendment."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #12, Cullerton - O'Connell, amends Senate Bill 1733 on page one and so forth."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "I would ask leave to withdraw Amendment #12."

Speaker Madigan: "Is there leave? Leave is granted. Amendment #12 is withdrawn. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #13, Van Duyne, amends Senate Bill 1733 as amended."

Speaker Madigan: "Mr. Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. I understand that there is some type of agreement to accept all Amendments. So, I'll just ask for an affirmative vote on Amendment #13."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #14, O'Connell, amends Senate Bill 1733 on page one and so forth."

Speaker Madigan: "Mr. O'Connell."

O'Connell: "Mr. Speaker, I'd ask leave to withdraw Amendment #14."

Speaker Madigan: "Is there leave? Leave is granted. Amendment #14 is withdrawn. Are there any further Amendments."

Clerk Leone: "Floor Amendment #15, O'Connell, amends Senate Bill 1733..."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Speaker Madigan: "Mr. O'Connell."

O'Connell: "Mr. Speaker, I'd ask leave to withdraw Amendment #15."

Speaker Madigan: "Is there leave? Leave is granted. Amendment #15 is withdrawn. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #16, O'Connell, amends Senate Bill 1733 on page..."

Speaker Madigan: "Mr. O'Connell."

O'Connell: "Mr. Speaker, Amendment #16 merely provides that the Board of Directors for the Tollway Authority shall serve notice on every Member of the General Assembly prior to a meeting and that all Members of the General Assembly shall be entitled to attend the meetings and to express their views and concerns to the Board. I'd ask for its favorable adoption."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #17, Vinson, amends Senate Bill 1733 as amended."

Speaker Madigan: "Mr. Vinson."

Vinson: "Mr. Speaker, I understand that Amendment #17 has not been printed and distributed yet, and I know that Representative Cullerton has a great desire to have the Amendments in front of him so that he can peruse them in detail. So, at this point, I would just withdraw Amendment #17."

Speaker Madigan: "Is there leave? Leave is granted. Amendment #17 is withdrawn. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. For what purpose does Mr. Dwight Friedrich seek recognition?"

Friedrich: "Mr. Speaker, I'd like to ask for a 30 minute recess

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

for the purpose of a Republican Conference in Room 118."

Speaker Madigan: "There has been a request for a Republican Conference in Room 118. And the Democrats will meet in Room 114 immediately. So the House will stand in recess. Mr. Friedrich, how long do you need?"

Friedrich: "Thirty minutes, please."

Speaker Madigan: "Okay. So, the House shall stand in recess until 1:05. Republicans in Room 118. Democrats in Room 114. The House shall come to order. House shall come to order. On the Order of Senate Bills Second Reading, the next Bill shall be Senate Bill 1746, Mr. Hoffman. Is Mr. Hoffman in the chamber? Senate Bill 1790, Mr. Jaffe. Mr. Jaffe. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1790, a Bill for an Act reappropriating judicial... reapportionating Judicial Districts and Judicial Circuits. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Mr. Jaffe. Mr. Clerk, are there any Committee Amendments? Is there a Motion?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, Johnson, amends Senate Bill 1790 as amended as follows and so forth."

Speaker Madigan: "Mr. Johnson."

Johnson: "Amendment #2 directs itself to the apportionment of the State Appellate Court Districts and provides simply that the counties of... If I could just have one minute. I want to make sure I've got the right... We're taking Ford, DeWitt, Macon, Piatt, Moultry... I'm sorry. Vermilion, Edgar, Coles, Cumberland and Clark from the 5th District and putting them back where they are now in the 4th District and moving Adams, Pike and Calhoun from the 4th District to the 5th District. Among other things, the

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

effect of this Amendment will be to provide, if the Sponsors really believe what they say they believe, and that is that districts ought to be equal, this Amendment would provide that the 4th and 5th Districts as newly constituted after this Amendment would be nearly identical in population, within less than a thousand people. Under the existing Bill without this Amendment, there is a more than 50,000 person variation between the 4th and the 5th District. So, in addition to putting Edgar, Coles, Cumberland, Clark and Vermilion back where they've been for time in memorial and where they want to be now, it also equates the population of the various... of the various Appellate Districts. And that's the reason, supposedly, to even have this thing to begin with. So, I urge its adoption."

Speaker Madigan: "Gentleman moves for the adoption of Amendment #2. On that question, the Chair recognizes Mr. Jaffe."

Jaffe: "Yes, Mr. Speaker and Members, I rise in opposition to Amendment #2. If you take a look at the present Bill, I think that you're going to find that the lines on those Districts are really quite clean. They come out and they really cut across the state from one part of the state to the other. I think it's a map that is really not gerrymandered in any shape, action or form at all. And if you look to the politics of the present map, you'll find that those districts that are Republican at the present time remain Republican. And the one district that is Democratic remains Democratic. However, what this Amendment really does is it changes those lines and changes that really in a haphazard fashion. If you look at the map after this particular Amendment, you'll find that they include Hancock County in the 5th District. Well, you know that if you're going to go from Hancock County to Mt.

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Vernon, you're going to have to travel over 200 miles to an Appellate Court. I don't really think that this Amendment is well thought out. I think it's really more political than what the Bill is at the present time, and I would urge its defeat."

Speaker Madigan: "Mr. Stuffle."

Stuffle: "Mr. Speaker, Members of the House, I know that some people don't think that we non-lawyers should rise on issues about judicial maps, but I rise on this one to state my support for Representative Johnson's Amendment. We put back together my district, basically, and I get tired of people here trying to take it apart whether it's a judicial map or otherwise. I know there are other ways to draw this, and we've offered maps that we think are fair that are fairer than the one that came from the Senate and don't do away with the existing situation that we have to any great degree. This one, however, in terms of the Amendment, puts it back together in terms of Coles and Vermilion, two principal areas in my current and past Legislative District. And I'm compelled to support this, hope that it gets on; and, if it doesn't get on, I hope that at least we can put this together in better fashion than the Bill came from the Senate. And the way the Bill came from the Senate, it is totally a disaster whether you're a Democrat or a Republican. It's a terrible, terrible map the way its drawn, the way it came over. It's supported by absolutely no one in east-central Illinois, whether they're a Judge or a lawyer, a Democrat or a Republican or what they may be. This Amendment goes a long way in cleaning up what is a bad situation."

Speaker Madigan: "Mr. Brummer."

Brummer: "Yes, I did not vote to pass this Bill out of Committee, but, quite frankly, this Amendment makes absolutely no

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

sense to me. Hancock County must be located 200 miles from Mt. Vernon, is more than half way up the nor... or western side of the state. The people in Hancock County, and I certainly don't represent them - they're over 200 miles away from me - but they would be closer to every Appellate District in the state than the one that... to which they would have to go. It just is nonsense, it seems to me. It doesn't make any sense. The people from Quincy in Adams County would be probably further away from every Appellate District in the state than the one to which they would have to go in Mt. Vernon. I went to school in Quincy, and I would welcome those people down to Mt. Vernon, but I don't think it makes any sense. I suspect the people in... particularly in Hancock County and Adams County would just be up in arms about this. They would be traveling unbelievable miles to go to the Appellate District. It's a bad idea. This Amendment's a bad idea and ought to be defeated."

Speaker Madigan: "Mr. John Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in opposition to the Amendment, and I think we have to remember that we really never get out druthers. There is one county near my area, Moultry County, that I would like to see in the 4th Appellate District, and it is not in the present configuration. But, nonetheless, I don't think that we should adopt the Amendment, which would, in fact, put that Amendment back in that District, because the people in my area, the lawyers, both political parties and the Judges have expressed very strongly to me that they have, for many, many years with regard to Appellate matters, traveled to Springfield from our area which is a central location, which is convenient for them. And the location of the Appellate Court in Mt. Vernon is

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

not convenient. We have districts drawn which have drawn no opposition, no... no intense fire, no intense scrutiny, no intense criticism back home. And I think we should leave the Appellate Districts exactly the way they are, because they have stood the test of scrutiny. And we shouldn't be tinkering with them at this point in time, and I would urge defeat of this Amendment."

Speaker Madigan: "Is there any further discussion? Those in favor of the Amendment say 'aye', those opposed. 'Nos' have it. The Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Jaffe, amends Senate Bill..."

Speaker Madigan: "Mr. Jaffe."

Jaffe: "Yes, Mr. Speaker. Amendment #3, I think, is an agreed Amendment. It merely says that any Supreme or Appellate Judge elected from a district, the boundaries of which are changed by this Act, shall continue to serve in the district from which he was originally elected and shall remain subject to retention by an election in the district from which he was originally elected. This basically grandfathers in the Judges who were elected into their present district, and I would urge its adoption."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, Johnson - Vinson."

Speaker Madigan: "Mr. Johnson."

Johnson: "This is a very - not that they all aren't - but this is a very significant Amendment to a very significant Bill. And, in advance, I'd like to ask the Chair for a Roll Call vote on this Amendment. Article VI, Section 2 of the Illinois Constitution of 1970 provides for the election of



STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

a division into Judicial Districts and the subdivision into... or the division into Judicial Districts and how the Supreme Court shall be elected. There is nothing in the Constitution to provide that Cook County is not able to divide itself or have the Legislature divide it into subdivisions. Amendment #4 does precisely that. We've divided Cook County into three subdistricts; subdistrict #1-A, subdistrict #1-B and subdistrict #1-C. Subdistrict #1-A has a population of 1,751,325 under this Amendment; #1-B - 1,749,940; and #1-C, 1,751,920. Under the circumstances, substantially, not only substantially equal, but clearly within the confines of even any kind of one man-one vote guidelines with respect to legislative or other reapportionment. Our Constitution in the United States, notwithstanding any state constitutional provisions, doesn't allow us to make various apportionments to dilute the ability of minorities to be represented in various branches of government. We would suggest that the current at large election of Supreme Court Justices in Cook County does precisely that. This Amendment directs itself specifically to that situation, also to the substantially equal guidelines that we have in one man-one vote decisions. District (sic - subdistrict) #1-A consists primarily of the south and west sides of Chicago, plus some portion of the south suburban area. Subdistrict #1-B consists primarily of the north, northwest and southwest sides of Chicago, plus some northwest and southwest suburban areas. And subdistrict #1-C consists entirely of territory in suburban Cook County. Subdistrict #1-A would have a black population of almost 70 percent. The others are predominately white. Obviously, one of the effects of this... of this Amendment would be to assure that for the first time in the history of the State of Illinois, a black

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

person would have the opportunity and certainly the likelihood to serve on the Illinois Supreme Court, and then we would be able to divide the Appellate Districts and so forth so that the minorities would be better represented in the judicial system. I think it's a fair Amendment. It's certainly one that directs itself more specifically to constitutional guidelines. It's not offered in any way by Representative Vinson or myself facetiously; but, if we want to reapportion this state, if we want to have all those sorts of desirable social objectives that the Sponsors in the Senate and the House have posited as being a basis for this whole process, then this Amendment #4 certainly directs itself as well as it ever could to those objectives. I urge adoption of Amendment #4 to Senate Bill 1790. And, again, I would ask for a Roll Call vote."

Speaker Madigan: "Mr. Jaffe."

Jaffe: "Yes, if ever... I rise in opposition to this Amendment. If ever there was a mischief Amendment, this is it. It can't be considered in any fashion sincere. If you take a look at the Constitution of the State of Illinois, you'll find that this Amendment is really totally unconstitutional, and I think the Gentleman from Champaign knows that. Our Constitution says that Cook County is one district, period. You know, when the Gentleman comes up and says, 'Well, I'm going to create subdistricts within the districts, you know, a rose by any other name is still a rose and a skunk by any other name is still a skunk. And this particular Amendment is really a skunk. You can't make a... You can't take Cook County and divide it into subdistricts and make off that they're subdistricts and not districts. Basically, what they are is they're three districts within Cook County. The Constitution says we

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 22, 1984

cannot do it. It's a total mischief Amendment. It's totally unconstitutional, and it ought to be defeated."

Speaker Madigan: "Representative... For what purpose does Mr. Johnson seek recognition?"

Johnson: "Well, as the Sponsor of the Amendment, I don't think we ought to wait for subsequent debate to address yourselves to that question or comment of Representative Jaffe. Section 2 only provides that, quote, 'The 1st Judicial District consists of Cook County'. It doesn't say it can't be subdivided. It doesn't say that you can't have subdistricts. It doesn't say anything that Representative Jaffe says that it says. It says, quote, 'The 1st Judicial District consists of Cook County', period. It still consists of Cook County. There's simply three subdistricts within it. So, I think that before people believe that the Constitution says something that it doesn't, they ought to read Article VI, Section 2, and it doesn't say what Representative Jaffe says that it says."

Speaker Madigan: "Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Amendment. I think Representative Jaffe has properly stated the motion. This is a nuisance Amendment and one that seeks to make unconstitutional the entire Bill. For that reason and particularity given my record of support for minority empowerment, I believe that this Amendment does not accomplish that and, in fact, will jeopardize the Bill and jeopardize the rights of minorities. And I encourage a 'no' vote."

Speaker Madigan: "Mr. John Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. As a downstater, I rise in opposition to this Amendment. I think when we raise our hand and take our

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

oath of office, we agree to support and uphold the Constitution of this state, and I disagree with the Sponsor of this Amendment. I think the constitutional mandate is clear - that it may be something that some of would prefer to be otherwise, but the mandate is clear that Cook County shall comprise one Appellate District. And I don't think the Gentleman Sponsor of the Amendment would suggest for a moment that the 4th Appellate District nor the 5th Appellate District nor any of the others be broken into subdivision for the purpose of electing the Appellate Judges from that district. But that is exactly what he is suggesting here. The constitutional mandate in drawing district boundaries certainly takes into account the election process, because that it exactly how the Judges are chosen to serve those districts. And to say that... that you can get around the constitutional mandate simply by calling something a subdivision is a subterfuge, and I would urge opposition to this Amendment."

Speaker Madigan: "Mr. Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. If the Federal Voting Rights Act applied to the State of Illinois, this would be absolutely required to comply. In point of fact, the purpose... the alleged purpose of the underlying Bill is to provide for one man-one vote for equal representation and so forth. Now, how in the world can you provide for one man-one vote? How in the world can you give people an equal voice in their government if we draw maps which systematically refuse to enfranchise the black population in this state? You obviously cannot, and you obviously have got to begin to draw maps which give people a voice in their government. The Supreme Court of the State of Illinois is as important as the Legislature or the Governor and the Executive Branch

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

in this state. As a matter of fact, anytime somebody tries to get another reapportionment map... reapportionment map, whether for Congress or for the City of Chicago or for the State Legislature, to accurately reflect and to enfranchise minorities in Illinois what they have to do is to go to Federal Court. Now, what we ought to begin to do is to give minorities a voice in the Judicial Branch of the State of Illinois so that they don't have to go to the Federal Court to pursue their remedies for equal representation in legislative chambers. For those reasons, you should cast your vote for this Amendment. If you care about giving people an equal voice in government, you should cast your vote for this Amendment. And if you cast a vote against this Amendment, then you're saying that you don't care about giving minorities a chance to have a voice in their own government. I urge an 'aye' vote."

Speaker Madigan: "Mr. Hawkinson."

Hawkinson: "Thank you, Mr. Speaker. I think it's important to listen to what the opponents of this Amendment are saying and to realize the inconsistency with which they speak. They first say that the Bill itself is constitutionally required, because there is some sort of one man-one vote principle that applies to judicial redistricting. Judge Gully testified against that concept. Several other jurists testified that that concept does not apply to judicial remaps, and I think we ought to view the original Bill for what it is here - is a complete political gerrymandering effort. If, however, the oppo... the proponents of the Bill and the opponents of this Amendment are correct in their constitutional interpretation, which I have severe doubts about, but if they are correct in their constitutional interpretation, then clearly this Amendment is required constitutionally. If there ever is a federal

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

court suit challenging the downstate districts or elsewhere for failing to comply with one man-one vote, then clearly the Illinois setup of having one district in Cook County violates those same principles and, as the previous proponents have said, clearly disenfranchises the minorities of the 1st District. And so if, in fact, the constitutional basis of this Bill is correct, then you ought to be supporting this Amendment, and there should be an 'aye' vote."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker. Once again, the Gentleman from DeWitt County is looking out for the interests of the minority in the State of Illinois. It would be more appropriate if perhaps a minority Member of the Republican Party would give that speech; but, unfortunately, there aren't any. If I was a black Member of the House of Representatives, I would be very suspicious when that Gentleman starts looking out for my interests, and I would suggest a 'no' vote."

Speaker Madigan: "Mr. McCracken."

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We're all so very..."

Speaker Madigan: "Mr. McCracken. Mr. Vinson. Mr. Vinson."

Vinson: "Thank you, Mr. Speaker. I would just simply make the point of personal privilege in regard to Mr. Cullerton's comment that it wasn't long ago that I tried to look out after your interests and provide a nonpartisan election system for the Mayor of Chicago. You made a mistake of posing that at that time, and now you should be supporting this at this time."

Speaker Madigan: "Touche. Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. We're all so suspicious when our friends from Cook County tell us what's good for us

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

when it comes to highways and transportation in DuPage County. So, before you speak, think about what you've done in the last 24 hours. Let's... Let's call it what it is. The Democrats want three district members. Historically, they've been three white district members from Cook County. So, if you want a black representative on the Supreme Court, you vote for this Bill. We get a Republican representative from Cook County to represent the population of Republicans in Cook County, and you can have your Democrat as to population, as to one man-one vote principle dictates. So, let's vote for it."

Speaker Madigan: "The question is, 'Shall Amendment #4 be adopted?' Mr. Johnson, did you wish to close on your Amendment? Mr. Johnson."

Johnson: "Yeah, I do. I find it incredible that some of the Members of this chamber, who purport to and I think really do believe in, you know, the concept of not only equal rights, but representation of minorities, can stand up in a pure partisan manner, because they've been instructed to, and oppose a legitimate Amendment that is not only constitutionally permissible, but I think serves the interests of the people of Illinois and the interests of people in Cook County. As Representative McCracken has said, this Amendment subject to the whims of the voters in terms of demographics is clear. For the first time in the nearly 200 years or 150 year history of this state, there will be a black on the Illinois Supreme Court. I find it incredible to believe that people who have supported the upward mobility of blacks in our governmental system and otherwise can oppose that. It also clearly provides in subdistrict #1-C, again subject to the voters' wishes, that Cook County, which is contrary to its perception a... not an overwhelmingly Democratic County - substantial numbers

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

of Republicans throughout the suburban area in Chicago - a Republican on the Supreme Court. And then you have district (sic - subdistrict) #1-B that clearly, at least based on past voting records, would be represented by an organization Democrat. What can be fairer... What can be fairer from the Party of Lincoln than providing for the ability of the voters of Cook County to be represented in just proportion to their demographic and political makeup? It's a common-sense Amendment. It's in no way prohibited by the Illinois Constitution. And, in fact, I think that various decisions by the courts at the federal and state level, most particularly at the federal level, would say that electing jurists at large dilutes the strength of minorities and, even though it's in the Illinois Constitution, if, in fact, one man-one vote applies at all, might be in contravention to federal constitutional guidelines. It's a good Amendment. It's a good Amendment for everybody in the state, and I urge a 'yes' vote."

Speaker Madigan: "The question is, 'Shall Amendment #4 be adopted?' Those in favor of the Amendment will vote 'aye', those opposed will vote 'no'. Have all voted who wish? Mr. Turner, to explain his vote."

Turner: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Besides the fact that this argument or this issue before us is unconstitutional, I think the idea that we're talking about the need for a black on the Supreme Court is irrelevant at this time, especially since Operation Greylord. I think since that Greylord investigation, it doesn't make any difference what color the Judge is; that the judicial system will improve. And I urge a 'no' vote on this Amendment."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question



STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

there are 48 'ayes', 65 'nos'. The Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, McPike and Greiman, amends Senate Bill 1790 on page by deleting line one and so forth."

Speaker Madigan: "Mr. Greiman. Mr. McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #5 redistricts downstate Judicial Circuits and increases by three the total number of Circuits. Present Circuits have been in existence since 1957. There are currently 20 Circuits downstate and a single circuit for Cook County. Other than Cook County, only the 18th Circuit of DuPage County is a single county Circuit. This Amendment increases it to 23 districts, and the individual districts are delineated in the Amendment. I move for its adoption and be glad to answer any questions."

Speaker Madigan: "Mr. Johnson."

Johnson: "My comments are not directed to either Representative McPike or Representative Greiman, because they weren't in the Committee and they didn't make any commitments of any kind, nor did the Sponsor for that matter. But I'm really concerned about, in this Amendment, in addition to the fact that it's absolutely ridiculous to reapportion judicial Circuits. Nobody pretends that there's any kind of constitutional mandate, and nobody pretends there's any kind of legislative mandate or otherwise to do this. So, we're just doing it. That's wrong, and I think other people can address that. But just as important as that is the process. It was clear that this Bill would not emerge from the House Judiciary Committee with the Circuits in the Bill; that everybody in the state, every Judge, every lawyer that I talked to - and I have had communication from

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

hundreds if not thousands of them, except one, are opposed to it. But it would have never got out of Committee if we would have had the Circuits in it. So, the Sponsor of the Bill took the Circuits out of it. Now, in his defense, he did say that he couldn't control what would happen on the House floor and that he wouldn't make a commitment to table the Bill if the Circuits went back in. But the whole presumption was in the Judiciary Committee, the whole reason it got out at all was because we were dealing solely with the Appellate Courts, where at least the Sponsors have some flimsy argument that it's constitutionally mandated that we reapportion. This is unnecessary. It throws into chaos the Circuits in Illinois and really would leave us in a situation where time honored and not constitutionally prohibited Circuits would be thrown asunder. The whole judicial process can break down. The combination of urban and rural counties is such that rural Judges in smaller counties are able to take some of their time and fill in in the bigger counties where they're needed. The Circuits have been set up so that on a probation system basis and on various funding basis, on a matter of judicial meetings and so forth, that you can do that and that you can work together and that the Circuits have been set up on that basis. Now basically that whole process is thrown asunder. I don't know why we need this. I suppose I should support it, because I think if this gets on there won't be a lawyer or a Judge or anybody who deals with a court system in Illinois who's for it. But nonetheless, in defense, I think, of responsible government, this is something that ought to be defeated."

Speaker Madigan: "Mr. Vinson."

Vinson: "Yes, Mr. Speaker, in the event... First of all, I would request a Roll Call vote on this. And in the event that

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 22, 1984

it gets the requisite number, I would request a verification."

Speaker Madigan: "Mr. John Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Amendment. I know there are... there are those who, including some of the previous speakers, who have expressed opposition, but I remind the Members of this chamber that the Sponsor of the Amendment indicated for all of us who are listening - and I'd like to just say it again - that the Circuit boundaries, Circuit Court boundaries within the State of Illinois have not been reformed since 1957. And whether there is a mandate in the Constitution or whether there is not, the word is clear all across this nation that the one person-one vote principle applies, and we here in Illinois were among the last to find out when, in 1980, this very chamber was restructured to comply with that and we eliminated our three Member districts and reduced the size of this chamber. People of the State of Illinois and across the nation have sought adequate representation within the geographical areas in which they live. There are, I think, three more Circuits added as a result of this Amendment. This will make the Circuits somewhat smaller. It will make them more convenient, more close to home. The arguments that the caseloads will be a problem because, within the historical Circuit boundaries that we now have, machinery is in place was clearly refuted by testimony in the Judiciary Committee during which Judge after Judge indicated that the larger the Circuit boundaries the more convenient they would be. Under the present system, when the Chief Judge just picks up a phone and says to any Judge within the Circuit, 'Please come here. Please go there.' Everyone indicated that the Circuit boundaries really don't make any

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 22, 1984

difference. If all you have to do, if the Circuits are smaller, is pick up the telephone. The Chief Judge within a Circuit picks up the telephone, calls the court administrator right here in Springfield, says our caseload is going to be heavy tomorrow or next week or for the next month and please send us Judges. Geography will control. At the present time, Judges from all over the downstate area are routinely and regularly sent into Cook County to help with the caseload on an annual basis. They go once a year. It's a routine thing for them. The court administrator says, 'Pack your bag and go'. They go. They don't question it. They know that's part of their job. So, to go between counties is not a problem. To have... to have equity and parity in the Circuit boundaries so that both political parties will be involved in the judicial election process is an important thing. We say that's important here. We say it's important statewide for constitutional offices. We say it's important for the Illinois Supreme Court. We say it's important for the Appellate District elections, and we... we should believe that it's important for the Circuit District elections. There has been careful thought go into the choosing of these boundaries. The administrative problems either don't exist or can readily be worked out, and I would strongly urge the Membership to support the adoption of this Amendment so you can go home and say that you have taken part in reform of the Circuit Court boundaries which are at least 20 years overdue, because they should have been reformed about every ten years, like we were required to do on the Legislative Districts as a result of the census. I urge an 'aye' vote."

Speaker Madigan: "Representative Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 22, 1984

House. Judicial reapportionment clearly is not necessary at this time, and this particular Amendment is even more onerous than the... than the Bill as it now currently stands. Judicial districts have not been remapped since 1964 and Circuits have remained substantially unchanged for nearly 100 years. Only under rare circumstances has Illinois undertaken the serious step of judicial redistricting. No such circumstance exists now. Central Illinois Circuit Judges are almost unanimously opposed to Circuit Court redistricting, and I have received letters from other Judges throughout this state. There is hardly anyone who sees a necessity for judicial reapportionment at this time. I would urge a 'no' vote."

Speaker Madigan: "Mr. Hawkinson."

Hawkinson: "Thank you, Mr. Speaker. Will the Sponsor of the Amendment yield for a question? Representative, the prior speaker in favor of this Amendment indicated that we need to have these Circuit changes in order to abide by the one man-one vote. My questions is, does this redrawing of the Circuits result in substantially equal populations for each of these new 23 Circuits?"

McPike: "The Illinois Constitution does not require Judicial Circuits to be substantial equal in population nor does the federal. Obviously, when you have a requirement that a county be included in a district. We have a county, for example, like Lake County, which is the 19th District, that has 440,000 people. That makes it impossible to draw these equal population. And there is no requirement to do so."

Hawkinson: "I agree, and I think that was a mistatement. To the Amendment, Mr. Speaker. I stand in strong opposition to this Amendment. In Judiciary Committee, every Judge that testified, with one exception, testified for their being no need for this kind of judicial reapportionment. It is not

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

mandated by any one man-one vote principle as some of the proponents would have you to believe. What this is is straight political gerrymandering. What all of the Judges and witnesses suggested as they spoke in Judiciary Committee was that if there is, in fact, a need to look at the Circuit Court lines and if there is, in fact, a need to change some of the Circuit Court boundaries, there ought to be hearings held. There ought to be input from Judge Gully of the Administrative Courts. There ought to be input from your local attorneys and citizens. There ought to be input from the Judges affected. There ought to be input from the population in general. The input that has happened in this Amendment is that the Sponsors have spent the week calling the Democratic Members into the office and asking them where they'd like the lines drawn. That is not the way any kind of judicial apportionment ought to take place. This is gerrymandering at its worst. What it would do is disrupt all of the existing Circuit Court rules that have been developed over the years and are used in our Circuits. It would totally throw into chaos our probation system which would have to be completely withdrawn, the changing of offices. This is a terrible Amendment and a terrible Bill, and it ought to be defeated."

Speaker Madigan: "Mr. Ronan."

Ronan: "Thank you, Mr. Speaker, Members of the House. I, too, have problems with this legislation. However, this Amendment, if we're going to have an opportunity to vote on the legislation, this at least tries to make sense. So, I urge all the Members on both sides of the aisle to vote for this Amendment, and then we'll take a close look at the Bill after this Amendment's adopted. So I, too, support this Amendment."

Speaker Madigan: "Mr. Giorgi."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Giorgi: "Mr. Speaker, to repute some of the other speakers.

There were extensive hearings on judicial redistricting in 1981, 1980 and '82, and Judges do get political in their opinions before these hearings. They're very political. But one of the earlier speakers talked about how long ago did we judicially redistrict. The last time we redistricted, I think, we redistricted so that DuPage County could have a single county Circuit. Now we're trying to do that for some of the other counties downstate that have increased in caseloads where some of the counties are becoming urban don't need the rural appendages. And this is an attempt to sort of straighten out the type of a caseload that you have. And there are changes in the judicial districts. There are districts now that have a hundred thousand cases filed a year. They need special attention. This Bill solves all those problems. We need this Amendment."

Speaker Madigan: "Mr. McPike, to close."

McPike: "Well, thank you, Mr. Speaker, Ladies and Gentlemen of the House. There's no doubt in my mind that probably in 1955 or 1956, before the judicial redistricting last took place, that someone got up on the House floor and said it's not necessary and that it's going to create havoc and chaos. And it seems like we've been able to survive since 1957 without any problems. And the same comments today are worth as about as much as they were in 1955. There is a need to redistrict the districts. As one of the previous speakers said, the urban areas have grown. Certainly counties like Lake and Rockford can stand to be one Circuit on their own without having various other counties added to it. I think there's a need for this, and I would move for the adoption of the Amendment."

Speaker Madigan: "The question is, 'Shall the Amendment #5 be

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

adopted?' Those in favor say 'aye', those opposed. Those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 65 'ayes', 48 'nos'. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Senate Bill 1484, Mr. Greiman. Mr. Clerk, on page nine of the Calendar, there's a Senate Bill 1794, Representative Topinka. Read that Bill for a second time."

Clerk O'Brien: "Senate Bill 1794, a Bill for an Act in relation to the offense of aggravated fleeing or attempting to elude a police officer. Second Reading of the Bill."

Speaker Madigan: "Mr. Clerk, are there any Committee Amendments?"

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

Speaker Madigan: "Is there a Motion?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Amendments #2 and 3 were withdrawn previously. Floor Amendment #4, offered by Representative Cullerton, Hawkinson and Topinka, amends Senate Bill 1794 on page four and so forth."

Speaker Madigan: "Mr. Cullerton, on Amendment #4."

Cullerton: "I ask leave to withdraw Amendment #4."

Speaker Madigan: "Is there leave? Leave is granted. Amendment #4 is withdrawn. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #5, Topinka."

Speaker Madigan: "Representative Topinka."

Topinka: "Mr. Speaker, I'd like leave to withdraw Amendment #5."

Speaker Madigan: "Is there leave? Leave is granted. Amendment #5 is withdrawn. Are there further Amendments?"

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



STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Topinka."

Speaker Madigan: "Representative Topinka."

Topinka: "Yeah, Mr. Speaker, Ladies and Gentlemen of the House, Amendment #6 now addresses one of the criteria for what makes simple fleeing, in this case eluding a police officer, not fleeing in some other capacity, aggravated. It basically takes care of the concerns of Representatives Cullerton and McCracken about causation and ultimately makes bodily injury or property damage as an alternative."

Speaker Madigan: "Mr. Johnson."

Johnson: "Question of the Sponsor. Representative Topinka, in light of your articulate opposition to the dog racing Bill earlier in the day, I wonder if the aggravated fleeing Bill has any connection or anything that we could... that we could tie those things up with."

Speaker Madigan: "Representative Topinka."

Topinka: "Yes, in response, Representative Johnson, I think you're barking up the wrong tree and certainly nitpicking."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, Senate Bill 1484, Mr. Greiman. Mr. Greiman. Mr. Greiman."

Greiman: "Mr. Speaker, I believe that 1484 is on the Order of Third Reading. So, I would ask leave of the House to return Senate Bill 1484 to the Order of Second Reading for the purposes of an Amendment."

Speaker Madigan: "Mr. Vinson."

Vinson: "Mr. Speaker, I object to that request for leave."

Speaker Madigan: "The Gentleman objects to the request. Mr. Greiman."

Greiman: "I move that the... that House... that Senate Bill 1484

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

be returned to the Order of Second Reading for the purposes of an Amendment."

Speaker Madigan: "Those in favor of the Gentleman's Motion to return the Bill to the Order of Second Reading shall vote 'aye', those opposed shall vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 68 'ayes', 45 'nos'. The Gentleman's Motion carries. The Bill is now on the Order of Second Reading. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Amendment #2, offered by Representative Berrios - Currie and Wolf."

Speaker Madigan: "Mr. Berrios."

Berrios: "What this Amendment does, it brings in what the Federal EPA has mandated that the state do. We stand to lose a hundred million dollars in our roadway funds if we fail to pass this legislation. What the legislation does is, beginning January 1, 1986, it requires all vehicles registered in Cook, Lake, DuPage, Kane, St. Clair and Madison Counties to be annually tested for pollutant emissions, provides for such tests to be performed through a centralized system of new testing lanes to be constructed and operated by one or more contractors, requires such contractors to be selected through an open bidding process subject to the Purchasing Act, requires testing lanes to be located so that no vehicle other than... vehicles' owners must drive more than 12 miles to the nearest station or wait more than 15 minutes for the testing. It provides for the emission standards for the vehicles to be set by the Pollution Control Board, provides for a maximum fee of ten dollars to be charged for such inspections to assure revenues sufficient to cover the cost of the programs to the state and to the private contractors. It establishes

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

finer for violations of the testing requirements, provides for testing requirements to be enforced through the vehicle registration process in the Secretary of State's Office, and it provides for inspection requirements are repealed January 1, 1981. It also provides that whoever gets the contract would use Illinois small business firms and also use minority firms. This legislation, again, if we don't pass it, we stand to lose a hundred million dollars, and we... In this state, you know, we're in the process of getting our roads up to par, and we cannot afford to lose this hundred million dollars. I think the legislation is fair to everyone. It also provides that the second testing is free, and I would move for the passage of this legislation."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you very much, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Madigan: "Sponsor indicates he will yield."

Mautino: "Representative Berrios, I'm in support of the basic concept and in agreement of the necessary movement by the State of Illinois to implement the emissions control. My concern with the Amendment is in Section 13(a)-109. In that regard, you address the question of contracts, which is the centralization and implementation of this program. I have Amendment #3 following. I do not want it misunderstood that, with an 'aye' vote on your Amendment, I am in any way, shape or form supporting the centralization, because I have the Amendment that follows to eliminate that Section and put decentralization into it. But my concern is this on your Amendment. 'One or more responsible parties', in line 26, 'must construct and operate the official inspection stations'. By virtue of your centralization program, we are basically saying to the

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

thousands of gas stations and repair shops around this state that they may not implement an emissions maintenance and control program. We are saying that it must be constructed by the individual contractor, the loan individual or others for implementation. I do not think this is fair to those people in the private sector. I believe that this will provide a very close centralized provision which could not be adhered to when, in fact, down the road, in a few years, the emissions control and maintenance program will probably embody all of the State of Illinois. I believe in the free enterprise system and the availability for individual entrepreneurs to purchase or lease individual testing equipment for the implementation of the program. In that regard, I think it is a mistake to put that in the hands of only one major contractor under the centralization program. I would like to point out as well on page 16 that the state, under this proposal of centralization, and I quote on item #3, 'may provide for advance payment to the contractor'. It means the State of Illinois will putting up... be putting up the front money for construction of these facilities. I don't think that's right. Therefore, I have Amendment #3 that will address that Section, because what we're doing is putting the people out on a limb that are in the State of Illinois and would be funding it. I believe the enterprise system should prevail, and any operator of a service station repair facility or gas station should have the opportunity to provide the services which can be accomplished under Amendment #3. Would you please respond to the upfront money, as well as the central contractor for the facilities?"

Berrios: "Under the legislation, the funds that are given to whoever the contractor is are to be reimbursed once the

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

program gets going. And in the other one, you know, in the Bill itself under the centralized system, no person... or the company that has the.. the contract is not allowed to do any repairs so that each individual will be free to go to his neighborhood service station or wherever he feels that he will get a fair price for what has to be done on his vehicle. So, you know, I think that answers both of your questions."

Speaker Madigan: "Mr. Vinson."

Vinson: "Yes, Mr. Speaker, I rise for purposes of a parliamentary inquiry. Mr. Speaker, the Bill that we are on is Senate Bill 1484, and Senate Bill 18... 1484 does one thing. It creates a crime of... a new crime, a new felony for people who are guilty of driving or being in actual physical control of a school bus while under the influence of alcohol. The Amendment that we are on is an Amendment which deals with environmental regulation and clean air. Mr. Speaker, I believe that the Amendment very clearly goes... is unrelated to the scope of Senate Bill 1484 and would ask that you would rule that the Amendment is nongermane."

Speaker Madigan: "Mr. Vinson, your point is not well taken. Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Amendment for some of the same reasons as mentioned by the previous opponent. I have had an opportunity to look at this issue and look at the history in other states of the centralized system versus the decentralized system and would share just two or three... three facts with you. California, which used the centralized system for five years, has now gone to a combination of the centralized and decentralized program just because they couldn't handle the... the consumer..."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

the consumer complaints. They had severe problems of waiting in line, of failing the inspection, turning around and coming back and waiting in line again. The technology in this area now is... is so good that that isn't necessary at all. New Jersey had this for ten years and now is moving towards the decentralized inspection system. Michigan is putting in a system, and it's going to be a decentralized system. In order to get someone to... to do a centralized system, you have to lock somebody in. And you not only have to put up some of the upfront money to get the thing set up, but you have to give them a contract for a long enough period of time for them to get their money back. That doesn't make any sense the kinds of testers that are available now that are accurate, are tamper-proof, are capable of measuring. The kinds of emissions that we're going to be dealing with in Illinois can be purchased for as little as 5000 dollars, and some of the fine systems can be rented for as little as 200 dollars a month. There's absolutely no reason to go to a centralized system. It will... You're going to get... Those of us who live in the areas that are going to be covered by this are going to get more complaints on this issue than we are on any other issue that we have dealt with in the last ten years. If we must have... If we must have it, then the only logical thing is to use a decentralized system where you can have a lot of testing stations where you can get your cars up to standards very quickly and find that out without a great deal of trouble and waiting in line and complications on the part of the consumer. It's only going to fall down eventually our... on our head, and the same thing is going to happen here that happened in California and other states. We're going to go back... we're going to go eventually, at some point

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

in time, to a decentralized system. And so for this reason, I stand in opposition to this Amendment."

Speaker Madigan: "Mr. Vinson."

Vinson: "Mr. Speaker, I would just request, before you move this Bill to Third Reading, that you recognize me."

Speaker Madigan: "Mr. Van Duyne."

Van Duyne: "Yes, would the Gentleman ask... yield for a question, Mr. Speaker?"

Speaker Madigan: "Sponsor indicates he will yield."

Van Duyne: "Representative Berrios, will this test, when it's given to a car, cover all cars, all cars that are under ownership of residents of the State of Illinois?"

Berrios: "Just the six counties."

Van Duyne: "Beg your pardon?"

Berrios: "Just the six counties."

Van Duyne: "But, if I wanted to take my car, any car that I own, to this testing lane for strictly just emission testing alone, it would cover it, and it would pass the federal standards, as well as the state standards."

Berrios: "You're not required to have it tested if you don't live in those six counties."

Van Duyne: "Well, that's not my question. My question was whether or not it would conform to federal emission standards once it passed this test. And I... And what I'm trying to establish here is legislative intent."

Berrios: "The reason the feds are requiring this is so that we meet the federal clean air requirement."

Van Duyne: "Okay. Now, and am I to understand also that the charge for this test is going to be up to ten dollars, no higher than ten?"

Berrios: "Right. Not to exceed ten dollars."

Van Duyne: "Well. Okay. Mr. Speaker, may I address the Amendment briefly?"

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Speaker Madigan: "Mr. Van Duyne."

Van Duyne: "Thank you. The reason I asked those questions and the reason why I was so pointed about my questions is I have the unfortunate... or maybe I might even say unhappy experience of becoming the owner of an automobile which did not meet the federal specifications that we're talking about here. And it cost me 1200 dollars to have the car tested. Now, that has nothing to do with the modifications that I had to put into the car which were in excess of 4000 that had to do with catalytic converter and blower on the engine and then the speedometer and other things which never did add up to anywhere near that. But the cost of the test, which we are concerned with on this Amendment right here, was... a thousand dollars for a gasoline engine and 1200 or 1300 for a diesel. Now, I think that is one total ripoff of the American public and especially of the Illinois public, which we are concerned with here, and that's why I wanted to very pointedly mention that the cost for these emission tests are going to be up to ten dollars and that they will be accepted as federal standards. And under those conditions, I'll gladly support the Amendment."

Speaker Madigan: "Mr. Wolf."

Wolf: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Madigan: "Mr. Wolf."

Wolf: "Point of personal privilege, Mr. Speaker. Request leave of the House to remove my name as a Cosponsor on Amendment #2. I believe this was done in error, certainly not at my request."

Speaker Madigan: "The Gentleman requests leave to remove his name as a Cosponsor of the Amendment. Is there leave? Leave is granted. Mr. Berrios, to close."

Berrios: "The Bill is needed. You know, I just want to make one more point; that we did put a cap on expenditures not to



STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 22, 1984

exceed 75 dollars in the legislation. Under the centralized system, we provide that and... that there's not going to be corruption in this. Under the centralized system, the location that does the testing is not allowed to do any repairs. Under the other system, there's the possibility that there could be vast corruption, and what we're trying to do is make it fair for everyone in these six counties and make it so that no one is treated unfairly and that the standards for everyone are the same. And I would ask for a favorable vote."

Speaker Madigan: "The question is, 'Shall Amendment #2 be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Will someone record Mr. Daniels as 'aye'? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 67 'ayes', 42 'nos'. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Mautino and Barnes, amends Senate Bill 1484 as amended in Section 1 and so forth."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you very much, Mr. Speaker. Amendment #3 was the contractual area which I discussed as it pertained to Amendment #2. This is the decentralization system which does not authorize any upfront money or the payout and buyout under the mandatory provisions of the centralization system. What this does is allow the local entrepreneur to purchase or lease the equipment and to operate it at their own facility, namely a gas station, a repair facility or a garage, etcetera. The decentralization system would provide benefits so there would be no inconvenience to the motoring public as it pertains to station locations or waiting in lines or taking time off from work, etcetera. They are approximately 30 cents... 30 percent cheaper for

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

the consumer than under the centralization system. The contractual area, which is of most importance, allows that individual to apply for a permit to have the training and to basically operate it in a free enterprise system of our state. California, Pennsylvania and other states have found that the new technology provided in the cars under the computerization and 'digitalisis' provides those motorists with an impartial and objective emissions inspection. They are, for example, in California, had the centralization system now going to decentralize. New York... or New Jersey, since 19... I believe, '74 or '75, had the centralized. They are now going to decentralize. It's much better for the motoring public, much more convenient, and it can be done at the same time a person takes their car in to get winterized or to be examined for the summer. I think it's a better proposal, one that would allow all entrepreneurs in the state to get into it in a convenient location, and I think it is much more important to have those individuals come in, having the... only the expenses of the daily operation and the purchase or lease of the equipment for evaluation. And I move for its adoption and closing at the end will be Representative Barnes, Mr. Speaker, if it's alright with you."

Speaker Madigan: "Mr. Greiman."

Greiman: "Thank you, Mr. Speaker. I find myself, as the Sponsor now of Senate Bill 1484, with this serious subject and stand in opposition to Amendment #3. Amendment #3 provides, I think, firstly, a basis of creating a whole new bureaucracy. There will be several thousand people who will be in this business. Some will be... Most will be good, honest-dealing businessmen. Some will see the glory and beauty of a conflict of interest and suggest that perhaps... perhaps the emissions are not standard, but a

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

little adjustment could certainly take care of it and so that if you just come over to our little bay over here on the side, we'll whip you right through in a minute or two. Now, that's not going to be most. That's not going to be many. That's going to be some though, because that's the nature, unfortunately, of human beings. And so... I've only become this callous since I've been down here. And so, I don't want to build in that kind of conflict of interest. I want the people who are doing emission testing to only be doing emission testing. And I don't want the state to have to find themselves with several hundred new employees who now have to supervise and make sure that the program is administered in a uniform way. I don't want the state to have to have all these people. If there's 30 in the State of Illinois or so for us to look at, that's handleable, but if there's 3000 of these things, that's not handleable anymore. Now we've got to have a supervisor, and we've got to have an inspector 1 and an inspector 2 and inspector 3. And we've got to have a testing lab. We've got to have all kinds of things that just aren't necessary. So, I would defeat Sen... Amendment #3. It may well be that in the future we'll change. We're not married to anything. We can change if we find it doesn't work. But to start it out and to promise to small businessmen that if they make the 15 - 20,000 dollar investment that it takes to get this kind of equipment, that they will be able to amortize it in a nice, easy way, that may be the cruelest joke of all on small businessmen. So, I would defeat this; and, if we find, after there's some experience, that we should change our modus operandi, we will do that, but I would vote 'no' on Amendment #3."

Speaker Madigan: "Mr. Berrios."

Berrios: "I also stand in opposition to the Amendment because of

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 22, 1984

the fact that having it decentralized would provide for more corruption and because of the fact that even in California service stations are guaranteeing that cars are going to pass if they come and use their facilities. We're... Under the decentralized system, we're making it so that an operator would be able, in his best interest, to find something wrong with the car and repair it on location. We... under decentralized issue, what we're doing is allowing a person to go get the car tested and take the car anywhere he wants to to get it repaired. I think we're making a mistake if we go to decentralized issue. The... The centralized auto testing program works in a lot of states, and we, in this state, will be able to monitor it. And our costs are going to be a heck of a lot less under the centralized system. And I would ask you to vote 'no' on this Amendment."

Speaker Madigan: "Mr. Kulas."

Kulas: "Thank you, Mr. Speaker and Members of the House. It's with reluctance that I rise to oppose my seatmate's Amendment to Senate Bill 1484. I was a Cosponsor a number of years back on the mandatory auto emissions control Bill. We... I served on a subcommittee where we visited a number of states and saw how they ran their programs, and every state we went to where they did not have the centralized mode of inspection - there were always problems. If you're going to go to decentralized, you're opening up a can of worms. The centralized system is the way to go, and I would urge a 'no' vote on this Amendment."

Speaker Madigan: "Mr. Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. I rise to support Representative Mautino's Amendment. I... Evidentially, what I said before on the previous Amendment wasn't even heard... either heard or else the person that listened

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

didn't believe me. We have a centralized system right now in Elk Grove Village that tests cars which do not conform to American standards. It's a federally operated and contracted for centralized testing station. I told you that it costs 1200 dollars to test a car strictly for emissions on a diesel, and it costs a thousand dollars for a gasoline car. I don't understand how anyone can... to take that at face value, which is the truth, and say that by centralizing and confining this to one central clearing house where they absolutely have you right by the throat - if you don't pass, you have to come back and you have to pay another thousand dollars - and not only that, they don't even tell you why you don't pass. I think if we're going to adopt any kind of emission standards at all, if there's any importance to this Bill at all, this Amendment, as far as I'm concerned at least, will either make or break this Bill. And no way in the world could I see myself voting for this type of a Bill if it's going to centralize and put all the power of testing and passing cars in the State of Illinois in one central location. I just can't see it. It's happened to me already. I paid the money. I feel I was put upon. I feel it was absolutely unconstitutional, and I just can't see it for the State of Illinois. And I ask you, in fact even plead with you to use your head and give this Amendment some support."

Speaker Madigan: "Representative Jane Barnes."

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Mautino - Barnes Amendment #3 to Senate Bill 1493 (sic - 1494) provides a decentralized program that would not only provide greater access to the consumer constituents, but would also provide an economic stimulus for numerous businesses and their employees in the effected areas. Those that are involved: Atlantic Richfield,

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Chicago Association of Commerce and Industry, Firestone stores, Illinois Automotive Wholesalers' Association, Illinois gasoline dealers, Illinois new car and truck dealers, Illinois Petroleum Council, Illinois Petroleum Marketeers' Association, Illinois Service Station Operators' Association, Independent Garage Owners' Association, Midwest Petroleum, Marketeers' Association, Motor Vehicle Safety Council, National Federation of Independent Business, Sears, Standard Oil of Indiana, Texaco. I assure you that a vote for this good Amendment is a vote for consumerism and the right vote on this Senate Bill 1484 Amendment."

Speaker Madigan: "Representative Vinson."

Vinson: "Thank you, Mr. Speaker. I rise in support of this Amendment. I believe it's a good Amendment. I believe it's a necessary Amendment, and I think we should put this Amendment on this Bill. I would urge an 'aye' vote on the Amendment."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I would just like to point out to the Members of the House that the kind of equipment, the emissions' analyzers that are available today practically totally, as far as we know, eliminates fraudulent test results. In those states where they have the new programs, with the new equipment, there has been very, very few instances of fraudulent testing. Now, obviously, where people are involved, you're going to find people who are going to try to figure some way around the corner. The matter of the fact is that the new technology that's available gives impartial, objective emissions inspection standards. They will even print out for you where you problem is. In regard to the comment made by Representative Van Duyn, you'll know where the

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

problem is. You'll know what needs to be done, and you can go get it repaired. In fact, where you have a decentralized system, you not only can have the testing done, but you can have any other kind of analysis done on the same equipment. And for that reason, Mr. Speaker, I rise in support of this Amendment."

Speaker Madigan: "Mr. Mautino, to close."

Mautino: "Thank you, Mr. Speaker. I believe everyone understands exactly what this Amendment does. I appreciate the support of those individuals who feel that the economic stimulus can be provided in our state so that those individuals who run gas stations, repair shops, etcetera, will have the opportunity to purchase or lease the equipment and provide the service for our motoring public in the counties involved. And this is basically for the future endeavors if, in fact, the rest of the state is mandated to be involved in the emissions control program. It's a beneficial program, number one, as an Amendment, because individuals should not have to end up in line, whether that be the hot of the summer, the heat of the summer or the cold of the winter, depending on the 18 month period, into one central facility within a given area. The private enterprise system, in my mind, can do a much better job than a governmental agency. We would have no upfront money as a state that we would have to implement into this, and we would not be setting forth, as a state policy, a monopolistic condition. I'm opposed to the monopolistic provisions that are in the Amendment that was adopted as #2, and I've provided an avenue available for everyone in this House to support the private enterprise system and allow all of our citizens to be a part of this program. And I ask for an 'aye' vote."

Speaker Madigan: "Those in favor of the Amendment will signify by

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk... The Clerk shall take the record. On this question there are 70 'ayes', 39 'nos'. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. With regard to Senate Bill 1484, I would move to suspend Rule 36(d)."

Speaker Madigan: "Mr. Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the Gentleman's Motion. It's a particularly pernicious Motion in regard to this Bill at this time. I think if people examine this matter, they will discover that two totally nongermane Amendments have been added to the Bill. It deals with a very substantial matter of public policy. There is no reason we need to rush this issue through. We can always suspend the rules as applied to the deadline on this Bill and have time to consider the matter and to consult with our constituents. We need not rush to judgement on this issue. The rea... What the Gentleman wants to do is to put the Bill in a posture where it can be considered either today or on Monday. What we need to do is to put this Bill back where it belongs on the Order of Second Reading, First Legislative Day and let the Membership, let the public, let the people who care about this thing consider it for several days before we rush to judgement. I would urge a 'no' vote on the Gentleman's Motion to suspend the rule so that we can have public input in this legislative process."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. If I may, I would like to



STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

stand in support of Representative Cullerton's Motion. For the information of the Membership, last week, when those of us who were involved in the original legislation on this subject were asked to come to the Mansion and discuss with Mr. 'Ruckelshouse' and the Governor this specific subject, Representative Barnes and I were informed at that time that, by the Governor and Mr. 'Ruckelshouse', that within the next two weeks, which means this week for action on substantive Bills, there would be legislation showing that the State of Illinois is taking a progressive step towards resolving this problem; otherwise, we would stand in a position of having needed funds under the Department of Transportation held up. It was the agreement of Representative Barnes and I that we would adhere to this proposal, provide legislation on the decentralization of the program which was supported by Mr. 'Ruckelshouse', and we said that we would make every attempt with the administration to provide legislation in good faith so that the House and Senate would have the opportunity to vote on this question and show Illinois' good faith to the Federal EPA. In that regard, it's extremely important that we provide the 'yes' votes to Representative Cullerton's Motion for the suspension of the rule. We are working, Jane... Representative Barnes and I, with the administration and Mr. 'Ruckelshouse', as well as Members on both sides of the aisle to show Illinois' good faith on this question, and I request an 'aye' vote."

Speaker Madigan: "Mr. Stuffle."

Stuffle: "Mr. Speaker and Members, it's odd that people can rise and support Amendments on this floor to do one thing and then turn around and attempt to do another and, after putting an Amendment on, use that very Amendment to hold the Bill up. That's what's going on here now. This is

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

important. It needs to be done now, and everybody knows it needs to be done now. And it's been looked at pretty well in Committee and on the floor and with the feds and with everyone here. To do what's attempted to be done here is absolutely wrong. The Amendment prevailed by a two to one vote. We should be moving the Bill forward. The will of the House has been expressed on that issue and to hold it up is absolutely wrong."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker. Mr. Speaker, when I... I believe, when I made the Motion, I inadvertently referred to the Bill as Senate Bill 1784. I wish to correct that and make sure that it's clear that I wish to suspend Rule 36(d) with respect to Senate Bill 1484. In light of that, perhaps Representative Vinson would withdraw his opposition."

Speaker Madigan: "Mr. Piel."

Piel: "Parliamentary inquiry of the Chair, Mr. Speaker. Could you tell us exactly how many votes this Motion will take to pass?"

Speaker Madigan: "60 votes."

Piel: "Thank you."

Speaker Madigan: "The question is, 'Shall Mr. Cullerton's Motion be adopted?' Those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there are 71 'ayes', 42 'nos'. Mr. Cullerton's Motion carries. This Bill shall be placed on the Order of Third Reading. Senate Bill 1746, Mr. Hoffman. Mr. McPike."

Hoffman: "Thank you, Mr... Thank you, Mr. Speaker. You call the Bill, please?"

Speaker Madigan: "Mr. Clerk, are there any Amendments? Read the

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Bill, Mr. Clerk. Mr. McPike in the Chair."

Clerk O'Brien: "Senate Bill 1746, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, Hoffman."

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

Hoffman: "Thank you, Mr. Speaker. I'd like to draw... withdraw Amendment #2."

Speaker McPike: "Amendment #2 is withdrawn. Further Amendments?"

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

Speaker McPike: "Representative Hoffman, Amendment #3."

Hoffman: "Thank you very much. Mr. Speaker, Ladies and Gentlemen of the House, Amendment #2 (sic - #3) clarifies the language that I had in the original Amendment #2, and it provides that a school district may levy a fire prevention and safety tax or may issue fire prevention and safety bonds in order to construct a new building on the same site or to construct building in additions if an architect determines that it would be in the districts best financial interest to do so. This is to take care of a problem that has existed in a couple of downstate districts, and I would move for the adoption of Amendment #3."

Speaker McPike: "Gentleman has moved for the adoption of Amendment #3. Is there any discussion? Being none, the question is, 'Shall Amendment #3 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

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

Speaker McPike: "Representative Ronan, Amendment #4."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Ronan: "Thank you, Mr. Speaker, Members of the House. Amendment #4 affects the City of Chicago School District #299. It changes the allocation of low-income pupils in determining reduced or free lunches or breakfasts, and I move for the adoption of Amendment #4."

Speaker McPike: "Gentleman moves for the adoption of Amendment #4. On that, the Lady from Dupage, Representative Nelson."

Nelson: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker McPike: "Indicates he will."

Nelson: "Representative Ronan, does this Amendment in any way affect the total amount of money that will go to the district in Chicago?"

Ronan: "No, it doesn't."

Nelson: "It affects the allocation within that district, correct?"

Ronan: "Absolutely. There's no impact on new allocations."

Nelson: "And changes it in what way? How are kids who receive lunches different from Title I kids?"

Ronan: "What it does is it... they're going to be distributed now by the total number of individual enrolled in the program as opposed to the stipulation now which is defined in Title I. So, it just now... it's an accurate head count as opposed to using the definition that Title I provides."

Nelson: "And it's more accurate, because the Title I head count goes way back to the last census, whether that was in..."

Ronan: "Correct."

Nelson: "... '70 or '80; and, because this is dependent upon the number of school lunches served, we would actually have an annual updated head count every year. Is that right?"

Ronan: "That's the reason I'm putting the Bill in. 1980 date, at this point as you're aware, is five years old... or four years old. And this would make it based on the... the

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

actual head count."

Nelson: "I think this is a very good Amendment, and I'd urge people on this side of the aisle to support it."

Speaker McPike: "Further discussion? Representative Ronan, to close."

Ronan: "It's as very simple Amendment. I move for a favorable Roll Call."

Speaker McPike: "Gentleman moves for the adoption of Amendment #4. The question is, 'Shall Amendment #4 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. For the Democratic Members, the Health Task Force will meet immediately in the Speaker's Office. Further Amendments?"

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

Speaker McPike: "Representative Cullerton, Amendment #5."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This amends the RTA Authority Act so as to allow a Board member on the RTA to also be a member of a school board. I would move for the adoption of Amendment #5."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #5. Is there any discussion? Being none, the question is, 'Shall Amendment #5 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, Greiman."

Speaker McPike: "Representative Greiman, on Amendment #6."

Greiman: "Thank you, Mr. Speaker. This Amendment deals with a refund for students who leave the school early... vocational schools early, and it sets up a fair standard. It's been offered and approved by the Office of Education. I would ask for its adoption. It's fair. It comes out of

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

study of... by the Office of Education."

Speaker McPike: "Gentleman moves for the adoption of Amendment #5 (sic - #6). On that, the Lady from DuPage, Representative Nelson."

Nelson: "Thank you, Mr. Speaker. I have an inquiry of the Chair on this Amendment. I would like to question the germaneness, because I believe that the underlying Bill deals with the School Code. And I thought I understood Representative Greiman to just say that this has to do with proprietary schools. I'm sorry that I don't have the original Bill in front of me."

Parliamentarian Pollak: "On behalf of the Speaker, the Amendment is germane, because the Bill as amended with a new title, as well as the Amendment that is being considered, all deals with the schools."

Speaker McPike: "Further discussion? There being none, the question is, 'Shall Amendment #6 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. On page six of the Calendar, Senate Bills Second Reading appears Senate Bill 1659, Representative Capparelli. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1659, a Bill for an Act to authorize municipalities, counties and townships to appropriate funds to private non-profit organizations servicing run-away youth. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Keane, Amendment #1."

Keane: "Thank you, Mr. Speaker. Leave to withdraw Amendment #1."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Speaker McPike: "Gentleman withdraws Amendment #1. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. On page seven of the Calendar, Senate Bills Second Reading, appears Senate Bill 1236. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1236, a Bill for an Act to add Sections to the Illinois Bank Holding Company Act of 1957. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, O'Connell, amends Senate Bill 1236..."

Speaker McPike: "Representative O'Connell, Amendment #1."

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 is an all pervasive Amendment to the Banking System Act as we know it today. There are those that have asked that House Bill (sic - Senate Bill) 1236 not be amended in order that the specific remedy sought to the Continental Bank situation be single-shot enacted..."

Speaker McPike: "Excuse me. Representative O'Connell, we've had a request to take this out of the record temporarily. Representative Flinn, we will return to this Bill shortly. Is that alright? Thank you. Out of the record. Ladies and Gentlemen of the chamber, we would like to move Bills from Third Reading back to Second so that if any of you have a request, would you please come up here and give it to us so that we can move Bills from Third to Second for purposes of Amendment so that they will be ready for passage Monday? Page seven of the Calendar, Senate Bills Second Reading, appears Senate Bill 626. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 626, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Cullerton."

Cullerton: "Yes, I would ask leave to withdraw Amendmetn #2."

Speaker McPike: "Gentleman withdraws Amendment #2. Further Amendments?"

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

Speaker McPike: "Representative Cullerton."

Cullerton: "I would ask leave to withdraw Amendment #3."

Speaker McPike: "Gentleman withdraws Amendment #3. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. We will now return to Senate Bill 1236 that was taken out of the record. The Bill has been read a second time. Are there any Amendments?"

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

Speaker McPike: "The Gentleman from Cook, Representative O'Connell, Amendment #1."

O'Connell: "Thank you, Mr. Speaker. As I was saying before, there are those that ask that the Continental Bank Bill, as it stands, not be amended in any substantive fashion, because it would jeopardize the Continental Bank Bill. I would submit to you that this Amendment is not designed to jeopardize the Continental Bank Bill but, rather, to supplement the Band-Aid remedy that is being sought by the existing House Bill... or Senate Bill 1236. It is my opinion, and I think it's shared by others that have reviewed this legislation and this situation, that the



STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 22, 1984

remedy sought for the Continental Bank situation is one that is addressed at a single bank, at a single point in time and that, with the repealer of July 1, 1985, it is clear and manifested evidence that this is, indeed, a single-bank, single-situation remedy. I would submit to you that Continental Bank may not be the only bank to suffer the liquidity problems that have been shown to exist with the Continental Bank situation. I would submit that Continental Bank will not be the first bank to have financial difficulties and seek a financial remedy for their cures, be it merger, acquisition or what have you. I would also submit that if we were referring to a bank in Bartenville, Illinois, as which individual testified at our Financial Institutions Committee, that we would not be here today enacting legislation addressed to save that single bank. I don't believe that our current banking system is the motivational or cause to the problems that Continental Bank has experienced. I would, however, suggest that the remedies that Continental Bank seeks are not to be found in our current banking system, and therein lies the problem. We are not equipped, in our banking system, to accommodate any bank problems, any bank remedies that are being sought. That is because, over the years, we have developed a restrictive and, I would submit, protectionist banking system that militates against the free and open competitive operatives that are designed to cure the ills that have befallen a bank such as Continental Bank. Are we to solve their problem by giving them a year and a half or two years or one year to find the appropriate buyer by going out of state? I don't think that any other bank, besides Continental Bank, who is large enough to find a buyer in a year's period of time, would need a specific remedy like this. What this Amendment #2 would do then is to open up

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 22, 1984

the entire banking system in this state by eliminating the restrictions on branch banking and by submitting the theory and the concept of consumer banks in this state. Branch banking has been discussed many years in many different Legislative Sessions. It is nothing new and nothing unique. The theory of consumer banks is one that exists in other states, as does branch banking. I would suggest that the issue of consumer banks, whereby banks would be... or any institution would be able to set up depository procedures and perform functions that any bank performs, except that there would be no demand bank accounts or as we would refer to them normally as checking accounts; that this concept of consumer banks provides our constituents with the accessability and convenience that they should enjoy. It also provides the safeguards that are provided for in any banking institution authorized under this state. The Bill is... The Amendment is, as indicated, a very far-reaching and very significant approach to the banking systems and the inherent problems that are to be found in our banking laws. It is not specifically aimed at one problem. It is rather an attempt to address what I believe and others believe to be an inherent defect in our restrictive banking system. I would welcome any questions."

Speaker McPike: "Gentleman has moved for the adoption of Amendment #1. On that, the Gentleman from St. Clair, Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I will not discuss the merits or lack of merits of this Amendment. I will simply say to you that Senate Bill 1236 addresses a liquidity problem of one of our major banks. It offers to remove a roadblock in the state statutes. We will permit that bank to save itself

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 22, 1984

from going under, and I don't believe we ought to deal in interstate banking or any other subject matter except that at this late hour of the Spring Session. So, I would ask for your 'no' vote on the Amendment #1 to Senate Bill 1236."

Speaker McPike: "Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Mr. Speaker and Members, Representative O'Connell presents this Amendment as a free enterprise Amendment. There are many of us who think that the exact opposite of that would occur, many of us who believe that branch banking, just as many of us who believed holding companies would create monopolies, and that's happening in this state and is happening in this country. This is a narrow Bill that many who philosophically oppose it must support, in terms of the Bill, because of what it does and its emergency nature and its limitation, as Representative Flinn said. This Amendment opens the door, not only wide open, but takes the door off in terms of limitations. It provides for full branching. It provides for no limitation in the banking sector. I believe that our problem is that we preach free enterprise for some little banks. We practice protectionism for others. We need to protect the consumer in the end, and we need to protect the banking institutions to do that. The problem is that the federal regulators turn their head. The federal regulators haven't done a good job of regulating. If they did half the job that Commissioner Harris does in Illinois, Continental probably wouldn't be here. If... Continental's problem doesn't stem from the fact it didn't have the ability to branch or the ability to find customers in Illinois. Continental's problem stems from the fact it went to find customers, and it has bad loans, and it went out of this

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

country to make loans and, willy nilly, it gave money to people with bad oil loans and bad business practices. And it did it while the fed turned its head. The fed ought not to be turning its head. The FDIC ought not to be turning its head, and we ought not to be passing an Amendment in the name of free enterprise that, in fact, would have the opposite result, that would have the result of not protecting the consumer. This Amendment ought not to go on for those reasons, and it ought not to go on, too, because this Bill is narrowly crafted. This Bill serves to deal with an emergency that affects over 700 banks and 150 taxing districts and 12,000 people's jobs. And we ought to defeat the Amendment."

Speaker McPike: "Representative O'Connell, to close."

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'll be brief in my closing remarks. I don't believe that our current banking system is in a position to address the problems that are sought by a bank such as Continental Bank. I think that the... the mere fact that Continental Bank and its proponents for this measure are seeking to change our existing laws in order to find a suitable remedy for a major problem is an indictment in and of itself of our banking system. The banking system and its protectionist measures is a protectionist legislative umbrella that is affordable to very few industries. If we seek to find a resolution to this problem by such a restrictive adherence to our banking system, I think we ought to rethink the whole system. And by rethinking the whole system, I think we should open up the entire system. And without any further argument on the measure, I would again indicate that this Bill is not designed to hender the resurrection of the Continental Bank but, rather, to supplement its existing legislation. Thank you."

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 22, 1984

Speaker McPike: "Gentleman moves for the adoption of Amendment #1. The question is, 'Shall Amendment #1 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. 'Nos' have it. Representative O'Connell."

O'Connell: "I'd like to ask for a Roll Call, please."

Speaker McPike: "Yes. All those in favor of the Amendment signify by voting 'aye', opposed vote 'no'. Representative O'Connell, to explain your vote."

O'Connell: "Could we revert to a voice vote?"

Speaker McPike: "On the Motion there are 6 'ayes', 89... Take the record, Mr. Clerk. On the Amendment there are 6 'ayes', 89 'nos', and the Amendment is defeated. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Brookins."

Speaker McPike: "Representative Brookins."

Brookins: "Yes, Mr. Speaker, I'll withdraw my Amendment."

Speaker McPike: "Gentleman withdraws Amendment #2. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Page six of the Calendar, Senate Bills Second Reading, Senate Bill 495. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 495, a Bill for an Act relating to the review of increasing hospital costs and the containment thereof. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Vinson, Amendment #1."

Vinson: "Mr. Speaker, I think I want to withdraw this Amendment."

Speaker McPike: "The Gentleman withdraws Amendment #1. Further Amendments?"

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

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

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

Giorgi: "Mr. Speaker, I ask leave to withdraw Amendment #2."

Speaker McPike: "Gentleman withdraws Amendment #2. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Lady from Cook, Representative Braun, for what reason do you rise?"

Braun: "Thank you. Mr. Speaker, I just wanted to advise the Membership with regard to the Bill which just went to Third Reading, Senate Bill 495. We are still awaiting the final draft of an agreement that's been reached by all of the interested parties. And until... So, it will be our intention on Monday to bring this Bill back for that Amendment so that we can have this issue resolved by the House."

Speaker McPike: "Thank you."

Braun: "Thank you, Sir."

Speaker McPike: "Page two of the Calendar, Senate Bill 1797. Senate Bills Third Reading, Short Debate. Representative Currie. The Lady asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Hearing no objections, leave is granted. Second Reading. Are there any Amendments?"

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

Speaker McPike: "Representative Ronan, Amendment #1."

Ronan: "Thank you, Mr. Speaker and Members of the House. Amendment #1 to House Bill 17... I'd like leave to withdraw Amendment #1."

Speaker McPike: "Gentleman withdraws Amendment #1. Further Amendments?"

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Clerk O'Brien: "Floor Amendment #2, Ronan - et al."

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

Ronan: "Thank you, Mr. Speaker. Amendment #2 is... is the Amendment replacing Amendment #1. I'd like to consider this legislation at this time. Basically what we're doing is Amendment #2 becomes the Bill. It's a reenactment of House Bill 2938 which passed out of the House less than three weeks ago with a margin of 103 votes. What we're doing here is addressing the issue of Social Security disability and reviewing the situation that occurs right now in the State of Illinois. I passed a Bill out a month ago and... after having worked extensively with the Department of Rehabilitation Services. We've got a situation in the state where people who are covered by Social Security disability have received adverse actions by the Department in relationship to their coverage, and I think it's important that we address it as a Legislative Body to try to do something about guaranteeing the people who deserve this coverage, deserve this program are indeed given their full benefits. There's been some concern that if we pass this legislation, the Federal Government is going to sweep in and take over this program. That's a specious argument. The legislation goes into effect next year which means that the Congress will have acted this year. If Congress acts, then this legislation is no longer needed, and we can reverse it next year. Congress is not going to act. We've got a situation in this state and in all the states around the country where there is a need to review the actions of the Federal Government, review the people who have been knocked off of Social Security disability and to make sure the people who are indeed in line for these benefits receive these benefits. I deplore the actions of the Senate Executive Committee in killing

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

House Bill 2838, but this again will give us an opportunity to send it back to the Senate where hopefully some of the Members on that Committee who made the mistake will see their errors and vote favorably for the legislation. I'll be glad to answer any questions concerning the Amendment."

Speaker McPike: "Gentleman moves for the adoption of Amendment #2. And on that, the Gentleman from Cook, Representative Levin."

Levin: "I rise in support of Amendment #2. I have in front of me a letter from the Department of Rehabilitative Services that was given to every Member of the Senate. And I must say I'm absolutely appalled by the contents of that letter. That letter obfuscates. That letter confuses. That letter makes all kinds of statements with half truths in it. The facts of the matter are that I sat in on hours of negotiations with this Department. We went through, line by line, the concerns that they had, and those substantive concerns were dealt with in the Amendments that were put on in this House to 2838. There is no substantive problem with the Bill. It is in conformity with federal law. As a matter of fact, there is one provision that may not be, but that provision the Department likes more than the federal law. What we have is a Bill that would put us in line with federal law. The problem we have had with our constituents is that this Department has been able to follow whatever procedures they have wanted. They have denied benefits that have subsequently been reversed by the federal administrative hearing officers and by 85 percent of the time. This has cost the State of Illinois money. The reversals have come about because this agency has not followed the federal law and the Federal Court decisions, and it has taken appeals to the administrative law Judges to get the Federal Court decisions and the federal law



STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

followed. This law... This Bill, this Amendment is carefully drafted to put us into conformity with federal law, puts us in administrative conformity. As Representative Ronan indicated, this Amendment would not take effect until next year. This gives us an opportunity, if there is a change in the federal law, to respond to it. I plead for each one of us to vote for this Amendment for the sake of our constituents."

Speaker McPike: "The Gentleman from Cook, Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this fine Amendment. The Senate action in killing this Bill was reprehensible. Like many of you here, I have had constituents contact me with the most grotesque stories of disabilities that they had and yet were knocked off of disability benefits, putting them in the situation of having to go through the appeal process when there was no evidence whatsoever that came up showing that they had improved one bit. Many of them had permanent disabilities. In one case, a young woman was terribly deformed from birth and suffered this disability. She couldn't even appeal through the process. She had to have other people do it for her. She was unable to leave her house where she had been living for years without going outside; yet, she was cut off from disability benefits. I had people who had severe mental problems without again any evidence that there was any clearing up of their... their problems at all and; yet, they were cut off of disability payments. This Bill is needed. It's the right thing. It only requires the state to show that some medical problem had changed, had improved before the disability can be... the disability payments can be knocked off. The stories that have come to me have been terrible ones indeed, and

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

this is, in my view, one of the most important pieces of legislation that we have...we have seen here this Session.

I urge your 'aye' vote on this fine Amendment."

Speaker McPike: "The Lady from Cook, Representative Topinka."

Topinka: "Yes, if I may ask some questions of the Sponsor, please."

Speaker McPike: "He indicates he will yield."

Topinka: "Yeah. Representative Ronan, and I think we all are... in probably in agreement with you that we've had some horrible disability problems in our districts; and, if indeed your Bill does solve that... those problems, I will vote with you. But I would like to clarify in my own mind, because I am confused by virtue of all the literature that's been passed out on this Bill. The question is, or a number of questions are, if this does pass, does this put us out of conformity with federal regulations which are, even now, being reformed - in quotes 'reformed'?"

Ronan: "No, it doesn't, Representative. I... I, too, deplore the inaccurate information that's been spewed upon the General Assembly. What I'd say is that this Bill takes effect next January. Okay? So that the Congress can do all of its actions this summer. If they pass something that says we're out of conformity, then we come back next year and change it. So that this does not go into effect immediately and all that spurious information that's been flooding your side of the aisle can be clarified once and for all."

Topinka: "That really doesn't necessarily answer what I'm asking. I suppose... According to what I have gotten from DORS, which is that an Amendment now is in existence on the federal level, the DOLE Amendment, which dutifully notes that if we are out of conformity, this program will be federalized within six months. If that should happen, I

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

would have to hate to deal with the Federal Government. If we have problems on the state level, I'd hate to go to the Federal Government. Would this be a possibility?"

Ronan: "No, it isn't, Representative. On page three of the Amendment, if you get a chance to read it, it says that if we pass anything that is out of federal conformity, it shall be... automatically become void. So that, if you'd read page three of the Amendment, you'd realize that we're doing nothing that's going to put us out of conformity with the... with the Federal Government."

Topinka: "Alright. Then, also, too, as far as the information that we've gotten that allegedly if this Bill passes the state will not only lose 700 jobs, but allegedly lose 29 million dollars in monies, you know, which could be helpful on the disability level here. How do you stand on that?"

Ronan: "There has been no greater support of state jobs than Al Ronan."

Topinka: "That's why I brought that up. I thought you might want to respond to that..."

Ronan: "Can I... My record in that area is very clear. I have no desire for the state to lose 700 jobs. It's not going to happen. It's again a spurious argument. In fact, if you'd like to join with me, let's put 700 more jobs on the payroll, and I'll just take a very small percentage for the people of my district. We're not going to lose any jobs..."

Topinka: "If I thought you would leave me some, Representative Ronan, I might be in agreement, but you're awfully good at shagging them away. Those are all of my questions. Thank you."

Speaker McPike: "Further discussion? Representative Vinson."

Vinson: "Thank you, Mr. Speaker. I rise for the purposes of a parliamentary inquiry. I question..."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Speaker McPike: "State your inquiry."

Vinson: "I question the germaneness of Amendment #2 to this Bill. The Bill is a Bill for amending the Public Aid Code. It's a Bill which deals totally with preventative health programs. The Amendment deals with the Department of Rehabilitation Services, federal compliance, matters of that... of that sort. It amends an Act in relation to the rehabilitation of disabled persons, and it's clearly nongermane. And I would ask the Chair to so rule."

Speaker McPike: "The point is well taken. The Amendment is not germane. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Representative Vinson, I understand this Amendment has been redrafted and the Parliamentarian is reconsidering his ruling. If you will just give us a moment to take a look at the Amendment, we will be right back with you. Representative Oblinger for what reason do you rise."

Oblinger: "Mr. Speaker, I have a question. All the Bills on Second Reading have been addressed except the Bill that I have, 1873, and I wonder what the Chair intends to do about this Bill."

Speaker McPike: "Representative Oblinger, I wasn't in the Chair earlier, but we are not on that Order of Business or on that page at this time. Representative Ropp, for an announcement."

Ropp: "Yes, thank you, Mr. Speaker. I'd just like to call to the attention of the House that we have a Member among us who will also be having a birthday Sunday that will put him beyond the speed limit, Representative Myron Olson. And Representative Olson says that if you want any cake he thinks maybe Jesse White still has some left for his birthday."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Speaker McPike: "Representative Vinson, to clarify what happened, the Parliamentarian had informed the Sponsor of Amendment #1 that in his opinion it was not germane. And when they brought that up he thought it was the same Amendment. The Parliamentarian has looked at Amendment 2. He has found that that Amendment is not germane. There were no Amendments adopted to this Bill. It will return to Third Reading, Short Debate. Page five of the Calendar, Senate Bill 1644. Read the Bill, Mr. Clerk. I'm sorry. Representative Stuffle. The Gentleman asks leave to return Senate Bill 1644 to Second Reading for purposes of an Amendment. Is there any objections? Hearing none, leave is granted. Second Reading. Are there any Motions?"

Clark O'Brien: "A Motion to table Amendment #6 to Senate Bill 1644, by Representative Satterthwaite."

Speaker McPike: "Representative Satterthwaite, on the Motion."

Satterthwaite: "Mr. Speaker, I move to table Amendment #6. The Amendment was adopted by a voice vote a day or two ago when I was not on the House floor, and the Amendment unfortunately reverses action that was taken in Committee on this Bill. I feel that with this Amendment on the Bill now it is not something that I can support; and, in order to not jeopardize the passage of the Bill, I would hope that the Members of Committee would... Members of the Legislature would go along with the Committee's action. The only way we can do that now is by voting to table Amendment #6. The Bill pertains to both public and private schools, as it stands now. With the tabling of Amendment #6, it would be limited to the public school systems. I believe that in a time when we are not able to give adequate funding to our public schools, that it is inappropriate for us to be obligating additional funds to the private schools as well. I have no problem if, at the

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

point at which we remediate the content of asbestos as within our public schools, we would take further action at that time to extend that into the private schools, but our priority certainly should be with the public schools, and it seems to me that the only way it is feasible at this time is for us to obligate both our resources as far as the Department of Public Health's inspection is concerned and in terms of any funds for remedial action to be devoted to that which is the public domain. And for that reason, I would ask for tabling of Amendment #6."

Speaker McPike: "The Lady moved to table Amendment #6. Is there any discussion? The Gentleman from Cook, Representative Keane."

Keane: "Yes, is Amendment #6 the Amendment that says... that includes the private school inspections for asbestos?"

Satterthwaite: "Yes, it is."

Keane: "I am reading Amendment #8 for the same Bill which we haven't gotten to yet."

Satterthwaite: "We are not... We are not on Amendment #8."

Keane: "But you are including... In that case, you include nonpublic. I... I would resist the Motion to table Amendment #6. The Amendment that we are asked... we are being asked to table is an Amendment which included the private schools in the inspection of... and in the process of removing asbestos from our schools. We had a good... goodly amount of debate on this Amendment at the time it was adopted, and I would resist the removal of the tabling of Amendment #6."

Speaker McPike: "Further discussion?"

Satterthwaite: "Mr. Speaker? Mr. Speaker, in answer to the... "

Speaker McPike: "Representative Satterthwaite, to close."

Satterthwaite: "In answer to the previous speaker, let me indicate that, should Amendment #6 be tabled, I have no

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

further Amendments to offer to the Bill. It is only in the case that it is felt that we need to have Amendment #6 on the Bill for safety of children within the state that I would go ahead to offer a subsequent Amendment; but, if Amendment #6 is tabled, I would leave the Bill in that form and proceed with it in that way. And so I would ask for the support of the Members of this House to go along with the action of the Elementary and Secondary Education Committee and leave the Bill in the form in which it came from Committee. And for that reason, I ask your support in tabling Amendment #6."

Speaker McPike: "The Motion is to table Amendment #6. All those in favor of the Motion to table signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 44 'ayes', 44 'nos'. Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, does it require a simple majority for adoption of the Motion?"

Speaker McPike: "Yes, it does."

Satterthwaite: "Would you poll the absentees, please?"

Speaker McPike: "Mr. Clerk, poll the absentees."

Clerk O'Brien: "Poll of the Absentees. Barger. Berrios. Capparelli. Daniels. Davis. DeJaegher. Ralph Dunn. Dwight Friedrich. Harris. Huff. Krska. McCracken. Neff. Panayotovich. B. Pedersen. Pullen. Shaw. Taylor. Terzich. Tuerk. Vinson. Winchester. No further."

Speaker McPike: "Capparelli 'no'. Representative Hoffman."

Hoffman: "Thank you. Mr. Speaker, please change my vote to 'aye'."

Speaker McPike: "Representative Hoffman, from 'no' to 'aye'. Representative Karpziel."

Karpziel: "Would you please switch me to 'no' please?"

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Speaker McPike: "Representative Karpiel, from 'aye', to 'no'.  
Representative McGann."

McGann: "Mr. Speaker, would you change my vote from 'no' to  
'aye'?"

Speaker McPike: "Representative McGann, from 'no' to 'aye'.  
Representative Berrios, 'no'. Representative Panayotovich,  
'no'. Representative Tuerk?"

Tuerk: "How am I recorded?"

Clerk O'Brien: "The Gentleman is recorded as not voting."

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

Speaker McPike: "Representative Tuerk, 'aye'. Is anyone else  
seeking recognition? Representative Krska, 'no'.  
Representative Pangle, 'no' - from 'present' to 'no'.  
Representative Giorgi."

Giorgi: "Change my vote from 'no' to 'aye'."

Speaker McPike: "Representative Giorgi, 'aye'. Representative  
Giorgi, you've changed your vote from 'no' to 'aye'. What  
is your request? Representative Giorgi."

Giorgi: "After reading the Amendment, I should go back to 'no'."

Speaker McPike: "Representative Giorgi, 'no'. Representative  
Ryder, 'aye'. Mr. Clerk, what is the count? On the Motion  
to table, there are 47 'ayes', 47 'nos', and the Motion  
fails. Any Amendments?"

Clerk O'Brien: "Floor Amendment #7, Stuffle and Levin."

Speaker McPike: "Representative Stuffle, Amendment #7."

Stuffle: "Mr. Speaker and Members, Amendment #7 is a cleanup  
Amendment arrived at by agreement between the Department of  
Public Health and myself and the Senate Sponsor, Senator  
Burman. It changes the deadline dates with regard to the  
underlying Bill for attempting to find which schools are  
suffering from asbestos problems and extends the inspection  
deadline date by a year, and it provides for a cleanup of  
the hearing process in the underlying Bill. It eliminates



STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

the Department from the reporting proceedings to the General Assembly and substitutes the council that is a multi-member body of public and private people that they shall make the report regarding a funding mechanism, cleans up the language on federal funding, and I would ask for an 'aye' vote on this particular Amendment. I know of no opposition to it. It also recognizes those school districts which have taken action prior to the imposition of this Bill. So I ask for an 'aye' vote."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #7. Is there any discussion? The Gentleman from Cook, Representative Keane."

Keane: "Will the Sponsor yield for question?"

Speaker McPike: "Indicates he will."

Keane: "What new duties does this put on private schools in reporting to the state or to any local education body?"

Stuffle: "You've got the wrong Amendment. It's Amendment #8."

Keane: "Thank you."

Speaker McPike: "Further discussion? There being none, the question is, 'Shall Amendment #7 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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

Speaker McPike: "Representative Satterthwaite, Amendment #8."

Satterthwaite: "Request leave to withdraw Amendment #8, please."

Speaker McPike: "The Lady withdraws Amendment #8. Further Amendments?"

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

Speaker McPike: "Representative Satterthwaite, Amendment #9."

Satterthwaite: "Mr. Speaker and Members of the House, the Bill as

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

it now stands shows concern for school children throughout the State of Illinois in regard to health and safety of those children. If we are going to be consistent with that philosophy, then we should also be supporting Amendment #9, which brings the nonpublic schools into compliance with the state code in regard to standards for the physical plan, the heating, and lighting, and ventilation, and sanitation, and safety and equipment of the schools. It is somewhat hypocritical, I believe, for us to be talking about the health hazard of asbestos in our schools and yet having a double standard for our schools in other aspects of health and safety. And so, if we truly believe that the language in the part of the Bill that is there now relating to asbestos is for protection of children, regardless of which schools they go to within the state, then I believe we would certainly want to support Amendment #9 and bring all of our schools within the state within the same health safety codes and provide for that same level of safety for everyone. And for that reason, I offer Amendment #9 to the Bill."

Speaker McPike: "The Lady moves for the adoption of Amendment #9. On that, the Lady from DuPage, Representative Nelson."

Nelson: "Thank you very much, Mr. Speaker, Members of the House.

I think that, given the shape that the Bill is presently in, it has been amended so that it includes both public and private schools as far as inspections for asbestos in the schools and for a system of eventually paying to either rip out the asbestos and replace it or to contain that asbestos, then it is a logical extension of our concern for all the children in the State of Illinois to support Amendment #9. It is tightly drawn so that it in no way would take the power of the state past what I think any of us would believe to be reasonable as far as instructional

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

materials or those types of things to be taught in nonpublic schools. Those are certainly still up to those schools themselves, but it does say that the state has a concern for the health and safety of all of its children, and that efficient and adequate standards for the physical plan, for the heating, lighting, ventilation, sanitation, safety, and equipment and supplies of public and nonpublic schools shall be standards that are set by the state. And I would urge a 'yes' vote on Amendment #9."

Speaker McPike: "The Gentleman from Cook, Representative Keane."

Keane: "Thank you, Mr. Speaker. I rise in opposition to this Bill... or, this Amendment. A couple of Amendments ago, the Sponsor of this Amendment said that, should the asbestos... should the private schools be no longer able to be... to take part in the asbestos program... inspection program that we have, that she would table this Amendment, which is obviously a punitive Amendment. And it's, again, another attempt by public... some factions within public education to stick it to the private schools. This is about the fifth time this has happened this Session. Not only is it a situation where the state can come in and start inspecting, and so could the local superintendents, the regional superintendents, they could close schools down. They have the right to condemn. So again, this is the same Bill that we had before. We've had a number of these Bills this Session, where there's been an attempt to come in and mess in the... mess with the private schools, and I would again ask you to defeat this as you've defeated all the other attempts."

Speaker McPike: "The Gentleman from Marion, Representative Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker McPike: "Indicates she will."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Friedrich: "Representative Satterthwaite, do you know of any case where a child in a private school has been... had a health problem because of asbestos?"

Satterthwaite: "Representative, I'm not aware that there has been any documented problem for either students in private or in public institutions of learning, but I would assume, since the Bill itself now covers both private and public schools and talks about containment and removal of asbestos materials and talks about that in regard to protecting the health of students, that this Body now feels that both public and private students ought to be protected. I don't know of specific instances of documented health problems because of asbestos."

Friedrich: "Well, I guess I go back to my theory. 'If it ain't broke, don't fix it.'"

Speaker McPike: "The Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Mr. Speaker and Members, I think we ought to take a close look at the Amendment. I've listened to the opposition and the proponents to my Bill. Senator Berman and I, throughout the time this Bill has been alive - and it's been alive a long time, and it's been through eight or ten gyrations taking in and taking out and putting in and putting out the private schools. The point is that Representative Friedrich's remark about the fire safety issue, that's where it should have been directed, not to asbestos, because this Amendment deals with covering the private schools - the nonpublic schools under fire and safety. The irony of the whole thing is this. The original reason for putting in the fire safety thing was because of the... of the violent deaths, the major fire that occurred in a Catholic school, a Catholic church school in Chicago. Ironically, when this was passed, they

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

were'n't covered. Only the public schools were covered. Now, I have never supported those four or five attempts that Representative Keane spoke about here, with regard to reporting and curriculum this year, that would be burdens placed upon the nonpublic schools. Once they're in this Bill, once the nonpublics can benefit from what is a safety related measure, when there is a funding mechanism, then I can't see how, equitably, we can exclude them from being covered by the fire safety codes of the state and those four or five Sections in the statute. They probably should have been covered from the very beginning, because that is where and what precipitated the original code. So, I rise in support of Amendment #9, not because it's a burden on the nonpublic schools, because I think if you're going to treat them the same way with regard to the funding down the road. And the same way with regard to finding the problems down the road, and you ought to be treating them the same way with regard to the inspections in Illinois. And they should have been there in the first place."

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I couldn't agree more with Representative Stuffle on this issue. We hear a lot about fairness, and we hear a lot about equity. We hear a lot about equal protection for children, equal opportunities. If there was ever an Amendment that had been proposed on the floor of this House which met all of those qualifications, this Amendment certainly does, and I would rise in support of it."

Speaker McPike: "Representative Satterthwaite, to close."

Satterthwaite: "Mr. Speaker and Members of the House, the Bill that we are seeking to amend here indicates, and the vote that was taken a few minutes ago on tabling Amendment #6, indicate that it is the will of this House that we provide

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

equal protection for children of public and nonpublic schools within the state. I believe that if you want to follow that philosophy, that you should then support Amendment #9, which says that the nonpublic as well as the public schools should be subject to inspection for health and safety purposes. And for that reason, I urge your support of Amendment #9 to Senate Bill 1644."

Speaker McPike: "The Lady has moved for the adoption of Amendment #9. The question is, 'Shall Amendment #9 be adopted?' All those in favor signify by voting 'aye', opposed vote 'no'. Cullerton, 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 36 'ayes', 53 'nos', and the Motion to adopt fails. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Page two of the Calendar, Senate Bill 1735. Representative Nash asks leave to return 1735 to Second Reading for the purposes of an Amendment. Are there any objections? Hearing none, leave is granted. Motions. Are there any Motions, Mr. Clerk?"

Clerk O'Brien: "A Motion to table Amendment #3 to Senate Bill 1735, by Representative... by Representative Berrios."

Speaker McPike: "Representative Berrios."

Berrios: "I move to table Amendment #3 because it's technically deficient."

Speaker McPike: "The Gentleman moves to table Amendment #3. Is that your Amendment? Okay. The Gentleman moves to table Amendment #3. Is there any discussion? Being none, the question is, 'Shall Amendment #3 be tabled?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative Nash and Berrios."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Speaker McPike: "Representative Nash, Amendment #4."

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #4 does the same thing that Amendment #3 did, except Amendment #3 had some technical errors and Amendment 4 corrects it. I move for its adoption."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #4. Is there any discussion? Being none, the question is, 'Shall Amendment #4 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Gentleman asks leave for House Bill... for Senate Bill 1735 to remain on the Order of Short Debate. Are there any objections? Hearing none, leave is granted. 1735, Third Reading Short Debate. Page three of the Calendar, Senate Bill 1625. I am sorry. page five of the Calendar, Senate Bill 1625."

Clerk Leone: "Senate Bill..."

Speaker McPike: "Representative Ropp asks leave to return Senate Bill 1625 to Second Reading for purposes of an Amendment. Are there any objections? Hearing none, leave is granted and 1625, Second Reading."

Clerk Leone: "Amendment #3, Ropp, amends Senate Bill..."

Speaker McPike: "Representative Ropp, Amendment #3."

Ropp: "Thank you, Mr. Speaker and Members of the House. I assume that when 1625 was introduced it excluded the County of Cook. This Amendment clearly exempts the County of Cook from any portion of this Bill, and I move for it's passage."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #3. Is there any discussion? Being none, the question is, 'Shall Amendment #3 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes'

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. Page five of the Calendar, Senate Bill 1725. Representative Homer asks leave to return Senate Bill 1725 to Second Reading for purposes of an Amendment. There any objections? Hearing none, leave is granted. 1725, Second Reading."

Clerk Leone: "Amendment #6 Homer, amends Senate Bill 1725 as amended."

Speaker McPike: "Representative Homer, Amendment #6. Representative Homer."

Homer: "Thank you, Mr. Speaker, Members of the House. The Bill itself enacts the Bill or Rights for victims of violent crimes. One of the rights the family members of a deceased victim have pursuant to this Bill is to be notified upon request to the status of a criminal investigation the Department of Law Enforcement voiced the concern that there are instances were the family member may in fact be a suspect in the investigation and, thereby, giving that person the right to be fully apprised as to the status may in fact compromise the investigation itself. So Amendment #6 is offered in order to address that concern by providing that where the state's attorney determines that the disclosure of the information would unreasonably interfere with the investigation, that the status would not need to be disclosed to that family member. And again it's offered at the request of the Department of Law Enforcement, and I would ask for your support."

Speaker McPike: "Gentleman moves for the adoption of Amendment #6. On that, the... Representative Cullerton."

Cullerton: "Yes, will the sponsor yield?"

Speaker McPike: "Yes, he will."



STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Cullerton: "Representative Homer, this Amendment was suggested by the Department of Law Enforcement. Have they reviewed this Bill in it's entirety as far as you are aware?"

Homer: "I think that they have."

Cullerton: "And have the representatives from various state's attorneys' offices from through out the State reviewed this Bill in it's entirety as far as you are aware?"

Homer: "As far as I know."

Cullerton: "Can we safely say then that with the adoption of this Amendment, that we will have absolutely nothing left in the Bill?"

Homer: "That I am not aware of."

Cullerton: "Okay. We'll discuss that on Third Reading. Thank you. I think this is excellent Amendment. I think it finally fills that last gap that was left in this Bill where it actually did something, and I would move for the... and I would be happy to support them in the adoption."

Speaker McPike: "Representative Dunn. Representative John Dunn."

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

Speaker McPike: "Indicates he will."

Dunn: "I missed the explanation. Would you tell me what this Amendment does again?"

Homer: "Okay. Under the Bill, if a family member who is defined as a member of the immediate family of a decedent who is the victim of a violent offense, under the Bill, that family member has the right to request a status report from the investigating law enforcement agency as to the status of the investigation into the circumstances of that death. The Department of Law Enforcement's concern was that there are situations were the family member, him or herself, is actually the suspect in the investigation, and their concern was that if you require the suspect to be notified

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

as to the status of the investigation that in fact you are being called upon to compromise that investigation. So the Amendment says that were the state's attorney determines that the disclosure of the information would unreasonably interfere with the investigation, that that disclosure be... not be given to that family member. And again that is for the specific situation were the family member is a suspect in the investigation."

Dunn: "Then what happens when someone suspects that he or she is the target of an investigation and is a family member? Is it a smart thing to do then to make a request for the status of the investigation and if the request is denied then you know you better buy a plane ticket to Mexico?"

Homer: "Well, certainly in all other situations where the disclosure would not compromise or interfere with the investigation you would be entitled to that information. So if you made that request and the law enforcement agency refused to give you that information and then the state's attorney approved that decision, then I think that it would be fair for you to assume that perhaps you are being considered as a suspect. Yes."

Dunn: "What is the current law about victims and the right to know the status of an investigation?"

Homer: "Well, at the current time a victims or family members are not required to be given information as to the status of an investigation. And in fact under the Freedom of Information Act that we passed last year, it's my understanding that we put in specific exceptions so that law enforcement departments would not be required to give out such information. So this Bill would enlarge the rights of such victims."

Dunn: "Have there been a lot of victims asking for this legislation?"

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Homer: "Well, I don't have a count on that issue. Yeah, the deceased victims have not asked for it."

Dunn: "So far as we know. Thank you."

Dunn: "Thank you."

Speaker McPike: "Representative Slape."

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

Speaker McPike: "Indicates he will."

Slape: "Representative Homer, will this make it easier to get convictions in Fulton County?"

Homer: "I am sure it will."

Slape: "And will this satisfy Truman Capoty?"

Speaker McPike: "There being no further discussion, the question is, 'Shall Amendment #6 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. Page five of the Calendar, Senate Bill 1841. Representative Kean. The Gentleman asks leave to return Senate Bill 1841 to Second Reading for purposes of an Amendment. Any objections? Hearing none, leave is granted."

Clerk Leone: "Amendment #4 Brookins, amends Senate Bill..."

Speaker McPike: "Representative Brookins, Amendment #4. Representative Keane."

Keane: "I had talked earlier to Representative Brookins, and it is his intent to withdraw Amendment #4. Or table it. I move to table Amendment #4."

Speaker McPike: "Gentleman moves to table Amendment #4. All those in favor signify by saying 'aye', opposed 'no'. the 'ayes' have it. And the Motion carries. Amendment #4 is tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #5 Homer, amends Senate Bill..."

Speaker McPike: "Representative Homer, Amendment #5."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. Amendment #5 addresses an issue of where there has been a verdict returned finding a defendant not guilty by reason of insanity. Under current law where such a verdict is been returned a Judge may order one of three choices. The Judge can order that individual so found not guilty by reason of insanity to be involuntarily committed into a mental hospital, or the Judge can order that individual to receive out-patient treatment at a mental health center, or the Judge can order a total discharge of that individual from further obligations. If the Judge orders out-patient treatment, then or upon such time as an individual who was involuntary committed is ready for release, then the court puts that individual on what is called conditional release for a period of five years, under current law. Now, during that time of conditional release the defendant may be ordered to continue undergoing out-patient treatment, can be ordered into an alcohol or drug rehabilitation program, to undergo group therapy or to take medication. Now the Amendment is being offered at the urging of the Isaac Ray Center, which is a psychiatric unit in Chicago that was created in 1978 by the Department of Mental Health and Development Disabilities for the purpose of rendering this out-patient treatment to individuals who have been found not guilty by reason of insanity. They feel that the five year period of conditional release and the five year period of treatment is woefully inadequate. And they are faced with the situation where a number of their patients are ready for final release, because the five year period has been told and; yet, they feel strongly that these individuals should continue to receive treatment for their own benefit as well as that for society's. And so the Amendment very simply would allow the court upon petition

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

by the clinic or by the treating physician or by a state's attorney to extend that conditional release for out-patient treatment an additional five years where the situation warrants it, and I would ask for your favorable consideration."

Speaker McPike: "Gentleman has moved for the adoption of Amendment #5. On that, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, to the Amendment. I really believe that this Amendment is probably not a good idea the way it is drafted. It doubles the amount of time that a person who is found not guilty can be potentially locked up. In fact, it increases that amount of time up to ten years. The person might wish that he had been found guilty and because perhaps the state would not have been able to incarcerate him for that long. Now I would admit that it's possible that we may need to extend this period of time or to modify the current law in some way, but I would hope that if this Amendment gets on the Bill, that the Bill would go to a Conference Committee at least so that we can perhaps give it a one or two year extension and then study the issue next year. But I think to double the amount of time that a person can be incarcerated is really onerous and in the words of Representative... former Representative 'Sturney Druconeau'."

Speaker McPike: "Further discussion? Being none, the question is 'Shall...' Representative Homer, to close."

Homer: "Thank you, Mr. Speaker. Let me clarify one thing that Representative Cullerton said. This Amendment has nothing to do with incarceration. This would not... this applies only to individuals who are unergoing out-patient treatment, not people who are institutionalized, who are in jail or whose freedom is any way confined. We are strictly

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

talking about out-patient individuals, individuals who have been found not guilty only by reason of insanity, and I would like to in just... in closing just apprise you of a short portion of the letter that was..."

Speaker McPike: "Briefly, Representative Homer."

Homer: "Where the Isaac Ray Center indicates that this Amendment is critical if we are to monitor the mentally ill, and they point out that 66 percent of their patients are on medication and that 60 percent of their patients have been charged with murder or attempted murder. And they point out that societal interest demands this type of continued treatment. It is certainly a win-win situation. It's a win for the defendant who continues to receive his medication and treatment where necessary, and it is certainly a win for society and public who is protected from potential violent offenders. I would ask for your support."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #5. The question is, 'Shall Amendment #5 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. Page two of the Calendar, Senate Bill 1375. Representative Tate asks leave to return 1375 to Second Reading for purposes of an Amendment. Are there any objections? Hearing none, leave is granted. 1375, Second Reading. Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Amendments?"

Clerk Leone: "Amendment #... Correction. Motion to table Amendment #1 to Senate Bill 1375, filed by Representative Tate."

Speaker McPike: "Representative Tate, withdraws the Motion to

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Table. Are there any Amendments."

Clerk Leone: "Floor Amendment #6, Johnson, amends Senate Bill 1375 as follows."

Speaker McPike: "Representative Johnson, on Amendment #6 to be handled by Representative Vinson with leave of the Body. Hearing no objections, Representative Vinson, on Amendment #6."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the Assembly, Amendment #6 deletes the criminal provisions and substitutes a civil... a civil remedy for self-insured employees... the employers or unions whose employees or members misrepresent a material fact relating to a claim for payment or benefits by the self-insured providers health care program. The employer or union would be entitled to reimbursement for the amounts lost plus costs of recovery including reasonable attorneys fees I believe this is a compromised solution to the problem posed in this matter, and I would urge adoption of Amendment #6 to Senate Bill 1375."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #6. And on that, he Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. Would the sponsor yield? Would the sponsor yield?"

Vinson: "Yes."

Cullerton: "Did you... As I understand this Amendment, would this strike what has already been passed on Amendments and as what was found in the original Bill?"

Vinson: "Yes. It would improve on those earlier Amendments."

Cullerton: "And is the Sponsor of those earlier Amendments and the Sponsor of the Bill in favor of this Amendment?"

Vinson: "I am advised thatthat is the case. I do know that the Sponsor of the Bill is, and he advises me the Sponsor of

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

the earlier Amendment is."

Cullerton: "Mr. Speaker, I would question the germaneness of this Amendment."

Speaker McPike: "Representative Vinson."

Vinson: "Yes, Mr. Speaker, I would just simply make the point that the underlying Bill deals with the subject of health insurance fraud. And that is percisely what the Amendment does."

Parliamentarian Pollak: "On behalf of the Speaker, the Amendment is not germane. The Bill deals with the crime of health insurance fraud while the Amendment creates the self-insured providers Health Care Payment and Protection Act."

Speaker McPike: "The Amendment is not germane. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. Page six of the Calendar, Senate Bill 1964. Representative Vinson asks leave to return this to Second Reading for purposes of Amendment. Are there any objections. Hearing none, leave is granted. 1964, Second Reading."

Clerk Leone: "Amendment #2, Vinson, amends Senate Bill..."

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

Vinson: "Mr. Speaker, I would just ask to withdraw Amendment #2..."

Speaker McPike: "The Gentleman withdraw Amendment #2. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Representative Vinson."

Vinson: "Just move the Bill to Third Reading, please."

Speaker McPike: "Third Reading. Page six of the Calendar, Senate Bill 1976. Representative Vinson. The Gentleman asks leave to return this Bill to Second Reading for purposes



STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

of an Amendment. Are there any objections? Hearing none,  
leave is granted. 1876, Second Reading."

Clerk Leone: "Amendment #2, Hallock, amends Senate Bill 1876."

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

Hallock: "I would ask leave to withdraw #2."

Speaker McPike: "The Gentleman withdraws Amendment #2. Further  
Amendments?"

Clerk Leone: "Floor Amendment #3, Hallock, amends Senate Bill..."

Speaker McPike: "Representative Hallock, Amendment #3."

Hallock: "#3 is just like House Bill 2609, which we passed here  
unanimously. If you recall the Bill itself, it gave  
veterans employment credit to any veteran who had been in  
combat and disabled and, therefore, discharged  
prematurely before the two years was up. It allows him to  
get the same kind of veterans' preference other veterans  
currently get if they have two years or more, and I would  
ask for it's support."

Speaker McPike: "The Gentleman moves for the adoption of  
Amendment #3. Is there any discussion? Hearing none, the  
question is, 'Shall Amendment #3 be adopted?' All those in  
favor signify by saying 'aye', opposed 'no'. The  
'ayes' have it, and the Amendment is adopted. Further  
Amendments?"

Clerk Leone: "Floor Amendment #4, Vinson, amends Senate Bill..."

Speaker McPike: "Representative Vinson, on Amendment #4."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentleman of the  
Assembly. Amendment #4 to House Bill 1876 amends the  
Purchasing Act to correct certain language in the way in  
which the Purchasing Act applies to the purchasing of  
computer equipmen. Currently what the Purchasing Act does  
in it's application to purchases of computer equipment is  
to require that a computer dealer who... a computer company  
which sells a computer or other electrical or data

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

processing equipment to the state and who subsequently sells the same equipment to another unit of government for a lower price, to lower the price to the state. What the Amendment would do, what the change... what I just described is the existing Act. What the Amendment does is to insert two conditions to that requirement; one, that the subsequent sale be contemporaneous and; secondly, that the subsequent sale be under the same or similar financial terms and circumstances. And I am advised by the Department of Central Management Services that this is essentially how they currently police the Act and, secondly, that failure to administer the Act in this particular fashion could result in a reduction in bidders for software and data processing equipment, and I would move for the adoption of Amendment 4 to Senate Bill 1876."

Speaker McPike: "Representative Cullerton, the Gentleman has moved for the adoption of Amendment #4, And on that, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. Representative Vinson, I think for the purposes of legislative intent perhaps you could define what you believe to mean... what you believe contemporaneous to mean. Does it mean the exact same day or within a reasonable period of time?"

Vinson: "Yes, within a reasonable period of time."

Cullerton: "Thank you."

Speaker McPike: "Representative Dunn. Representative Dunn."

Dunn. J.: "Will the Sponsor yield for a question?"

Speaker McPike: "Yes. Indicates he will."

Dunn: "Why this change? If a contract under this concept that you are talking about, which I think is sometimes called the most favorable nation approach to things, in the present law, if there is a contract release and there and anytime thereafter there is a contract release with better terms

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

and conditions, the state can take advantage of that, but your Amendment would not allow that. Why should the State of Illinois give up something so advantageous that it now has?"

Vinson: "Representative, let me describe a situation to you, the kind of situation that is potentially beginning to emerge in this area and then explain the public policy reason for it. Under current law there is doubt about the following situation. Let's assume a computer company sells a computer to the State of Illinois on a lease purchase agreement, which is the normal form that these sales are cast in. The computer company finances that sale. That is part of the arrangement. If the financing of that sale is done, let's say, at an interest rate of 12 percent currently obtaining, then let's assume a second case a year later and the same computer is sold to another unit of government but interest rates have been substantially reduced, say, 9 percent. Then currently the sale... under current law the sale would have to be totally recast. Now what is beginning to emerge is that vendors who are faced with that kind of action at a date far removed from the original sale and in financial circumstances totally different from the initial sale that the threat of that arising is beginning to operate to reduce the number of vendors willing to bid for this kind of business. That's the public policy reason."

Dunn: "You're telling me that the public policy reason for this Amendment is that with the intense competition in the electronic data processing equipment field, that there is going to be a scarcely bidders to sell equipment in a market as large as the market available from the State of Illinois."

Vinson: "That is what I am advised."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 22, 1984

Dunn: "I don't know who your advisors are, but I think the computer equipment companys are all trying to cut each others throats and would jump at the chance to sell a piece of equipment to anybody, let alone a large customer like the State of Illinois. And I... Mr. Speaker, Ladies and Gentlemen of the House, I rise in an opposition to this Amendment. What we have in the current law, if I understand things correctly, is a favorable provision for the benefit of the taxpayers of the State of Illinois. The provision provides that where there is a contract for the rental or lease of electronic data processing equipment, that all contracts shall include a clause that if later a contract is granted upon more favorable terms than the prior contract shall be reformed to include those more favorable terms. And what could be more fair to the taxpayers? On the other hand this Amendment says that... just the opposite. In the event a contract is later granted, that it does not have to go back, that the earlier contract does not have to be reformed if the subsequent contracts are more favorable and the reasoning is that there is going to be a scarcely of bidders in the electronic data processing area. I think that's hog wash. Everything you read is that every computer company is trying to to develop equipment which is integrated completely with it's competitor system so they can run the competition into the ground. They're cutting each others throats for business for the little guy, for the little customers, the individual purchasers, let alone a large purchaser like the State of Illinois. So I think we'd make a bad mistake if we adopt this Amendment, and I would urge the Membership to reject it."

Speaker McPike: "The Gentleman has moved for the adoption of Amendment #4. The question is, 'Shall Amendment #4 be

STATE OF ILLINOIS  
93RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #5, Huff - Cullerton, amends Senate Bill 1876."

Speaker McPike: "Representative Huff. Representative Cullerton." Cullerton "Yes. Representative Huff and I have collaborated on this Amendment which would allow for the transfer of some land from the state to a private church group for the sum of 10,000 dollars for the City of Chicago. I'd move for the adoption of the Amendment."

Speaker McPike: "Gentleman moves for the adoption of Amendment #5. Is there any discussion? Being none, the question is, 'Shall Amendment #5 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. Returning to Senate Bills, Second Reading appears Senate Bill 1857. On the previous Bill, Senate Bill 1876, the Gentleman asks leave for it to remain on the Order of Short Debate. Is there any objections? Hearing none... Their are objections so the Bill will be moved to Third Reading. 1876, Third Reading. Representative Ropp, for what reason do you rise?"

Ropp: "Mr. Speaker, I guess the parliamentary procedure. Was there an appraisal of that piece of property that was rather quickly sold?"

Speaker McPike: "Representative Ropp, your question is not timely. The Bill is on Third Reading."

Ropp: "Well. I am not quite sure."

Speaker McPike: "It is not timely. The Bill is on Third Reading. House Bill 1857. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1857, a Bill for an Act relating to

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

civic centers. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker McPike: "Were there any Motions filed?"

Clerk Leone: "Motion to table. 'I move to table Amendment #2 to Senate Bill 1857', filed by Representative Cullerton."

Speaker McPike: "Representative Cullerton, on the Motion."

Cullerton: "Yes. I move to table Amendment #2 which deals with the operating subsidy program for civic centers that will be dealt with, I understand, in another Bill. So I would to table Amendment #2."

Speaker McPike: "The Gentleman moves to table Amendment #2. Is there any discussion? Being none, the question is, 'Shall Amendment #2 be tabled?' All those... Representative Piel."

Piel: "Just a question. Who is the Sponsor of Amendment #2, Mr. Speaker, and if it is not Representative Cullerton, did... is it okay with the Sponsor of the Amendment?"

Speaker McPike: "Representative Terzich is the Sponsor of Amendment #2."

Piel: "Was that cleared with him?"

Speaker McPike: "Yes. It has been cleared."

Piel: "Thank you."

Speaker McPike: "The question is, 'Shall Amendment #2 be tabled?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Motion to table prevails. Further Amendments?"

Clerk Leone: "Amendment #3, Doyle, amends Senate Bill 1857 as amended."

Speaker McPike: "Representative Doyle, Amendment #3. Representative Cullerton."

Cullerton: "Yes. I believe that that Amendment was adopted on another Bill and I don't see Representative Doyle here. So perhaps I can move to table that Amendment."

Speaker McPike: "Gentleman moves to table Amendment #3. Is there

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

any discussion?"

Cullerton: "Mr. Speaker? One second. I am sorry Mr. Speaker, it is not the same as the other Amendments. So I believe that we should attempt to adopt this Amendment."

Speaker McPike: "Representative Doyle is not here."

Cullerton: "Well, with leave of the House then perhaps you can allow me to handle the Amendment."

Speaker McPike: "The Gentleman asks leave to handle Amendment #3 for Representative Doyle. Hearing no objections, leave is granted. Representative Cullerton."

Cullerton: "Yes. This House Amendment #3 changes from the Rosemont Horizon... the name from the Rosemont Horizon to the O'Hare Exposition Center as a facility which would be eligible for the state financial rehabilitation assistance. I move for the adoption of the Amendment."

Speaker McPike: "Gentleman moves for the adoption of Amendment #3. Is there any discussion? There being none, the question is, 'Shall Amendment #3 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Giorgi - Van Dwyne, amends Senate Bill 1857..."

Speaker McPike: "Representative Giorgi, Amendment #4."

Giorgi: "Mr. Speaker, the contents of Amendment #4 will appear on a Bill later on. So I withdraw Amendment #4."

Speaker McPike: "The Gentleman withdraws Amendment #4. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. Representative Currie, on a Motion. Representative Currie... Representative Currie, on a Motion."

Currie: "Thank you. I am... Thank you, Mr. Speaker and Members

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

of the House. I move to suspend Rule 37(g) which is the Third Reading deadline for House Bills on House Bill 2350. The same Motion suspends Rule 27(c) so the Bill can be discharged from the Interim Study Calendar and considered before July 1st of this year. And I move to discharge the House Human Services Committee from further consideration of House Bill 2350 so that the Bill can be on the Order of Second Reading, Second Legislative Day."

Speaker McPike: "The Lady has moved to suspend 37(g), discharge Human Services from further consideration, move to House Bill 2350, Second Reading, Second Legislative Day. And on the Motion, Representative Vinson."

Vinson: "Thank you, Mr. Speaker Ladies and Gentlemen of the Assembly. I rise in support of the Ladies Motion, but I believe that because of the hour and the day and people's general tiredness that it becomes important in this case to speak to the substance of the Motion so that Members understand precisely what is occurring, and I believe Members should then support the Motion strongly. What this will effectuate will be that a possibility of moving a Bill to the Senate which will be held in the Senate until the Fall Veto Session for the purposes of, if revenue is sufficient at that time, removing the 500 dollar per day cap on general assistance hospital admissions. The Lady has worked long and hard on the subject. I believe she should have her opportunity to move her Bill there and she has agreed to have it held there so that we can determine at that point if there is sufficient revenue for the state to do this. I rise for the Motion."

Speaker McPike: "Further discussion? There being none, the Lady asks leave to use the Attendance Roll Call for the Motion. Are there any ob... There are objections. All those in favor of the Motion signify by voting 'aye', all those



STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 22, 1984

opposed by voting 'no'. Have all voted a wish? The Clerk will take the record. On this Motion there are 87 'ayes', and 9 'no' and the Motion carries. And House Bill 2350 will be placed on the Calendar, on the Order of Second Reading, Second Legislative day. Representative Currie, on a Motion."

Currie: "What I would like to do is... is since the Bill is on Second Reading, I think Representative Vinson wanted to withdraw an Amendment and I wanted to offer an Amendment."

Speaker McPike: "Read the Bill, Mr. Clerk. House Bill 2350."

Clerk Leone: "House Bill 2350, a Bill for an Act to amend the Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Are there any Motions filed?"

Clerk Leone: "No motions filed."

Speaker McPike: "Representative Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the Assembly, I would move to table House Amendment #2 of which I am the Sponsor to this Bill."

Speaker McPike: "Are there any other Floor Amendments?"

Clerk Leone: "Floor Amendment, #2 amends House Bill..."

Speaker McPike: "The Gentleman from DeWitt has moved to table Amendment #2. Is there any discussion? Being none, the question is, 'Shall the Amendment #2 be tabled?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Currie - Topinka."

Speaker McPike: "Representative Currie, Amendment #3."

Currie: "Thank you, Mr. Speaker and Members of the House. Amendment #3 to House Bill 2350 would apply a January 1st, 1985 effective date to the lifting of the 500 dollar cap on general assistance hospital stays. I urge it's adoption."

Speaker McPike: "The Lady moves for the adoption of Amendment #3."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Is there any discussion? Being none, the question is, 'Shall Amendment #3 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No Further Amendments."

Speaker McPike: "Representative Cullerton, on a Motion."

Cullerton: "Yes. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to suspend Rule 37(g) to extend the deadline for consideration of Senate Bill 1893 to the end of the day on Wednesday, June 27th."

Speaker McPike: "The Gentleman moves to suspend 37(g) in regards to Senate Bill 1893. And on that, Representative Vinson."

Vinson: "Well, Mr. Speaker, I don't know what that Bill is. I don't know what the substance of that Bill deals with, and I rise in opposition to the Gentleman's Motion."

Speaker McPike: "Representative Cullerton."

Cullerton: "Yes. This Bill deals with McCormick Place tourism and the World's Fair. It's currently in the World's Fair Committee."

Speaker McPike: "It's a new Bill. Representative Vinson hasn't heard of it. Representative Vinson."

Vinson: "Now that we know what it deals with, I remove my opposition."

Cullerton: "Thank you."

Speaker McPike: "Thank you. The Gentleman asks leave to use the Attendance Roll Call to suspend Rule 37(g). Representative Cullerton. Representative Currie."

Currie: "Just to announce..."

Speaker McPike: "Representative Currie."

Currie: "Have you already adopted the Motion?"

Speaker McPike: "No. Are there any objections? Hearing none, leave is granted. The Attendance Roll Call will be used and the Motion carries."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Currie: "But then...."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker Members of the House. I would like to announce that the House Select Committee on the World's Fair will hold a hearing Monday morning at 9:00 in Room 114 in order to consider Amendments and 'do pass' and 'do not pass' Motions on Senate Bill 1893."

Speaker McPike: "Representative Cullerton, the Adjournment Resolution. Mr. Clerk, read the Resolution."

Clerk Leone: "Senate Joint Resolution 127. Resolved by the House of... resolved by the Senate of the 83rd General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the two Houses adjourn on Friday, June 22nd 1984, they stand adjourned until Monday, June 25th 1984 at 10:00 a.m."

Speaker McPike: "Representative Cullerton."

Cullerton: "Yes. Thank you, Mr. Speaker. I move for the adoption of Senate Joint Resolution 127; that we adjourn until Monday at 10:00 a.m."

Speaker McPike: "The Gentleman moves for the adoption of Senate Joint Resolution 127. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Adjournment Resolution is adopted. Agreed Resolutions."

Clerk Leone: "House Resolution 1091, Madigan; 1092, Preston; 1094, Topinka; 1096, Curran; 1097, Brookins; 1098, Brookins; 1099, Jane Barnes; 1100, Jane Barnes. And Senate Joint Resolution 126, DiPrima."

Speaker McPike: "Representative Giorgi. Speaker Madigan in the Chair."

Speaker Madigan: "Mr. Giorgi, before we proceed with consideration of the Resolutions and before everyone leaves we now have all Senate Bills on the Order of Third Reading so that we have handled as many Amendments as possible."

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

Monday is the final day for consideration of Senate Bill on Third Readings. So everyone should be prepared to work long hours on Monday, and we may be required to stay in Monday night and to work late Monday night. We'll work as long as needed to get the work done, but just please be advised that when you come back on Monday we may be required to stay in Session for several, several hours. So thank you very much. Mr. Giorgi."

Giorgi: "Mr. Speaker, House Resolution 1091, by Speaker Madigan, honors the Columbus-Cuneo-Cabrini Medical Center. 1092, by Preston, marks a Birthday. 1094, Topinka, honors Richard Ensweiler. 1096, by Curran, congratulates the Springfield Jaycees. 1097, by Brookins, congratulates Otis Love. 1098, by Brookins, congratulates Margaret McCarthy. Barnes' 1099 notes the Deleo longevity on the Police Force. 1100, by Barnes, celebrates a 50th. Curran's 1101 utilizes the Den Chilli Parlor. And 126, by DiPrima, notes that USS Chicago will be placed in Lake Michigan. I move for the adoption of the Agreed Resolutions."

Speaker Madigan: "Mr. Vinson."

Vinson: "Do any of the Agreed Resolutions deal with the Chicago Skyway or the Calumet Skyway Bridge?"

Giorgi: "No, Sir."

Vinson: "Thank you."

Speaker Madigan: "That's already been adopted. Those in favor of the Resolutions say 'aye', those opposed say 'no'. The 'ayes' have it. The Resolutions are adopted. Mr. Clerk, anything further? General Resolutions."

Clerk Leone: "House Resolution 1095, Bullock - Terzich."

Speaker Madigan: "Committee on Assignment. Anything further? Death Resolutions."

Clerk Leone: "House Resolution 1090, Shaw, in respect to the memory of Millie Williams. House Resolution 1093, Madigan

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

June 22, 1984

- Daniels, in respect to the memory of William Lee. And Senate Joint Resolution 124, Madigan, in the respect to the memory of William A. Lee."

Speaker Madigan: "Mr. Cullerton moves for the adoption of the Death Resolutions. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Resolutions are adopted. Introduction and First Reading."

Clerk Leone: "House Bill 3280, Dwight Friedrich - Winchester, a Bill for an Act to amend Sections of an Act in relation to state finance. First Reading of the Bill."

Speaker Madigan: "Mr. McPike moves that the House stand adjourned until Monday morning at 10:00 a.m. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The House stands adjourned until Monday morning at 10:00 a.m."

10/02/84  
16:11

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 1

JUNE 22, 1984

HB-1563 CONCURRENCE	PAGE	10
HB-2350 SECOND READING	PAGE	153
HB-2350 MOTION	PAGE	152
HB-3280 FIRST READING	PAGE	157
SB-0495 SECOND READING	PAGE	117
SB-0626 SECOND READING	PAGE	111
SB-1236 SECOND READING	PAGE	112
SB-1375 RECALLED	PAGE	142
SB-1425 RECALLED	PAGE	3
SB-1425 THIRD READING	PAGE	4
SB-1457 THIRD READING	PAGE	6
SB-1484 RECALLED	PAGE	89
SB-1484 MOTION	PAGE	104
SB-1524 SECOND READING	PAGE	41
SB-1612 SECOND READING	PAGE	45
SB-1625 RECALLED	PAGE	135
SB-1629 SECOND READING	PAGE	48
SB-1644 RECALLED	PAGE	125
SB-1654 SECOND READING	PAGE	58
SB-1659 SECOND READING	PAGE	110
SB-1664 SECOND READING	PAGE	58
SB-1725 RECALLED	PAGE	136
SB-1727 SECOND READING	PAGE	59
SB-1733 SECOND READING	PAGE	60
SB-1735 RECALLED	PAGE	134
SB-1746 SECOND READING	PAGE	107
SB-1790 SECOND READING	PAGE	68
SB-1794 SECOND READING	PAGE	88
SB-1797 RECALLED	PAGE	118
SB-1841 RECALLED	PAGE	139
SB-1857 SECOND READING	PAGE	149
SB-1864 RECALLED	PAGE	144
SB-1876 RECALLED	PAGE	144
SB-1893 MOTION	PAGE	154
SB-1933 SECOND READING	PAGE	40
SB-1943 RECALLED	PAGE	8
SB-1943 THIRD READING	PAGE	9
SJR-0127 ADOPTED	PAGE	155

SUBJECT MATTER

HOUSE TO ORDER - SPEAKER MADIGAN	PAGE	1
PRAYER - REVEREND CARL J. CLARK	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	2
MESSAGE FROM SENATE	PAGE	2
AGREED RESOLUTIONS	PAGE	2
RECESS	PAGE	68
HOUSE RECONVENES - SPEAKER MADIGAN IN CHAIR	PAGE	68
REPRESENTATIVE MCPHIE IN CHAIR	PAGE	107
AGREED RESOLUTIONS	PAGE	155
SPEAKER MADIGAN IN CHAIR	PAGE	156
GENERAL RESOLUTION	PAGE	157
DEATH RESOLUTIONS	PAGE	157
ADJOURNMENT	PAGE	157