

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

62nd Legislative Day

June 26, 1985

Speaker Greiman: "The hour of 10:00 having arrived, the House will be in Session. The chaplain for today will be Father Daniel McCarthy, Pastor of St. Timothy's Catholic Church of Chicago. Father McCarthy is a guest of Representatives Lee Preston and Alan Greiman. Will the guests in the gallery please rise for the invocation? Father McCarthy."

Father Daniel McCarthy: "Heavenly Father, You have shown us Your great power in the creation of the world and in Your control of the wind, and the sea, and the stars. In Your goodness You have chosen to share Your gifts with us, Your children. We gather here each with special talents, and gifts, and energies that reflect You in Your goodness. We ask Your guidance here today and tonight in our deliberations, that we may use and develop Your gifts to us as You have intended, that we keep always clearly in mind our duty to serve all the citizens of the State of Illinois, and that we follow Your principles of fairness, justice, and honesty in our efforts, and that we acknowledge You faithfully as a source of all of our goodness. We thank You for the great gifts You have given to us, your own special care and concern for each of us, a beautiful, bountiful world around us, loving families, loyal friends, effective co-workers. And especially for the gift of joy and peace that comes as we use our effort and energy to live Your hopes and plans for us. Amen."

Speaker Greiman: "Representative Dwight Friedrich will lead us in the pledge to the flag."

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

Speaker Greiman: "Roll Call for Attendance. Mr. Clerk, take the

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record. 117 Members having answered to the Call of the Quorum, a quorum is present. Mr. Matijevich, any excused absences?"

Matijevich: "Yes, Mr. Speaker, let the June 26 record reflect the excused absence of Representative Cal Sutker."

Speaker Greiman: "Let the record so reflect. Message 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 the following Bills together with Amendments, and the adoption of which I am instructed to ask concurrence of the House of Representatives, to wit; House Bills #1029... 27, 1034, 1037, 1038, 1083, 1086, 1103, 1109, 1111, 1117, 1072, 1182, 1188, 1202, 1258, 1279, 1285, 1292, 1306, 1317, 1474, 1510, 1479, 1445, 1436, 1413, 1395, 1353, and 1335, passed the Senate as amended June 25, 1985. Kenneth Wright, Secretary.'"

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

Matijevich: "Speaker, Ladies and Gentlemen of the House, I move that we dispense with the reading of the Journal and that the following Journals be approved; Journal #33 of May 2, #34 of May 3, #35 of May 7, 36 of May 8, 37 of May 9, 38 of May 10, 39 of May 14, 40 of May 15, 41 of May 16, and Journal #42 of May 17, 1985."

Speaker Greiman: "The Gentleman from Lake moves to dispense with the reading of the Journal for Journals #33 through 42. Does the Gentleman... Yes, Mr. Tuerk. Alright. So, without objection, we have leave to dispense with the reading of the Journals for those appropriate days. We have leave. Agreed Resolutions."

Clerk O'Brien: "House Resolutions 596, offered by Representative Pullen; 598, by Washington; 599, Churchill - Frederick -

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Matijevich - Peterson - et al; 600, Bowman - Matijevich and White; 601, by Wyvetter Younge; 602, by Slater and Ewing; 603, by Pangle."

Speaker Greiman: "The Gentleman from Lake moves for the passage of the... Mr. Matijevich."

Matijevich: "House Resolution 596, Pullen, recognizes Les Brownstein. 598, Washington, lauds the Geneva Scott Foundation. 599, Churchill, commends 'Stretch' Purol. 600, Braun, honors the... Bowman rather, honors the Salvation Army. 601, Wyvetter Younge, recognizes Pan McCollum. 602, Slater, commends J. B. Wolfe. And 603, Pangle, honors James Kasler. I move the adoption of the Agreed Resolutions."

Speaker Greiman: "The Gentleman from Lake moves for the adoption of the Agreed Resolutions. Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Agreed Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 597, offered by Representative Johnson, with respect to the memory of Jerry W. Scribner of Champaign."

Speaker Greiman: "The Gentleman from Champaign, Mr. Johnson, moves for the adoption of the Death Resolutions. Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Death Resolution is adopted. Mr. Kulas, for what purpose do you seek recognition?"

Kulas: "Yes, Mr. Speaker, it's like the shades of George Ryan are coming back again, and I see the shadows of the former Speaker. We're sitting around... If we don't have anything to do, I've got a Bill on Third Reading Short Debate, which isn't on any special Calendar, I'd like to hear, you know. What are we doing?"

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Speaker Greiman: "I'll check with the shades of George Ryan and be back to you, Sir. On the Order of Senate Bills Special Call - Business and Economic Development, appears Senate Bill 665. Mr. Clerk, read the Bill. Mr. Terzich. Mr. Terzich, 665. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 665, a Bill for an Act in relation to enterprise zones. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Terzich, on Senate Bill 665."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, just bear with me one second. I got to get my file. Yes, Mr. Speaker, Ladies and Gentlemen of the House... Mr. Speaker, I'd like to bring this Bill back to Second Reading for an Amendment."

Speaker Greiman: "The Gentleman asks leave of the House to return Senate Bill 665 to the Order of Second Reading for purposes of an Amendment. Does the Gentleman have leave? He has leave. Mr. Clerk, are there any Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Terzich, on Amendment #2."

Terzich: "Mr. Speaker, I'd like to table Amendment #2 or withdraw Amendment #2."

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

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

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

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Amendment #3... this takes care of the problem... it allows for a carry forward on the job tax credit to... in the enterprise zone system. This was requested by DCCA and

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that has to deal with the problem of attempting to get the Mitsubishi plant in Illinois, and I would move for its adoption."

Speaker Greiman: "The Gentleman from Cook, Mr. Terzich, moves for the adoption of Amendment 3 to Senate Bill 665. And on that, is there any discussion? The Gentleman from DuPage, Mr. McCracken."

McCracken: "I have no objection to the Amendment. I'm curious, does it provide for a carry back or just a carry forward?"

Terzich: "Carry forward."

McCracken: "Has DCCA considered the possibility of a carry back, or have you sought to put that on?"

Terzich: "No, I understand... You know, as I... as I mentioned, this was requested by DCCA, and it simply will, you know, to limit it to... on a carry forward provision."

McCracken: "Do you know if they're opposed to a carry back?"

Terzich: "No, I don't."

McCracken: "Okay. Thank you."

Speaker Greiman: "Further discussion? Being none, the question is, 'Shall Amendment #3 be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendment."

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

Speaker Greiman: "The Gentleman from Cook, Mr. Leverenz, on Amendment #4. Mr. Leverenz. Mr. Terzich, Mr. Leverenz appears not to be in the chamber. What is your pleasure, Sir?"

Terzich: "Well, I would like to table Amendment #4. I don't have any knowledge of it."

Speaker Greiman: "Alright, you can either table it or to take it out of the record and leave it on Second Reading and come

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back to it, but one never knows..."

Terzich: "He has never approached me on the Amendment... I just..."

Speaker Greiman: "Okay. The Gentleman from Cook, Mr. Terzich, moves to table Amendment #4. All those in favor... And on that, is there any discussion? Being none, the question is, 'Shall Amendment #4 be tabled?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and Amendment #4 is tabled. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Cook, Mr. Terzich, moves to suspend Rule 37(c) so the Bill may be heard at this time using the Attendance Roll Call. Gentleman have leave? You have leave. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 665, a Bill for an Act in relation to enterprise zones. Third Reading of the Bill."

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

Terzich: "Hey, put the lights out. Senate Bill 665 amends the Municipal Code and state utility tax, and Public Utility Act, and the Enterprise Zone Act, Income Tax Act, and state sales tax. And it provides for a series of additional tax incentive to enterprise zone businesses with an immediate effective date. This Bill has been requested by DCCA and also it is going to be used to attract additional business to the State of Illinois. At the present time, I understand that there's going to be an additional two to attract a Mitsubishi plant in the State of Illinois with an addition of 3,000 jobs, and also a steel business in the southeast corridor of Illinois, and I would urge your support of Senate Bill 665."

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

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the passage of Senate Bill 665. And on that, is there any discussion? The Gentleman from Edgar, Mr. Woodyard."

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

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

Woodyard: "Yes, Representative, this expands the abatements on enterprise zones. Is that correct?"

Terzich: "It... it extends the grants on the enterprise zone, from what I understand, to include gas and electricity utility taxes only."

Woodyard: "What kind of gas? Gasoline?"

Terzich: "Natural gas and electricity. Utility... it's the utility tax relief."

Woodyard: "Oh, it's only utilities."

Terzich: "That's correct."

Woodyard: "It woulda't... where does it say that?"

Terzich: "Under, I believe on page 4 line 23."

Woodyard: "Well... alright. To the Bill. I don't really oppose the Bill at all, but I think the Membership should be aware that there are some problems with... that are occurring with the erosion of the tax base that we are seeing occur within enterprise zones. And I know in some of the enterprise zones I'm very familiar with, the taxing districts are now having to go back for tax increase referendums because they have abated property taxes, their sales tax kickbacks. And when you expand this to the utility tax, it just further erodes what a unit of local government can acquire, and what they had to work with in local taxes."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote... vote 'nay'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mulcahey 'aye'.

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Mulcahey 'aye'. Mr. Mautino. Would you... Mulcahey 'aye'. Alright. Have all... Mr. Clerk, take the record. On this question, there are 111 voting 'aye', 1 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Special Call, Senate Bills - Business and Economic Development, appears Senate Bill 800. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 800, a Bill for an Act to protect against the unauthorized use, duplication, distribution of computer software. Second... this Bill has been read a second time previously. Amendment #1 was adopted previously."

Speaker Greiman: "Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Nash and Madigan."

Speaker Greiman: "Yes, Hs. Breslin."

Breslin: "Thank you, Mr. Speaker. I'd move to table Amendment #2. As a matter of fact, I would question the germaneness of Amendment #2, whichever is most appropriate to address the issue."

Speaker Greiman: "Alright. Hs. Breslin moves to table Amendment #2. All in favor of... yes... and on that, the Gentleman from DuPage, Mr. McCracken."

McCracken: "Is the basis that the Sponsor is not here?"

Breslin: "Correct."

McCracken: "Representative Madigan is a Co... hyphenated Cosponsor. Does anyone want to act on his behalf, which is customary to do in this chamber?"

Breslin: "No."

McCracken: "No, I guess not. Okay."

Speaker Greiman: "All those in favor of tabling Amendment #2 signify by saying 'aye', those opposed 'no'. In the

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opinion of the Chair, the 'ayes' have it, and Amendment #2 is tabled. Further Amendment?"

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

Speaker Greiman: "The Gentleman from Jersey, Mr. Hicks."

Hicks: "Yes, Mr. Speaker, I'd like leave to withdraw Amendment #3, please."

Speaker Greiman: "#3 withdrawn. Proceed. Further Amendments?"

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

Speaker Greiman: "The Lady from LaSalle, Ms. Breslin, on Amendment #4."

Breslin: "Thank you, Mr. Speaker. Amendment #4 incorporates the first House Committee Amendment that was requested by the Illinois Retail Merchants Association. That's the beginning Sections of 7 and 8, and they are... they are left exactly the same; however, in addition to that, the new Section 6 that are on line 16 through 22. The new part that is added is Section 7 and Section 8. Section 7 specifically says, that nothing in this Act shall be construed to affect or alter any existing individual or business rights. If such individual or business becomes a purchaser of a copy of any computer software confirmed by the copyright laws of the United States as now or hereafter amended. And the reason for this language is to allay any fears that this Act would, in any way, affect the copyright Act as it presently exists on the federal level. The second Section deals with the Consumer Fraud and Deceptive Business Practices Act. And the reason for that Section is that we want to make it very clear that nothing in the Act should be construed to alter or amend, in any way, what would now be consumer fraud or deceptive practices. Those were two concerns that were raised in the Committee of

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Labor and Commerce when this Bill was originally introduced, and that is the reason for the Amendments. I ask for its... move for their adoption."

Speaker Greiman: "The Lady from LaSalle moves for the adoption of Amendment 4 to Senate Bill 800. And on that, is there any discussion? The Gentleman from DuPage, Mr. McCracken."

McCracken: "Parliamentary inquiry. Has the Amendment been printed and distributed?"

Speaker Greiman: "Mr. Clerk. Yes, we're advised that it has been."

McCracken: "Okay. Thank you."

Speaker Greiman: "The Gentleman from Peoria, Mr. Tuerk."

Tuerk: "Would the Sponsor yield, please?"

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

Tuerk: "You..."

Breslin: "Speaker."

Speaker Greiman: "Yes."

Breslin: "Excuse me, Mr. Speaker. Could we take this Bill out of the record?"

Speaker Greiman: "Yes. Out of the record. Alright. We're going to just hold it on Second Reading, Ms. Breslin. We're going to hold it on Second Reading and go on to the next Bill. On the Order of Special Call - Business and Economic Development, appears Senate Bill 847. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 847, a Bill for an Act to amend Sections of an Act relating to the Illinois Development Finance Authority. This Bill has been read a second time previously. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Peoria, Mr. Saltsman, on

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Amendment #1."

Saltsman: "Thank you, Mr. Speaker. Amendment #1 deletes the person who was formerly appointed by the Economic Development Commission and adds that member's appointment to the Governor. And it also makes available the appointment of two new members, which is supposed to be designated as a member from labor and a member from the construction industry field."

Speaker Greiman: "The Gentleman from Peoria has moved for the adoption of Amendment 1. And on that, is there any discussion? The Gentleman from DuPage, Mr. McCracken."

McCracken: "I'm not opposed, but how does the second part of the Amendment change the Bill? I thought that the original Bill required one of the members to be from... or not the second part but... How does the second part of the Amendment change the Bill? I thought that was already included. Was that... am I mistaken?"

Saltsman: "Well, what it does is, we increase the membership. It means it'll take a bigger majority to pass any type of legislation which they like to impose. In other words, if we go to 15 members, it'll take 8 members to pass a Bill out of that commission instead of 7. So, actually that's what the biggest part of it is. By increasing the number of members, it'll take 8 votes instead of 7 for a majority."

McCracken: "Alright, and the other part is that the board will be required to consider the effect of a project on the construction industry. What do you mean by that, when you're talking about funding? Again, I'm not opposed. I'm just trying to..."

Saltsman: "Well, the major intent of this Bill is, of all of the members, there was never a person on this commission from labor or from the construction industry, which they play a

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big part in. And therefore, what it's doing is making that intent that a person from both of those agencies will be recommended as far as a consideration goes."

McCracken: "Okay. Thank you."

Speaker Greiman: "The question is, 'Shall Amendment 1 be adopted?' Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendment."

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

Speaker Greiman: "Mr. Saltsman, Mr. Cullerton is presently off the floor at a summit of some kind. Do you want to hold that?"

Saltsman: "Whatever you wish, Mr. Speaker."

Speaker Greiman: "Alright. We'll hold that on... we'll hold that on Second Reading, also, along with 900. On the Order of Senate Bills, Special Call - Business and Economic Development, appears Senate Bill 884. Mr. Clerk, before you read the Bill. Ladies and Gentlemen, a camera crew is doing a documentary for a Miami TV station, and wishes to do some material on the floor. Do they have leave to do that? Yes, Mr. Leverenz."

Leverenz: "Now."

Speaker Greiman: "Now you may make that Motion. This may be... you may be forever famous in Miami with that one."

Leverenz: "Are they doing this for 'Miami Vice'?"

Speaker Greiman: "Leave? Leave is granted. Subject to allowing us to continue our business in an orderly fashion which will be decided by the Chair. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 884, a Bill for an Act to amend Sections of the Business Corporation Act and the General Not-For-Profit Corporation Act. This Bill has been read a second time previously. No Committee Amendments."

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Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "The Lady from Sangamon, Ms. Oblinger."

Oblinger: "Mr. Speaker and Members of the House, this Bill has to do with allowing not-for-profit corporations to apply for an assumed name with the Secretary of State. Amendment #1 was suggested by the Secretary of State. It sets up the procedure by which you get such a permit, and the way you renew it. And it's exactly the same as a not-for-profit corporation. And I would ask your passage of this."

Speaker Greiman: "The Lady from Sangamon, Ms. Oblinger, moves for the adoption of Amendment 1 to Senate Bill 884. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendment."

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Lady from Sangamon asks leave of the House to use the Attendance Roll Call to waive Rule 37(c) so that the Bill may be heard at this time. Does the Lady have leave with the use of the Attendance Roll Call? Leave, and leave is granted. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "Senate Bill 884, a Bill for an Act to amend Sections of the Business Corporation Act and the General Not-For-Profit Corporation Act. Third Reading of the Bill."

Speaker Greiman: "The Lady from Sangamon, Ms. Oblinger."

Oblinger: "Thank you, Mr. Speaker. This Bill allows not-for-profit corporations to do business under an assumed name under the same provisions that a for-profit

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corporation may. I would ask your support of this Bill."

Speaker Greiman: "The Lady from Sangamon moves for the passage of Senate Bill 884. And on that, is there any discussion? The Gentleman from Macon, Mr. Dunn."

Dunn: "Mr. Speaker, I rise on a brief point of personal privilege. I understand, I didn't hear it, I guess, that leave has been granted for a camera crew to take pictures with sound and everything in the back of the chamber, and I would like the record to show that I object to that. I think there is no good reason in my book to allow news media with microphones on the floor while we're in Session, and I would like the record to show that."

Speaker Greiman: "Let the record... Mr. Dunn's remarks to be journalized. Mr. Huff."

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

Speaker Greiman: "Indicates that he will."

Huff: "Representative Oblinger, not that I'm opposed to your proposal, I just simply didn't hear. And I know it deals with not-for-profit corporations."

Oblinger: "It allows a not-for-profit corporation to do business under an assumed name under the same provision that a for-profit corporation can. So that if... let's take... Bethal House is probably owned by people not named Bethal, but they want to do business under Bethal House. They're a not-for-profit corporation. This would give them the procedure on how to go about doing that."

Huff: "Okay. Thank you."

Speaker Greiman: "Further discussion? The Gentleman from Effingham, Mr. Hartke."

Hartke: "Will the Sponsor yield?"

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

Hartke: "I still don't understand this. What's this trying to

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prove?"

Oblinger: "We have a law now that for-profit corporations, Sangamo Electric, let's say. That's not who owns it. They're doing business under an assumed name. It allows not-for-profit bookstores, or daycare centers, or anything to do business if they're not-for-profit under an assumed name too."

Hartke: "Such as Sangamo Senior Citizens?"

Oblinger: "Well, like the Sangamon Senior Citizens if they wanted to do business... if our Sangamon County Senior Center here wanted to sell, under a regular business formula, they would have to then apply for the assumed name. A lot of them want to. You don't have to. But a lot of them want the same privilege of doing business as a for-profit corporation has."

Speaker Greiman: "Have you finished, Mr. Hartke? Alright. Ms. Oblinger, briefly close."

Oblinger: "I would appreciate your vote. A number of our not-for-profit organizations would like to do business where they will do some selling and buying not-for-profit under a name other than those who own it. And I would appreciate your vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Special Call - Business and Economic Development, appears Senate Bill 902. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 902, a Bill for an Act to amend the

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Illinois Housing Development Act."

Speaker Greiman: "Excuse me, Mr. Clerk, out of the record. On the Order of Special Call - Business and Economic Development, appears Senate Bill 1019. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1019, a Bill for an Act to amend Sections of the Illinois Housing Development Act. Third Reading of the Bill."

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

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill was introduced in the Senate as part of a package of legislation in an attempt to develop a comprehensive and coherent statewide policy with respect to homelessness. This Bill amends the Housing Development Authority Act, provides for a set aside for single occupancy units. It is supported by the Housing Development Authority itself and numerous other organizations. I know of no opposition. I now move for passage of House Bill... Senate Bill 1019."

Speaker Greiman: "The Gentleman from Cook, Mr. Bowman, has moved for the passage of Senate Bill 1019. And on that, is there any discussion? The Gentleman from DuPage, Mr. McCracken."

McCracken: "My analysis indicates that the Housing Development Authority is opposed to this because the bonds appear to be difficult to market. I really don't know what that means, and if you have more current information, I'd like to hear it."

Bowman: "Yes, Representative McCracken, I believe that analysis is out-of-date, and was prepared prior to the hearing that was held in the Executive Committee. Because at the time of the hearing of the Executive Committee, the representative for the Housing Development Authority signed a witness slip in favor of the legislation."

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McCracken: "Has the Act or the Amendments been passed upon by bond council? My analysis indicates the bonds may be difficult to issue."

Bowman: "My understanding, Representative, is that these are not special purpose bonds. It is really more of a set aside program that, by the way, will be subject to the same standard as investment standards that other IHDA projects are subject to."

McCracken: "Does this increase the total authorization of the bonding authority?"

Bowman: "No, I don't believe it does. I believe it is a set aside."

McCracken: "Alright. To the Bill, Mr. Speaker. I... and I, of course, accept the Gentleman's word that IHDA has changed its position on that. I would indicate that our analysis does indicate their opposition. If they're within the sound of my voice, we'd all like to hear from them and see where they stand. Thank you."

Speaker Greiman: "Mr. Bowman, to close briefly."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would just say that just to reiterate that at the time of the hearing that the person, legislative liaison, for the Illinois Housing Development Authority did sign a witness slip in favor of the legislation. And I believe that the... Representative McCracken's information is dated. I now move for passage of 1019."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 105 voting 'aye', 5 voting... 105 voting 'aye', none voting 'no', and 5 voting 'present'. This Bill, having received the

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Constitutional Majority, is hereby declared passed. On the Order of Special Call - Business and Economic Development, appears Senate Bill 1156. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1156, a Bill for an Act in relation to job training and amending certain Acts herein named. Third Reading of the Bill."

Speaker Greiman: "The Lady from Cook, Ms. Braun, on Senate Bill 1156."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1156 is a revision on the Prairie State 2000 Fund. It's been worked out by the board of the fund as well as the Department of Commerce and Community Affairs. Essentially, with the Amendments put on it yesterday, it, in addition to clarifying the use of the Prairie State Fund and expanding, in some instances, the tax increment financing part of the legislation, it also establishes an office of urban assistance. And I encourage your support for the legislation."

Speaker Greiman: "The Lady from Cook, Ms. Braun, moves for the passage of Senate Bill 1156. And on that, the Gentleman from Lake, Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. Will the Lady yield?"

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

Churchill: "Representative Braun, this is a tax deduction. Is this not correct?"

Braun: "Pardon?"

Churchill: "This is a tax deduction?"

Braun: "That was in the original Bill. That's already in the law. All this does is clarify the insurance part of the original Bill with regard to the voucher program. So, it doesn't really relate to the deduction. It's already in the law. It doesn't do anything specific to that."

Churchill: "So, what does someone who contributes to these

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programs receive?"

Braun: "The problem the insurance... the tax deduction to which you refer relates specifically to the insurance part of the Fund which has apparently run into some problems. All that this legislation does is clarify that part of the action. It does not give any new deductions, if that's your question. Are there new deductions in the Bill? No."

Churchill: "There is a new deduction."

Braun: "I'm sorry. Forgive me. In the Bill, I was referring to the Amendments that I... that were put on here in the House. I'm sorry. The Bill amends the deduction for individuals that make a contribution to job training projects. Establishes the Real Property Tax Increment Allocation Redevelopment Act and the deduction is equal to the amount of the contribution."

Churchill: "So, in other words, as I first asked, there is a new deduction in the Bill."

Braun: "In the Bill, yes."

Churchill: "Okay, and then what taxpayers get that deduction?"

Braun: "Individuals and businesses."

Churchill: "And for which tax years with tax years would the deduction be applicable?"

Braun: "You mean is there a carry over?"

Churchill: "Carry over or carry back."

Braun: "In the year of the contribution. I don't believe, and I'd have to look at the original legislation because you're asking questions on the Bill as it came over from the Senate. I don't believe there's a carry over or carry back. I'll check, however."

Churchill: "Okay."

Speaker Greiman: "Further discussion? The Gentleman from Will... I'm sorry, Mr. Churchill."

Churchill: "She's trying to find an answer for me and she's going

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to ..."

Speaker Greiman: "Fine, I'm sorry."

Braun: "Our staff is telling me there's no carry over, but I'm checking the Bill itself. There is none."

Churchill: "Are you creating a new office in this Act?"

Braun: "The office... no... I'm creating... yes, an office within the Department of Commerce and Community Affairs. This was a Bill that had been signed off before. That Section, that Amendment had been signed off on before, Representative, and got tied up in our last set of deadlines. Representative Vinson, who is not on the floor now, is the Cosponsor of that particular Amendment that sets up the Office of Urban Assistance."

Churchill: "Yes, but this does create some new office."

Braun: "Yes, within DCCA."

Churchill: "Okay, and do you know what the cost of setting that office is?"

Braun: "There has been no fiscal analysis of that... of that office, and it's already within DCCA. What it does essentially... the purpose of the Office of Urban Assistance is for DCCA to coordinate its many programs, the many programs that it administers for purposes of urban areas and special need areas. That's the only thing it really calls for. The department staffer was here this morning, and we went over the specific language of the Amendment. If you look at it, all it provides is that they have to coordinate programs with a specific view on how they impact on urban areas and also to provide special assistance to those urban areas and direction and guidance in terms of development."

Churchill: "Okay. But that... there will be some cost in doing that."

Braun: "Presumably, they can use current staff."

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Churchill: "Okay, but there are additional requirements and so with additional requirements, there will be additional things that will have to be completed. And, therefore, at some point along the line, somebody is going to have to be hired to..."

Braun: "No. No. If you take a look..."

Churchill: "Well, that may be a small part of it. I guess my... on the cost aspect my main concern is, how much will the state be losing on these deductions? Have you any fiscal idea of what..."

Braun: "Oh. The fiscal note on the Bill did not have a specific dollar amount, but the... you know, the whole question is, how much did the state lose on development? If you're doing development, and if that development produces economic activity, and if that development produces jobs, then obviously the state does not lose anything; and, in fact, it's a net gain to the state. And that's the whole purpose of all of the different development activities we're undertaking."

Churchill: "That's true; but, in any investment, there's an initial cost. And so in this... if this..."

Braun: "That's right. A fiscal note..."

Churchill: "What you're saying is this is an investment for the state, and I'm just asking, what's the initial cost? What's the... how much... how many dollars are going to come off of these tax deductions?"

Braun: "The fiscal note does not indicate a dollar amount. It... you know, it's just a... it's prepared by the Department of Revenue. You can review the fiscal note here. There is no cost associated or at least identified by the Department of Revenue."

Churchill: "Alright. On another line, will the Prairie State 2000 Fund be receiving any appropriations this year or in

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the future from the state or any other governmental agency?"

Braun: "No more than already is in the budget. It's already in the budget."

Churchill: "Okay, but it will be receiving grants from the state already."

Braun: "Right, but that's the way it's been operating now for the last couple of years."

Churchill: "Wasn't this supposed to become a self-supporting agency, the Prairie State 2000 Fund? I mean now... first of all it's self-supporting, and all of sudden the state is putting money into it, and now you're giving people the right to take tax deductions to go... to put money into it. Why isn't it... why is it not self-supporting?"

Braun: "It's the Governor's budget, Representative. I don't have any control over that."

Churchill: "If the Governor refuses to support Prairie State 2000 in the future, will this fund even be in existence?"

Braun: "Probably not. I mean... That's a matter of the legislative process, Representative. I don't have a whole lot of control over that except my own little input here."

Churchill: "Mr. Speaker, to the Bill. I would rise in opposition to this Bill. We try very hard in analyzing our revenue to come up with a tax form which is a relatively straight-forward simple tax form. We fight to try and keep credits and deductions from the tax form. We try and make it as nice as possible, as easy as possible for people to use. Even the Federal Government, to this point, has realized the error of its ways in taking a tax form and making it so complicated that the average citizen can't even fill out the tax form. I would ask in this situation that we rise and vote 'no' on this Bill and try and keep our tax form as clean as possible and not open the door to

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a lot of different tax deductions and tax credits."

Speaker Greiman: "Mr. Regan. Mr. Regan."

Regan: "Thank you, Speaker, Members of the House. Would the Sponsor yield for a question, please?"

Speaker Greiman: "Indicates she will."

Regan: "There was just one question on my mind, that this Amendment or this Bill would clarify some problems with insurance. What problems with insurance?"

Braun: "It's not really. The Prairie State Fund, as it was originally set up, was an insurance pool. That's what Representative Churchill is referring to. They have... that's not really addressed in this Bill. Okay. What happened apparently, and I'm not altogether familiar with the... how the fund has operated to date, apparently there were some difficulties with it functioning as an insurance pool. They found that employers which were supposed to... who were supposed to contribute kind of went to sleep on it, and so they're trying... this... these revisions are an attempt to... to revise the fund so it will be more attractive to the business community."

Regan: "And how do they do that?"

Braun: "With the... with the changes on... that I've mentioned. It clarifies that... that there's to be some coordination of activity. It clarifies the..."

Regan: "Oh, and a tax deduction, too?"

Braun: "...pardon?"

Regan: "And the tax deduction as well?"

Braun: "Yes, Sir."

Regan: "Alright. Thank you."

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

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I... I'm a little mystified about some of the debate because this legislation... I've worked diligently

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with the Department of Commerce and Community Affairs to have this legislation approved. They had signed off on it. I was under the impression that the Governor's Office had signed off on it. Labor has signed off on it. I know of no opposition to this legislation, and I would encourage your support for this fine development Bill."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 65 voting 'aye', 48 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Special Call - Business and Economic Development, appears Senate Bill 1245. Mr. Davis. Mr. Davis in the chamber? Out of the record. On the Order of Senate Bills Special Call - Business and Economic Development, appears Senate Bill 1312. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1312, a Bill for an Act to amend Sections of the Liquor Control Act. Third Reading of the Bill."

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

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1312 amends the Liquor Control Act of 1934 in relation to the sale of retail of alcoholic liquor, adds wards to the territories of which the statute should remain the same until the voters thereof change the statute. This is to take care of a problem in Wheaton, and it's a Bill that was sponsored in the Senate by Representative... Senator Phillip. And I ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook, Mr. Nash, moves for the passage of Senate Bill 1312. And on that, is there any

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discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'aye', none voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Saltsman in the House... in the chamber? Mr. Saltsman. On the Order of Senate Bills Special Call appears Senate... Business... Mr. Saltsman. Mr. Saltsman, I see that Mr. Cullerton is here with us, so perhaps we could return to your Bill which was held. We are now on Senate Bill 847, Mr. Clerk. 847. Yes, Mr. Cullerton. Pardon, Mr. Cullerton? Not... alright, we'll take that out of the record for a little while then. Senate... on the Order of Senate Bills Special Call - Business and Economic Development, appears Senate Bill 1364. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1364, a Bill for an Act to amend the Illinois Export Development Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Adams, Mr. Mays."

Mays: "I'd like to ask leave of the House to commit this Bill to Interim Study. I'm hopeful that we can have some good hearings on the Bill over the summer. So, that's what I'd like to do."

Speaker Greiman: "The Gentleman asks leave of the House to... to place this Bill on the Interim Study Calendar, the Committee from which it was assigned, and the Gentleman has leave. On the Order of Special Call - Business and Economic Development, appears Senate Bill 1405. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1405, a Bill for an Act to amend

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Sections of the Revenue Act. Third Reading of the Bill."

Speaker Greiman: "Representative Breslin in the Chair."

Speaker Breslin: "Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1405 is a reshuffling or revision on the property tax abatements within enterprise zones. Essentially, what it does is that it removes the dollar amount of the limit but puts instead, a time limitation and a coverage limitation on tax abatement within enterprise zones. I don't believe that there will be any fiscal impact occasioned by this legislation in that the removing of the cap on the amount of abated taxes is supposed to be counterbalanced by the institution of a two year time limit on the abatement. I encourage your support."

Speaker Breslin: "The Lady has moved for the passage of Senate Bill 1405. And on that question, the Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Madam Speaker. Will the Lady yield?"

Speaker Breslin: "Yes. I'm sorry."

Churchill: "Okay. Does this Bill have anything to do with businesses relocating into enterprise zones?"

Braun: "Does it have anything to do with businesses relocating?"

Churchill: "Yes."

Braun: "Well, if a business is... no. No. No, it doesn't have anything to do with... with relocating business except to the extent of... if an existing business relocates in an enterprise zone, then the abatement limitation... the abatement limitation applies. It's current law, though."

Churchill: "Okay. So then... I... What I'm trying to get at is... is this something that encourages businesses from out-of-state to come in, or is this something that encourages a business located two blocks away to shift into the enterprise zone?"

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Braun: "No, I think it would encourage businesses from out-of-state to... to... the new businesses. The new businesses to come into the zones... if you believe that enterprise zones do that. Okay. That kind of... this Bill doesn't really touch the heart of the question of how enterprise zones operate. All that it does really, Representative Churchill, if you read the language of the Bill, it just makes a shift in the way the abatement works. Now, the abatement is open-ended in time and in amount. This Bill will simply say that there will be a time limitation. Okay. A time limitation of two years on the abatement, but that the amount of... of the abatement is removed."

Churchill: "Alright. So, in other words, before, there was a limitation and this deletes the limitation."

Braun: "Substitutes one limitation for another. That's all it does."

Churchill: "And the taxes that this is talking about are local real property taxes."

Braun: "Right."

Churchill: "And so will there be..."

Braun: "Or any taxes that are abated under other Sections of the enterprise zone legislation."

Churchill: "Okay. And then, so there will be an economic impact on local municipalities and local units of government because of the additional abatement provided in this Bill."

Braun: "No. No. It's not... it's not really additional. It's just trading abatements. It's trading the operation of the abatement. Right now, if there is an abatement, alright, it could be... there's a cap on the amount, but there's no time cap. This Bill says, is that we're going to take the amount cap, but we're going to put a time cap in. So, you don't have any carry forward, carry back. You don't have

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someone deciding five years down the line to take advantage of some tax benefits because they have recently moved into an enterprise zone. So, it should not affect... it should not really have an affect on the fiscal operation of the enterprise zone program. The question that you just asked goes to the enterprise zone program that really falls outside of the purview of this legislation. It's not a complicated Bill. It's only a few lines, if you take a look at the legislation itself, it only makes a change in a few lines of the existing enterprise zone legislation. Take a look at it."

Churchill: "Sometimes these small changes create major problems, particularly for something as complicated as our enterprise zone program."

Braun: "I understand. But there's no secret here. Yes, I know. There's nothing secret or surprising in this. Our analysis doesn't indicate it. I haven't seen your analysis, but I'm sure it wouldn't indicate any surprises. And if you read the Bill, just based on your own knowledge of revenue statutes, you'll see that it's a fairly straight-forward swap."

Churchill: "I think you're probably right. One last question. It says that this abatement will now apply to abandoned buildings, real property, and property in need of rehabilitation. Now, that's something that we didn't do under the original Enterprise Zone Act, correct?"

Braun: "I'm not... no, I don't think so. Now... I don't have a staffer here to tell me. I don't think so, because it was my understanding on the original Enterprise Zone Act that abandoned buildings and rehab property was already covered, but I may be in error, Representative. I wouldn't want to represent to you on the floor that I know for certain that answer. I don't know, but I think that's already in the

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Act. I'm pretty sure it is. Otherwise, the enterprise zones wouldn't function."

Churchill: "Thank you. No further questions."

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

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

Speaker Breslin: "She will."

Hawkinson: "Representative, the printout indicates that House Amendment #1 deletes application to real property in need of rehabilitation and removes the exclusion of homes and residences. Does this mean that now the property tax abatement can apply to homes and residences within an enterprise zone?"

Braun: "I don't know what the printout says. I do know, Representative, that it doesn't really make a change there. The... our staff had a problem with the language that was redundant in the original Bill. Okay. Because it was not clear whether or not... it was not clear whether or not it applied... whether or not the law was being changed with regard to residences. He rewrote... all the Amendment was supposed to have done was to rewrite so that the law would not be changed as it applies to residences, and that was all the Amendment was supposed to have done. And I'm looking at it, and it doesn't seem to do anything otherwise."

Hawkinson: "So, the... the intention is not to change the law in any regard in regard to residences."

Braun: "No. No."

Hawkinson: "What is... right now you say there's no limit on the number of years that the real estate taxes can be abated, and that you're putting a two year limit on, but you're lifting..."

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Braun: "The cap."

Hawkinson: "The cap."

Braun: "Right."

Hawkinson: "What effect would this have on existing enterprise zones where perhaps an abatement schedule is being put in over a ten year period? Would this say that they can't abate any taxes after the first two years?"

Braun: "I would think that... I would think that... well, yes. It would say they can't abate anything after the first two years, except it would allow, obviously, for any expenses to be abated within that two year period. So, I think as a practical matter, it might have the affect of accelerating the abatement, but that's about it."

Hawkinson: "What is... what is the dollar limit right now on tax abatement for a new business in an enterprise zone, or new construction in an enterprise zone?"

Braun: "Representative, I'm going to have to get some help because I don't have that information right here in front of me. One second, please. Representative..."

Hawkinson: "The reason I asked the question, Representative, is, it was my understanding, and I don't have staff here either, but that the abatement could be perhaps up to a million dollars over ten years. And my concern would be that if some of our existing enterprise zones, and we have one in my community, would be offering an abatement over that period and they'd already agreed to it and perhaps the abatement is significantly less than the existing cap, that then, this Amendment limiting us to two years in abatement could be a substantial blow to a new business in an existing enterprise zone."

Braun: "I understand your concern, Representative. I don't believe that that is the effect of the two year cap. I think, first off, the Bill operates prospectively. So, any

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plans that are already under way would not be affected. But with regard to... with regard to the operation in terms of future planning if there... if there is a situation such as you described, in which they are planning on a ten year abatement, then obviously the two year cap would apply. But again, it's only a swap, because then they can take the amount of money that you mentioned using hypothetically a million dollars instead of having to spread that million dollars over. Then they could swap the dollar limit whatever it is, and we don't know it right now. And I don't have staff here to tell me what the dollar limit is for the time limitation."

Hawkinson: "I'm thinking, I guess, of a hypothetical case where a new business would come in, not a big factory or industrial, but a business, maybe employing 75 people. And they would put up a building, or new construction, or expansion that would generate property taxes of maybe 40 or 50 thousand dollars a year. And that under the existing enterprise zone language, they could abate property taxes for ten years and stay well under that dollar limit and abate \$40,000 worth a year. But under your Amendment, they would be limited to two years property tax abatement. What is the rationale for limiting it to two years and taking off the cap? What's the need for the change?"

Braun: "Representative, when Senator Collins passed this Bill, and it was passed overwhelmingly out of the Senate, it was her intention to provide additional incentives so the enterprise zones could work better. She is supportive of the process and wants the enterprise zones to operate as a tool for redevelopment wherever. But specifically, we have, as you know, some very depressed urban areas in which the... the attractiveness of these tax abatement propositions is a very important matter for making the

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enterprise zones work. It was my understanding from Senator Collins that this Bill was generated by a desire to structure... or to structure a format to make them operate better than they're presently operating. Now, beyond who asked for the Bill, I can't answer that. I know that it did come out of the Senate. It was overwhelmingly approved over there, and again, that the intent of the legislation is to encourage new business development in enterprise zones."

Hawkinson: "And there's no intention to affect any existing tax abatement agreements in existing enterprise zones."

Braun: "No. No."

Hawkinson: "Thank you."

Speaker Breslin: "The Gentleman from Edgar, Representative Woodyard."

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

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

Woodyard: "Representative, I apologize. With some of the noise, I really could not hear some of what was going on in testimony. But I guess my question, maybe, is very similar to some of the ones asked before. Are you actually limiting the amount of time, or reducing the amount of time on abated property?"

Braun: "The time? Yes."

Woodyard: "Okay. To two years."

Braun: "Right."

Woodyard: "Okay. Now, we presently have possible under the applications ten years for industrial business or five years depending on the application on residential."

Braun: "Right."

Woodyard: "Now, does this apply... does a two year abatement apply to an existing enterprise zone, and does it apply also to only residential abatement on reducing the five to

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the two years, or to both abatements?"

Churchill: "Okay."

Braun: "I'm getting an answer. Okay. It's my understanding that this applies to existing enterprise zones, and that the limitation applies... limitation..."

Woodyard: "You got a helper, there."

Braun: "I do. I wish. That's my... No, I've got a little heavier adviser than that. I'm sorry, I've lost my thought. Okay. It applies to existing businesses... existing businesses existing in terms of existing zone operations, and that the limitation is strictly up to the local government. Right. The local government still has control over the... over the abatement. So, it doesn't affect that."

Woodyard: "The reduction in time is permissive?"

Braun: "No, not the reduction in time. No. Whether or not... Okay. I'm sorry, my answer was in response to what's being whispered in my ear as opposed to what you asked. Your question was, does this abatement... apply only to existing enterprise zones."

Woodyard: "Correct."

Braun: "The answer to that is 'yes'."

Woodyard: "Okay."

Braun: "Your second question was, does the..."

Woodyard: "Are we reducing the amount of time on abatements from... in the case of residential, which is presently within... depending on the application, presently five years on residential abatement. Is that going to two years in an existing enterprise zone?"

Braun: "Yes."

Woodyard: "Okay. Now on the business or industrial abatement, which is presently 10 years under... and here again depending somewhat on the application, is that being

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reduced to two years?"

Braun: "No, I don't think so. No. That... I don't think so.
No. No, it's not."

Woodyard: "It doesn't affect the industrial abatement, only the
residential, then, you're saying."

Braun: "That's correct. That's correct. Section... well, line
26 of the Bill."

Woodyard: "... my problem with this, if it's an existing
enterprise zone and the abatements are already in place,
what would be the impact... on residential abatement, what
would be the impact if this Bill were to pass and be signed
into law where local units of government are already
abating on residential?"

Braun: "It only applies, and this was in response to one of
Representative Churchill's questions. I think it was
Churchill, but it applies prospectively. So, if you're
talking of something that's already in place, that's not
affected."

Woodyard: "Okay. The last question. You speak in the Bill
about... that this would not apply to an existing business.
Is that correct? That would move into an enterprise zone.
It would not apply to an existing business and let me give
you..."

Braun: "It would not... it... the question again... that was
another question that was asked before. It would apply to
those businesses that... that came from out of state, for
example, and moved into an enterprise zone. It would not
apply to the guy that moved across the street."

Woodyard: "It would only... okay, it would only apply... well,
let me give you a specific example. What would happen
under this Bill if an auto agency that was outside an
enterprise zone... it was... it's an existing business,
that existing business then moves into the enterprise zone,

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new construction, some jobs created, would they be entitled to the sales tax abatement the... or rebate plus property tax abatement?"

Braun: "Right. This is property tax abatement only."

Woodyard: "Alright, but would that business, under this Bill, be entitled to abatement?"

Braun: "No. No, it would not. No, it would not. And there's some question whether or not, under current law, it would apply. So, I don't think this is abatement."

Woodyard: "Well, they're doing it."

Braun: "This is targeting the creation of jobs. Not moving jobs."

Woodyard: "Okay. Well, then..."

Braun: "From one place to another. The whole notion is that what you want to do with the enterprise zones is create new jobs, bring in new development, not just shift again from across the street, one business going from one side of the street to the other and taking advantage of the... of the abatement. What this does is it is a fine tuning and a honing of the development aspect of the enterprise zone provision. And again, applies prospectively."

Woodyard: "Madam Speaker, to the Bill. I commend the Sponsor for trying to address a problem that... that I know does exist, but I really question whether this Bill is going to do that. And I have a feeling that it may be a dramatic departure from what we are presently doing in regard to enterprise zones. And so thus, I am going to vote 'no' on the Bill."

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

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

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All

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those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Braun to close."

Braun: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is a straightforward piece of legislation. It is not a dramatic change. To the extent that it does affect a change, I think it is a positive one for enterprise zones in that it allows for the zone concept to be targeted to the development of jobs, and that was the whole purpose of enterprise zones in the first place. If we're going to make them work, it makes sense to target so that... so that we're not talking about shifting existing jobs from one place to another, but rather are talking about creating new jobs within the State of Illinois, so that we can expand our economic activity in the state. I encourage your support."

Speaker Breslin: "The question is, 'Shall Senate Bill 1405 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final action. Have all voted who wish? The Clerk will take the record. On this question, there are 62 voting 'aye', 49 voting 'no', and 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1454, Representative Pullen. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1454, a Bill for an Act concerning the Department of Law Enforcement. This Bill has been read a second time previously. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Daniels and Ryder."

Speaker Breslin: "Representative Daniels."

Daniels: "Madam Speaker, Ladies and Gentlemen of the House, Floor

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Amendment #1 to Senate Bill 1454 changes the McCormick Place from an autonomous governmental agency to a state agency and changes the makeup of its governing board. It makes several other changes that are within here, but that is the basis of the change, and I would ask for your favorable support to this Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 1454. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Thank you, Madam Speaker. Would the Sponsor yield for a question?"

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

Cullerton: "Representative Daniels, you said that it changes the membership of the McCormick Place Board."

Daniels: "Yes, Sir."

Cullerton: "Could you be more specific as to a specifically how many members.."

Daniels: "Yes, I will. Presently the Board consists of 14 members. This would change it to nine."

Cullerton: "And could you tell the Members of the Assembly right now how those current 14 members are chosen?"

Daniels: "They are chosen by the Governor and the Mayor of the City of Chicago."

Cullerton: "Is it a fifty-fifty proposition right now? Seven from each?"

Daniels: "Yes, I believe it is."

Cullerton: "And how is the... how is the chairman of the current McCormick Place Board chosen?"

Daniels: "Are you asking about currently, or are you asking for the change?"

Cullerton: "Yes, the current... the current chairman. How is the current chairman chosen?"

Daniels: "The chairman is, I believe, voted on by the members of

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the Board."

Cullerton: "From within the ranks of the 14?"

Daniels: "Yes."

Cullerton: "And so, for the chairman to receive enough votes to get elected, they have to receive the approval of at least eight members. So, the Governor's and the Mayor's appointments have to agree on the chairman, in effect. Is that correct, under the current law?"

Daniels: "I would say that's... yeah, that would be the practical effect."

Cullerton: "Okay. Now, what's your proposal, then, is to reduce the numbers to nine, and who would make these nine appointments?"

Daniels: "The Governor with the advice and consent of the Senate."

Cullerton: "So, the effect, then, of this Amendment would be to remove totally the appointments of the Mayor of the City of Chicago."

Daniels: "That is correct."

Cullerton: "And who would make the... who would name the chairman of this new McCormick Place Board?"

Daniels: "The chairman would be appointed according to law."

Cullerton: "According to.."

Daniels: "The new statute would be the Director of DCCA."

Cullerton: "So, the Director of DCCA would become, by law, the chairman."

Daniels: "Correct."

Cullerton: "And who appoints the..."

Daniels: "The Governor with the advice and consent of the Senate."

Cullerton: "Well, thank you, Mr. Minority Leader."

Daniels: "You're welcome, Mr. Cullerton."

Cullerton: "Madam Speaker and Ladies and Gentlemen of the House,

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this is a proposal that you may have heard about concerning the McCormick Place Board and Authority. And the reason why I asked the questions that I did was to point out that the current McCormick Place Authority is, in effect, run by a consortium of members and a chairman that is picked with the authority of the Governor of the State of Illinois. There is... There are... There is input by the Mayor of the City of Chicago. There's input by the Governor and the two have to agree. So, if you're of the opinion that McCormick Place has been mismanaged, you have to, at this point in time, give a portion of the blame to the Governor. As a matter of fact, my understanding is that some of the mayoral appointees were made by a previous Mayor and not even by the existing Mayor of the City of Chicago. So, perhaps the Gover... the mismanagement, if there is any, should rest more with the Governor's appointments. Now, what the proposal is, then, is to have this Authority, which perhaps has been mismanaged by the Governor's appointees, to have the Governor appoint all of the people to the Board. I don't see how this, in any way, would help with any mismanagement or help correct any mismanagement on the McCormick Place Board. And the Director of DCCA, the... would, by his Amendment, become the chairman of the Board. Now my understanding is that the chairman of McCormick Place is one who has a full-time job. We have, under this Amendment, given one more piece of authority to the Director of DCCA, which I would think he would... he or she could simply not handle. I think it is really not the way to approach the problem, if there is a problem. If you believe that McCormick Place is being mismanaged, it surely is not the solution. The solution should surely not be to allow the Governor to have all of the appointments. The reason why, I suspect, it is a fifty-fifty proposition now,

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is that McCormick Place has a tremendous effect on the state revenues. They made that case last year when we gave them the authority to build a new facility. But it also clearly has a tremendous affect on the City of Chicago. And so, the thought was, when the McCormick Place Authority was established, I'm sure, was to equally split the Authority between the Mayor and the Governor. This is clearly not the proper solution to the problem. It is, if anything, insulting, I think, to the process. It's insulting to the current Mayor of the City of Chicago. And I believe that this Amendment should be defeated for the reasons that I've stated."

Speaker Breslin: "The Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you. Thank you, Madam Chairman. I rise in support of this, because the issue is just exactly the issue that Representative Cullerton was referring to because the issue in this situation is accountability. We're proposing an Amendment that would make this McCormick Place accountable to the people that are spending the money to build McCormick Place annex. One year ago, we gave them over 260 million dollars to increase the size. An increase, that we felt at that time, that was absolutely necessary. For that entire time period, we've been told by those people that are operating this facility that they're on time, on line, up to date, construction is going as planned. And, yet, last week we were asked immediately to cough up 55 million dollars. I just read today that that's been increased to 60 million dollars. That's up 25 percent more than they were granted last year, last year when they said absolutely, positively they would not be back for more money. Accountability. It may very well be that Representative Cullerton's remarks are well taken. If so,

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let's let the State of Illinois look into it. We can't even get an audit of these folks now. We cannot even find out if they can justify the 55 million or the 60 million or anything, because we can't find out the figures. We're not... They are not responsive to us. They are not accountable to us. We're asking to make them accountable. Perhaps the reorganization plan is not the best. We're open to discussion on that. However, it's the best idea going right now, and it's by the actions of the people that are running McCormick Place now that have put us in the box that is causing this kind of reorganization to take place in this short period of time. We are held accountable by the people that send us here. We are held responsible by the people that send us here when we spend their money. And I submit that 260 million dollars is a pretty good hunk of the change that they ask us to supervise and to be held accountable for. We have to have McCormick Place. It is a good and valuable part of the Illinois economy. It's a good and valuable part of tourism and business for the City of Chicago. We need it."

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

Terzich: "Yes. You know..."

Speaker Breslin: "Representative Terzich, proceed."

Terzich: "Well, I know. I've been having problems with my microphone. But to hear the previous speakers with regard to this, they appear to believe that the McCormick Place is the only structure in the State of Illinois that had cost overruns. We never hear anything about any of the state buildings that had cost overruns. We never hear anything about the Governor's Mansion that was cost overruns. We never hear anything about the State of Illinois Building that had cost overruns. There's nothing unusual about

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changes in the inflationary trends or meeting different obstacles. McCormick Place has been proven to be a valuable asset, not only to the City of Chicago, but to the entire State of Illinois. It generates a substantial amount of revenue. And it will... It's also planned that it will even attract additional people to the State of Illinois. It's a tremendous project. We have the facilities and the authority to investigate or get any type of accountability with regard to the construction of the annex. And at the same time, if we're going to take over the McCormick Place, why don't we take over all the other civic centers in the State of Illinois? Maybe that's the type of business that the State of Illinois should be, is in the civic center business. And why just the City of Chicago as being thought of as the only one that has to be taken over by the state is ridiculous, and I would urge everyone to oppose this type of an Amendment."

Speaker Breslin: "The Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I, too, rise in support of this Amendment. I rise in support of it because I recognize that McCormick Place is a very important part of the Illinois economy and our ability to attract tourism and to attract trade shows. That's why I'm supporting this Amendment, because McCormick Place, unfortunately, needs a thorough house cleaning. Not only have we seen cost overruns, but we have been attending the trade shows at McCormick Place for many, many years. And so many times we will go up there and we will hear those who are showing in those trade shows that because of theft and disreputable individuals who are associated with McCormick Place, that they will have to pack up their merchandise and take it home at night to prevent it from

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being stolen. So, I think that we need to look into every aspect of McCormick Place so that we will continue to have or so that we will have an even better place in which to attract people to come to our state. So, I think subjecting the McCormick Place to an audit that would come through being a state agency is a good place to start, and I support this Amendment."

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

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

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

Daniels: "Madam Speaker, Ladies and Gentlemen of the House, let me quickly reiterate again for you what this Amendment is about. This Amendment changes Chicago McCormick Place from an autonomous local unit of government to a state agency. Now, what does that mean to you? Let me talk for a second to all of the downstaters in the General Assembly just for a moment, and then we'll talk to those of you from Chicago. But, first, to the downstaters. What does this Amendment mean to you? It means that you're going to take away a local unit of government that was created in 1955 by this Assembly. It means that. What happens? It becomes a state agency. You, then, have control and influence over the very fiber of the creation, then, of McCormick Place, the operations and the management of that institution. Today, as a local unit of government, you do not, because it's autonomous in nature. It operates on its own. It moves on its own. It functions on its own, and it lives on its own, regardless of what you may or may not desire. By

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creating a new state agency, you will have complete influence over it and its operations. What does it mean to those of you from the City of Chicago? It means that your hard-earned tax dollars are no longer going to be thrown down into an endless pit. It means that when they come to you and promise 265 million dollars of your hard-earned dollars will no longer be misspent. It means that when they come to you and tell you they need 60 million dollars more to complete a project that's hanging in the air, that you will have better say and better input over it. And, yes, I would suggest to you that a state agency with a Board of nine members, with a Board that will require the advice and consent of the Senate before approval is what you want. It protects the employees of McCormick Place because it does fall under the Personnel Code of the State of Illinois. At the same time, it requires that McCormick Place fall under a cyclical audit as required right now. I'm suggesting to you that this is your opportunity to make sure that McCormick Place is, in fact, an institution that will operate like you want. A vote against this Amendment, a vote against this Amendment is a vote for continued management that you have seen of McCormick Place. Make no mistake about it. This is one of the most critical votes that you will cast in the General Assembly. This vote, this vote is a 60 million dollar vote. This vote represents correction of mismanagement, and I ask for you to join us in supporting this Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #1 to Senate Bill 1454 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Lady from Cook, Representative Currie, one minute to explain your vote."

Currie: "Thank you, Madam Speaker and Members of the House. A

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proponent of this measure said that perhaps this isn't the best reorganization we could envision, and, in fact, I would say not only is it not perhaps the best, but it's also quite premature. The person who has had most authority for appointing the members of the McCormick Place Board is, of course, the Governor who would be given full authority under the provisions of this Amendment. This particular fox has been guarding the McCormick Place chicken coop for the past eight years. It doesn't seem to me sensible to give full control to an individual who presided directly over the kinds of cost overruns we've looked at in the State of Illinois Building. If Chief Executive control is the answer to cost overruns, how satisfactory has it been at the federal level that the Chief Executive Officer of this country continues to preside over a Defense Department that spends thousands of dollars on toilet seats, on wrenches and on coffee pots. This is not a good Amendment. It's a premature Amendment. You forget, perhaps, people on the Governor's side of the aisle, that the Governor has called a summit meeting to address the problems of management at McCormick Place. I would advise the Members to wait until that summit meeting has had a chance to investigate where the responsibility for cost overruns actually resides. And with that knowledge in hand, perhaps a reorganization would be appropriate. This is not the time."

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

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I can count, and I can read a Roll Call, and it's pretty clear this one is going to pass. I just want to say that this is nothing but an out-and-out power grab. This is nothing but an out-and-out political ploy to embarrass

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the operation of McCormick Place in a situation in which the people who have managed it have done nothing more, as Representative Terzich said, nothing more and nothing less than has happened on construction projects time and time and time again in this state. This is a bad Amendment. It's unfortunate that our downstate colleagues are voting for it. I would encourage you to think twice about this, as we look at this issue through the end of this Session. But I am really saddened to see a power grab like this emanate from the leadership on the other side of the aisle when we are trying so desperately to put development in the City of Chicago so that all the citizens of the State of Illinois can be assisted."

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

Kubik: "Thank you, Madam Speaker. With due respect to the previous speaker, this is not a power grab. This is an issue of accountability. These people on this Board aren't accountable to anyone. At least, if there's a cost overrun in the State Government, we're accountable. In the Tribune this morning we see Chairman Patrick 'O'Malley' of the Canteen Corporation who was talking about tourism in the state and about McCormick Place, and he says, 'Don't ask me why there's a 55 million dollar overrun. That's the Board's business.' Well, for God sakes, Ladies and Gentlemen, let's bring some accountability to this Board. Let's bring accountability to McCormick Place, and I urge an 'aye' vote."

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

Huff: "Yes, Madam Speaker, Ladies and Gentlemen of the House, I think that, as a practical matter, the only person who can really justifiably express outrage on this issue is myself."

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I remember distinctly, Ladies and Gentlemen, a year ago, about this time, on Senate Bill 1893, that 117 green votes went up to finance not only this project, but the... finance the feasibility of the World's Fair Authority and also ten million dollars for tourism. On that vote, Ladies and Gentlemen, there was one red vote up there. It was my vote, because I felt that, with reference to the McCormick Place expansion concept, that we were doing nothing more than funding a bunch... or a I should say a gaggle of incompetent nincompoops who had engaged in an unholy alliance with the elitist money grabbers who exist on both sides of this aisle."

Speaker Breslin: "Representative Huff, your time is up."

Huff: "To prove my point, we should also go back and investigate the hundred percent override on the State of Illinois Building. And we should also go in and find out how ten million tons of South African steel found its way into that building at a time when the Wisconsin Steel workers were in unemployment lines and are still there."

Speaker Breslin: "Your time is up, Sir."

Huff: "I want... I want to have justice done, too, because I feel that there's no one that can speak more sincerely about accountability than Representative Huff, as proven by his red vote, the only single red vote on 1893 last year this time when everybody was rushing to put money in these people's pockets. I want to have justice, too, but I'm not going to be a..."

Speaker Breslin: "Representative Huff, I'm sorry."

Huff: "... as my colleagues on the other side of the aisle who want to... who want everybody to march up the scaffold to the guillotine. It may come to that."

Speaker Breslin: "The Gentleman... The Gentleman from Coles, Representative Weaver."

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Weaver: "Thank you, Madam Speaker. I'll be brief. Aside from the cost overruns, the cost of doing trade show business in McCormick Place has gotten totally out of hand, and we're not the only state that recognizes this. On three separate occasions, I've had the opportunity to converse with the Las Vegas Convention Authority, and they enjoy what's going on at McCormick Place. They're getting our business. When it costs 35 dollars to change a lightbulb, we need to make some changes. Members of this House have spoken before using the statement 'if it ain't broke, don't fix it'. This is broken. It needs to be fixed. We need some control restored back to McCormick Place."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 80 voting 'aye', 36 voting 'no' and 1 voting 'present', and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Pullen, for what reason do you rise?"

Pullen: "Madam Speaker, I move to amend the appropriate rule to call for immediate consideration of this Bill."

Speaker Breslin: "The Lady has moved for immediate consideration of this Bill. There are objections, Representative Pullen."

Pullen: "I am moving, Madam Speaker."

Speaker Breslin: "Representative... Representative Pullen has moved that there be immediate consideration of Senate Bill 1454, as amended. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This requires 71 votes for adoption. And on the question, the Lady from Cook, Representative Braun."

Braun: "Thank you very much, Ladies and Gentlemen of the House. I rise in opposition to this Motion. You know, this is the

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time of the year when we expect surprises as part of the expected. However, it is most unfortunate that an issue which has not yet had an opportunity to be fully considered by the Members of the General Assembly, to be considered by Representative Currie's Committee, to be even discussed by the Members of this House, is going to be rushed to judgement this morning on the floor on the basis of a Motion to immediately consider a Bill that just got amended. I suggest to you that that is inappropriate, that not a single person here would want that to happen with regard to a major development in their community. You wouldn't want it to happen to you, and I suggest to you that it is unfair to do it to the people of the City of Chicago."

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

Daniels: "Madam Speaker, Ladies and Gentlemen of the House, in explaining my 'yes' vote, let's make no misunderstanding about this whatsoever. Everyone should understand that this vote is the vote on McCormick Place reform. You cannot vote for the Amendment that you just voted and refuse to consider this on Third Reading. You know that the deadline is tonight midnight. This is the issue up there right now. You look at some of the 'present' votes. You look at Representative DeJaegher, Representative O'Connell, Representative Pangle, Representative Phelps. Make no mistake about it."

Speaker Breslin: "Representa..".

Daniels: "When you're talking about a vote on this Bill, this is the vote. This will determine whether or not this reform passes, and this is the one you're going to have carry back home into your district. After you consider this on Third Reading, you'll then have an opportunity to support this

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reform. Don't make any mistakes. Let me suggest to you strongly that if you vote against this Amendment... or this Motion or vote 'present' or don't vote, you're voting against McCormick Place Reform."

Speaker Breslin: "Members should be reminded that it is against the rules of this House to use other Members' names in debate. Representative Cullerton, one minute to explain your vote."

Cullerton: "Yes, I just wanted to compliment the Minority Leader on a nice try, but I don't think it's going to work that way. And I would indicate that if this Bill gets the required votes, I wish for a verification."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 57 voting 'aye', 37 voting 'no' and 14 voting 'present'. Representative Pullen, for what reason do you rise?"

Pullen: "I think it is my right to request this as Sponsor, Madam Speaker. I would like to poll the absentees, please."

Speaker Breslin: "Surely, you may. The Lady requests a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Breslin."

Speaker Breslin: "Breslin votes 'present'."

Clerk O'Brien: "Christensen. Dunn. Fliun. Hartke. Homer. McPike. Richmond. Sutker. Van Duyne. No further."

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

Daniels: "Inquiry of the Chair."

Speaker Breslin: "State your inquiry."

Daniels: "Is... You've polled the absentees?"

Speaker Breslin: "We have already polled the absentees."

Daniels: "Alright. Is Representative John Dunn here? Oh, he is. I see him over... I'm sorry. Excuse me."

Speaker Breslin: "On this question there are 57 voting 'aye', 37

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voting 'no' and 14 voting 'present'. There are 57 voting 'aye', 37 voting 'no' and 15 voting 'present'. And the Motion fails. Ladies and Gentlemen, the next Order of Business will be the Special Order of Financial Institutions. The first Bill on that Order is Senate Bill 95, Representative Barger. Out of the record. Senate Bill 148, Representative Hicks. Out of the record. Senate Bill 297, Representative O'Connell. Out of the record. Senate Bill 512, Representative Piel. Out of the record. Senate Bill 525, Representative Capparelli. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 525, a Bill for an Act to amend the Illinois Bank Holding Company Act. This Bill has been read a second time previously. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1..."

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

Greiman: "Yes, thank you, Speaker. I have filed a Motion with respect to Senate Bill 525. The Motion is, 'I move to postpone action upon Senate Bill 525 to the 16th day of October, 1985 and that said Bill be placed on the Calendar for that day on the Order of Senate Bills Second Reading, Second Legislative Day'. And I believe that this would be the appropriate time for that Motion to be heard."

Speaker Breslin: "You are correct, Representative Greiman."

Greiman: "Thank you, Madam Speaker."

Speaker Breslin: "The Gentleman has moved to postpone action on Senate Bill 525 until the 16th day of October, 1985. And on that question, is there any discussion? The Gentleman from Lake, Representative Churchill. Excuse me. Representative Greiman, for what reason do you rise?"

Greiman: "Well, I'm moving the Motion. I would suspect I could

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 speak to the Motion."

Speaker Breslin: "Oh, yes. Please do."

Greiman: "Ladies and Gentlemen of the House, 52... Senate Bill 525 deals with bank structuring in Illinois, or restructuring. In most states, bank restructuring is a matter of legislative interest. In Illinois, it is a religious experience. It is even entombed in our Constitution. That is how important and significant it is. Senate Bill 525 is a Bill of great significance. We are anxious that our banking system be modernized, that Chicago, that downstate banks go into other markets and, in fact, new money comes into Illinois. It is a plan for regional banking. It is one of the plans that I respect greatly as a plan to help economic development in Illinois. Another question is interstate banking, which has come down to this point. Large banks coming in from out state, our large banks going all over the country - another issue. Non-bank banks - a third issue. Non-bank banks which concerned with providing consumers consumer services in the financial institution industry - a new and interesting concept for financial institutions. Small banks in Illinois are concerned that this will be done... all of these new changes, new restructuring will be done too quickly, that they will be done in a way that will not allow them to remain competitive so that they have... they're a fifth one. And finally, after the billionaires and the millionaires have gotten through with their fight, there are the people of Illinois, eleven million of us who borrow, who spend, who need financial institutions to help us. There are the consumers of Illinois to be considered. We come now, in this last day, with these competing conflicts. How shall we do it? By selecting the lobbyists that are the most persuasive? We do that. That's part of

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our process. By talking about the Bill that's here? We do that. That's our process. But if we are to restructure Illinois, banks and financial institutions, we should do it with all the parties sitting at the table, with all the players' rights around, including the people of Illinois, the consumers of Illinois. Therefore, to postpone this to the Veto Session is in keeping with that kind of thoughtful public policy discussion. Let there be no winners in banking, no losers in banking if the people are not the winners. If we should pass this Bill, there's a winner. If we defeat it, then there's other winners. I say this moment in time is not the time to provide winners and losers on a basis of banking. There are 71 Amendments to this Bill. Shall we take this last day and spend the rest of the day on 71 Amendments to the banking Bill? Is that what we should do? I ask, therefore... I believe also that it's critical that we do study this. I have spoken to the Minority Leader, and it is our intention to provide a joint task force that would bring in academicians, economists who are not connected with banks, retirees of the Federal Reserve, the federal bank, people who are no longer interested in any partisanship but, instead, care about what's best for the people of Illinois. Accordingly, I ask that we take a rational view of this, that we do what is thoughtful for thoughtful bank restructuring and that we postpone action on this until October the 16th, 1985. No one's rights will be destroyed. Those of you who have committed to vote for regional banking can still be committed to vote for regional banking on October 16th. Your rights are not jeopardized. Your commitment to your bankers has not been changed. You can vote for this Motion and still stand with the regional bankers at that time. I... Accordingly, I ask for adoption of this Motion. Thank

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you."

Speaker Breslin: "The Gentleman has moved for postponement of action on this Bill. And on that question, the Gentleman from St. Clair, Representative Flinn."

Flinn: "Madam Speaker, I rise in opposition to this Motion. And the reason I do, this Bill had a fair hearing in the Financial Institutions Committee. We had a hearing in which we heard all of the proponents and most of the opponents, and then we delayed one week before we would have a vote. And then we opened it up again and heard on both sides again. We spent more than a hour the second week with it. The Bill has had a very fair hearing. There was an attempt to put on an Amendment which would not only have non-bank banks, but also would have interstate banking, period. This, no doubt, was an attempt to kill the Bill itself. This Bill has had a fair hearing. It was several weeks ago when the Committee heard this. It's been lying on the Calendar ever since. I don't know why, but I suspect why now since we're at the last day. I think we ought to vote the Bill up or down today and get it over with."

Speaker Breslin: "The Gentleman from Cook, Representative Capparelli, the Sponsor of the Bill."

Capparelli: "Thank you, Madam Speaker. Of course this is an attempt to kill the Bill. Everyone knows that it would require 71 votes come the fall and it would give them a little more of an opportunity. The Bill is here today to serve the Illinois bankers, to make sure that they move forward. I oppose this Motion by Mr. Greiman, and I hope you will join me."

Speaker Breslin: "The Lady from Kane, Representative Zwick."

Zwick: "Thank you. Thank you, Madam Speaker. Members of the House, I understand, I think, where the Motion is coming

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from on this Bill, and I kind of sympathize with a lot of the other Members of this House dealing with the issue of banking. It is an extraordinarily complex issue and, yet, one which will seriously affect all of our constituents, probably much more than many of them realize. The Financial Institutions Committee has had several hearings on it. I have had hearings of the Republican Members of not only Financial Institutions, but the Small Business Committee so that we could hopefully educate in the last year or so a lot of our Members on this issue, because it is so very complex. I would like very much to sit here today and go through the 72 Amendments or however many there are filed now and debate the Bill and give it an open hearing and let all of our Members be privy to the pros and cons of all three issues, not only the Midwest Regional Compact, but a trigger for interstate banking and the regulation of consumer banks and the role that they play in our financial services industry here in Illinois. I believe that this is a monumentally complex issue, one that demands our understanding, not just a 'yes' or 'no' vote with a particular special interest group. In my quest to see it debated, at this point I am willing to vote for this Motion to postpone it, but that leads me to a question of the Sponsor of the Motion. Would he yield for a question at this point?"

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

Zwick: "You mentioned in your discussion, Alan, that there would be a special task force formed so that we could delve into all aspects of the banking issue in Illinois. Again, that would be fairly exclusive and limited to the Members of the task force and wouldn't really achieve what I want to do and that is to educate all of the Members of this

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Committee... of this House to all of the aspects. Would you be willing to also commit yourself to a Committee of the Whole of this House before October 16th?"

Greiman: "Absolutely. I mean, it might well be that we should make a Committee... set up a Committee of the Whole for the 15th, on the day of the 15th. That would be perfectly alright with me, too, perfectly alright."

Zwick: "Okay. If you would agree to that, then I will support the Motion."

Greiman: "Sure."

Zwick: "Thank you."

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

Vinson: "Yes, Madam Speaker, Ladies and Gentlemen of the House, I rise in support of the Motion for the reasons ably stated before, but I think there is one mistaken piece of information that has been asserted in debate. I would point out that this Bill does not contain an immediate effective day and; therefore, action in October on the Bill would only require 60 votes. It is no different than it would be today, and that is not a reason for defeating the Motion. The Motion should be adopted, because the rule... the votes to pass the Bill would be the same then as today, and I would urge adoption of the Motion."

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

Bullock: "Thank you, Madam Speaker. Let the record also show, Madam Speaker, that I'm a hyphenated Sponsor of this Bill. Ladies and Gentlemen of the House and of the Assembly, Representative Greiman is a distinguished colleague of mine, and he does an excellent job as temporary Speaker of the House. However, in his assignment on this assignment as the lead or point man for the foxes that are trying to

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guard the chicken coop, he deserves a 'no' vote. The fact of the matter is this legislation that is before us which this Motion would delay is, in fact, intended to kill the Bill, as Representative Capparelli has indicated. The Illinois Bankers' Association stands in opposition to the Motion emphatically and resoundingly. The President of the Senate who sponsored this Bill stands in opposition to the Motion resoundingly. I just got word a few minutes ago from Senator Alan Dixon's office that every Member of the Illinois delegation stands opposed to the proposition being advanced by the Sponsor of this Motion which is nationwide banking in Illinois and legislation to that effect. The entire Illinois delegation is in opposition to it at this point. I say to you, Madam Speaker and Ladies and Gentlemen of the House, if you thrust upon our banking officials in Illinois this Motion, you are, in fact, placing them in a disadvantaged position. You are providing an unfair competitive advantage to the mega industries of our country, the Chase Manhattan's, the City Corp's, the Chemical Banks and even some of those people who call themselves non-bank banks want this Motion. To deny the opportunity to debate fully the content of House Bill 525 at this point will be just another signal across the nation that Illinois is not a good place to do business. We just killed the World's Fair. We're sending all of the wrong signals at the wrong time across the nation and throughout the world that Illinois is a joke. Let's not send anymore negative vibrations across the nation and throughout the world. Let's vote 'no' on this Motion. Let's stand beside the individuals who believe in this state and who are investing their money in this state, and let's not let the foxes get away with this scheme. Vote 'no'."

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

DeLeo: "Thank you, Madam Speaker, Members of the House. This is the first time I've seen a postpone Motion, and I think it's very, very unfair to the Sponsor. The Sponsor has worked very hard to bring this Bill to Third Reading. We sat here a few weeks ago during the medical malpractice. We had over a hundred Amendments. We went through them Amendment by Amendment. Amendments were withdrawn. We debated them. I think it's unfair. The Illinois bankers have worked very, very hard in bringing... trying to get a compromise on this deal. I think this Bill should be heard. I urge a 'no' vote on this."

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

Daniels: "Madam Speaker, Ladies and Gentlemen of the House, first, let me, if I might, just retrace some quick history on this legislation. I don't think there's a single Member of the Financial Institution Committee, Republican or Democrat, that hasn't worked extraordinarily hard on this issue, and I commend them for their extreme work, their difficult subject that they tackled and the time they spent on this issue. Representative Greiman, I think, to his credit, brought to this floor a discussion of the issue of nationwide banking by a memo that he circulated and a position he took. I have filed a series of Amendments, as you know, and I'm part of the 71 Amendments that are before us today in order to bring further discussion of this issue which would contain an acceptance of the IBA position on regional banking as well as the introduction of non-bank bank legislation and regulation by the commissioner of banks, as well as the issue of a trigger to introduce nationwide banking in this state, because I believe, I believe that it is in the best interest of every consumer

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in this state that we have available to us the most modern of banking facilities and the most modern of banking practices. I also believe that the introduction of consumer banks into this state which would be regulated by our commissioner of banks is in the interest of every consumer in this state, for I ask you the question, why shouldn't we all have the opportunity to get the best banking services available in this country today, modern banking services and modern principles? I submit to you that my Amendments will do that. But yet, now, Representative Greiman has come, has presented a Motion to continue to a time certain this very important piece of legislation. And, yes, the effect of this Motion would be to put over to October 16th, 1985 the very important decision that we, as a General Assembly, must reach. I understand that the commitment that he just made to Representative Zwick, that we will have a series of hearings, that the House, as a whole, will be involved in this discussion and each and every Member of the House will have an opportunity to learn as much as they desire on the issue of banking and non-bank banks. I submit to you that no finer service can be done to the people of Illinois than to fully educate each and every Member of this chamber and hopefully each and every Member of the Senate. Madam Speaker, I support the Motion of Representative Greiman. I support this Motion, because I believe it is in the best interest of every consumer of this state and because I believe that the effect of it will be a total education of the House on this most difficult subject, on this most complex of complex subjects at a time that we will be able to deliberate the Amendments, the positions and the available modern banking system of this state. And for that reason, with the commitment that we will move forward,

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I support the Motion of the Gentleman."

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

McCracken: "Thank you, Madam Speaker. I move the previous question."

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

Greiman: "I thank the House for the opportunity to consider this Motion. I believe that the request is reasonable. To the contrary, as... unlike one of the previous speakers said, I am not opposed to 525. I have no position against that at all. I am perfectly willing to consider much that's in there. It's a Bill. I don't know the 71 Amendments that are offered. Some of them may be worthwhile. Some of them I'm sure are put in to kill the Bill. But some are really worthwhile, and I don't know what they are. There are 71 of them. I just don't know what they are. I want an opportunity with you to spend the next couple of months sifting through them, to think about banking restructuring in Illinois. We're talking about October 16th. We're not putting it over. We're not killing it. I think to the contrary there will be a very close focus on banking legislation, and that is in the best interest of the people of Illinois. Thank you."

Speaker Breslin: "The question is, 'Shall the House postpone action on Senate Bill 525 until October 16th, 1985 when the Bill will be placed on the Calendar on the Order of Senate Bills Second Reading, Second Legislative Day?' Because the real effect of this is that we are extending the deadline on this one Bill, this Bill... this Motion requires 60

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votes for adoption. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Churchill, one minute to explain your vote."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Madam Speaker, I was the first person you called on, and I wish you would have come back to me. I do rise in opposition to this Motion. When I first came into this chamber this Session, I took a look at the issues of this Session and I thought that this would perhaps be the biggest issue of this Session. I think the impact of this decision is far-reaching, is at least statewide, possibly regional, national and, in the long range, international. It's an issue which has impact that may be eternal for the State of Illinois. I think we must move forward. I think we can't afford the time to sit back at this point and study it and talk about it in the future. We have a position that is embodied in this Bill. It's in a position that's been worked out by the Illinois Bankers' Association, which is reasonable, progressive. It's a compromise. It's a plan that moves forward but protects the interests of all those involved. I rise to ask that we reject this Motion. I see the votes on the board, and I would just wish we could get a few more red ones."

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

Woodyard: "Thank you, Madam Speaker. To explain my vote, I was very glad to hear the posture of the Illinois congressional delegation. I did make an attempt to call President Reagan this morning to get his views on this. And, although I couldn't contact him, I do know that he does support the Gentleman's Motion. Seriously though, for the reasons put forth by the Sponsor of the Motion, particularly the fact that we have over 70 Amendments on this and could very well

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end up with a hundred, there's no way that we can address all of those concerns without proper hearings. And I commend the Sponsor for introducing this Motion."

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

Bullock: "Well, just to explain my vote. I was going to..."

Speaker Breslin: "I'm sorry, Sir, but you spoke in debate. You are, therefore, not entitled."

Bullock: "Representative Breslin, am I a joint Sponsor of this Bill?"

Speaker Breslin: "Yes."

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

Speaker Breslin: "You are a Sponsor, however, the authority to speak, I believe, to explain a vote only applies to the first Sponsor."

Bullock: "Will you check with the Parliamentarian and confirm that? I'd like a ruling."

Speaker Breslin: "And in addition to that, this applies to the Sponsor of the Motion, and you are not a Member of... you are not a Sponsor of the Motion. Is there any further discussion? Is there any further discussion? The Clerk... Representative Bullock, for what reason do you rise?"

Bullock: "Well, you didn't even give me a chance to explain why I rose which was to verify. You cut me off, because Greiman sends the voo-doo signals to the Chair. I wanted to verify it. You didn't even let me speak."

Speaker Breslin: "Representative Bullock, you said that you wished to explain your vote when you began, and everyone heard you. If you wish to verify, you certainly may. Have all voted who wish? The Clerk will take the record. On this question there are 72 voting 'aye', 42 voting 'no' and 2 voting 'present'. Representative Bullock, do you persist in your request for a verification? Yes, he does. Poll

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the affirmative, Mr. Clerk. Representative Matijevich asks leave to be verified, Representative Bullock. Representative Bullock, will you grant him leave? He does have leave."

Clerk O'Brien: "Poll of the affirmative. Alexander. Bowman. Braun. Breslin. Brunsvold. Christensen. Countryman. Cowlshaw. Cullerton."

Speaker Breslin: "Representative O'Connell, for what reason do you rise?"

O'Connell: "Could I have leave to be verified?"

Speaker Breslin: "Representative Bullock, Representative O'Connell? Grants leave to be verified. And Representative Braun requests the same... same. Representative Bullock, can Representative Braun have leave? Yes, she may. Proceed, Mr. Clerk."

Clerk O'Brien: "Currie. Dan..."

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

Hicks: "Yes, Madam Speaker, I'd like to be recorded as 'no', please."

Speaker Breslin: "Representative Hicks wishes to be recorded as voting 'no'. Proceed, Mr. Clerk."

Clerk O'Brien: "Daniels. Davis. DeJaegher. Dunn. Ewing. Flowers. Virginia Frederick. Dwight Friedrich."

Speaker Breslin: "Representative Weaver asks leave to be verified, Representative Bullock. And that is granted."

Clerk O'Brien: "Giglio. Goforth. Greiman. Hallock. Hannig."

Speaker Breslin: "Representative Preston asks leave to be verified, and Representative Dunn asks leave to be verified. That is granted. And Representative Bowman asks leave to be verified. And that is granted."

Clerk O'Brien: "Hartke. Hawkinson. Hensel. Hoffman. Homer. Huff. Johnson. Kean. Klemm. Koehler. Levin.

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Matijevich."

Speaker Breslin: "Excuse me. Representative Hawkinson asks leave to be verified, Representative Bullock. That is granted. Representative Hoffman also asks leave to be verified. And that is granted."

Clerk O'Brien: "Mautino. Mays. McCracken. McGann. McMaster. Mulcahey. Oblinger. O'Connell. Olson. Pangle. Parcels. B. Pedersen. Preston. Pullen. Regan. Rice. Richmond. Bopp. Ryder. Saltsman. Satterthwaite. Shaw. Slater. Soliz. Stange. Stephens. Tate. Turner. Van Duyn. Vinson. Wait. Weaver. Wolf. Woodyard. Anthony Young. Wyvetter Younge. And Mrs. Zwick."

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

Bullock: "Representative Phelps."

Speaker Breslin: "Representative Phelps. Representative Phelps."

Bullock: "Voting 'no'."

Speaker Breslin: "The Gentleman is voting 'no'."

Bullock: "Curran."

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

Bullock: "Ewing."

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

Bullock: "Did we give Hawkinson leave?"

Speaker Breslin: "We did give Hawkinson leave."

Bullock: "Johnson."

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

Bullock: "Levin."

Speaker Breslin: "Representative Levin. Representative Levin. Is the Gentleman in the chamber? He... The Gentleman is in the chamber."

Bullock: "Bowman."

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Speaker Breslin: "Representative Bowman was given leave to be verified."

Bullock: "McGann."

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

Bullock: "Mulcahey."

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

Bullock: "Pangle."

Speaker Breslin: "Representative Turner wishes to change his vote from 'aye' to 'no'. Representative Pangle is in the chamber."

Bullock: "Pedersen."

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

Bullock: "Peterson."

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

Bullock: "Pullen."

Speaker Breslin: "Representative Pullen. The Lady is in her chair."

Bullock: "Saltsman."

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

Bullock: "Stange."

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

Bullock: "Richmond."

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

Bullock: "Stephens."

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

Bullock: "Is Tate back there?"

Speaker Breslin: "Representative Tate. Representative Johnson has returned to the chamber. Add him to the Roll Call. Is Representative Tate in the chamber? He is in the chamber."

Bullock: "Van Duyne."

Speaker Breslin: "Representative Van Duyne is in his chair."

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Bullock: "Alexander."

Speaker Breslin: "Representative Alexander. Is the Lady in the chamber? Remove her."

Bullock: "Did Preston get leave?"

Speaker Breslin: "Yes, he did."

Bullock: "No further questions."

Speaker Breslin: "Representative Saltsman has returned to the chamber. Add him to the Roll Call. What is the count, Mr. Clerk? Representative Alexander has returned to the chamber. Add her to the Roll Call. On this Motion there are 70 voting 'aye', 44 voting 'no' and 2 voting 'present', and the Motion carries. We will go back to the... The Bill, Senate Bill 525, will be placed on the Order of Senate Bills Second Reading, Second Legislative Day and will be heard again at the next available time October 16th, 1985. Senate Bill 95, Representative Barger. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 95, a Bill for an Act in relation to mortgages and amending Acts herein named. Third Reading of the Bill."

Speaker Breslin: "Are there any Motions filed or any Floor Amendments? My Calendar shows that this Bill was held on the Order of Second Reading."

Clerk O'Brien: "This Bill has been read a second time previously. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Countryman."

Countryman: "Thank you... Thank you, Madam Speaker and Ladies and Gentlemen of the Assembly. Amendment #1 deletes the provision in this Bill requiring signatures on a second mortgage of all owners in the presence of a director, loan

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officer or employee of the mortgagee. We believe that that's an onerous provision to determine when a second mortgage exists and when it is a second mortgage and there's no other provision in law that requires that a mortgage be signed in the presence of a director, loan officer or an employee of the mortgagee and that provisions for acknowledgement before a notary should control. And we, therefore, move for the adoption of Amendment #1 to Senate Bill 95."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 95. And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Will the Sponsor yield?"

Speaker Breslin: "He will."

McCracken: "Representative Countryman, this returns the mortgage signature requirements to what is generally the law?"

Countryman: "That would be correct. And this deletes that provision of the Bill requiring it to be done before an officer, director or employee of the lending institution."

McCracken: "Okay. I am fully in support of this Amendment. I don't think it does harm to the Bill. Candidly, I think the... the original requirement was well intentioned but unnecessary and would have posed more harm than good. So, I stand in support of the Amendment. Thank you."

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

Dunn: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of this Amendment and congratulate the Sponsor for his diligence. This Amendment is in response to questions raised when this Bill was discussed in House Judiciary I Committee. And I think the Amendment will have a positive effect upon the passage of the Bill and make it good law. I support the Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #1 to Senate

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Bill 95 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Barger, amends Senate Bill 95."

Speaker Breslin: "Representative Barger."

Barger: "I move to withdraw Amendment #2."

Speaker Breslin: "Withdraw Amendment #2. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Barger now asks leave for immediate consideration of Senate Bill 95 as amended. Are there any objections? Hearing none, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 95, a Bill for an Act to amend an Act in relationship to mortgages. Third Reading of the Bill."

Speaker Breslin: "Representative Barger."

Barger: "Thank you, Madam Speaker. This Bill was introduced as an aid to women whose husbands had taken mortgages and the mortgages became in arrearage and the wives never knew of the problem until too late to do anything about straightening it out. This merely asks that 45 days after a homestead or a residential mortgage is in arrear, that notification be sent to both the... to each the husband and separately to the wife so that both parties will know what's going on. And I move for its passage. Thank you."

Speaker Breslin: "The Gentleman has moved for passage of Senate Bill 95. On that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 95 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114

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voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate... Representative McCracken wished to be recorded as voting 'aye'. Senate Bill 148, Representative Hicks. Clerk, read the Bill."

Clerk Leone: "Senate Bill 148, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. Third Reading of the Bill."

Speaker Breslin: "Representative Hicks."

Hicks: "Yes, Madam Speaker, Ladies and Gentlemen of the House, Senate Bill 148 amends the Consumer Fraud and Deceptive Practices Act. It simply says that a seller who is in compliance with the Federal Truth in Lending Act will automatically be in compliance with the Illinois Consumer Fraud Act. It also clarifies the problems that the Illinois Realtors' Association had by Amendment with Amendment #1. And I'd ask for it's adoption. Be happy to answer any questions."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 148. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Senate Bill 148 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 297, Representative O'Connell. Representative O'Connell. Is the Gentleman in the chamber? Out of the record. Senate Bill 512, Representative Piel. Clerk, read the Bill."

Clerk Leone: "Senate Bill 512, a Bill for an Act to amend the Illinois Banking Act. Third Reading of the Bill."

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Speaker Breslin: "Representative Piel."

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill is a Bill suggested by the Illinois Bankers' Association and what it basically does... Presently, the present law allows three community service facilities, and it would allow the banks to go to five community service facilities. I'd be more than happy to answer any questions."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 512. And on that question, is there any discussion? There being no discu... Excuse me. The Gentleman from Edgar, Representative Woodyard."

Woodyard: "Thank you, Madam Speaker. What did you say the Bill does, Bob?"

Speaker Breslin: "Representative Piel."

Piel: "The present law allows three community service facilities from a main bank. And this would just increase it to five community service facilities."

Woodyard: "Why would Farm Bureau be against this Bill?"

Piel: "Farm Bureau didn't oppose the thing in Committee. In fact, it passed out of Committee 16 to 0."

Woodyard: "Okay."

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

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

Speaker Breslin: "He will."

Brunsvold: "Representative, are the same geographical limits in place as previous law?"

Piel: "Yes."

Brunsvold: "What's the reasoning on five locations versus three when that geographical area is not increased?"

Piel: "It's basically just to give more service to the customers, Joel, and that would probably be the easiest way to explain

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it. You know, that's the main advantage to it, is giving more service to the customers."

Brunsvold: "So, they're not, in fact, expanding out to cover larger areas than they are presently?"

Piel: "No. ... worry about, like Continental Bank going down into Cairo, Illinois, no. No, not at all."

Brunsvold: "And that limit, if I remember right, is what - two statute miles, two miles limit?"

Piel: "I don't know. Maybe somebody else could answer that question. I really don't know. But it does not change that. It just increases from three to five."

Brunsvold: "Thank you."

Piel: "It doesn't change the limit at all."

Speaker Breslin: "The Gentleman from Kendall, Representative Hastert."

Hastert: "Thank you, Madam Speaker. I simply want to say this is an important concept in my area, in an area that's developing high growth areas in the state, which there are not a lot of them. But, in our area, it's important. I think it's a good idea, and I ask for your positive support of this Bill."

Speaker Breslin: "The question is, 'Shall Senate Bill 512 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 102 voting 'aye', 9 voting 'no' and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 570, Representative Ewing. Representative Ewing. Clerk, read the Bill."

Clerk Leone: "Senate Bill 570, a Bill for an Act to amend the Trust and Trustees Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Ewing, amends Senate Bill 570."

Speaker Breslin: "Representative Ewing."

Ewing: "Madam Speaker, Ladies and Gentlemen of the House, Amendment #2 is an agreed Amendment to change the wording in this Bill just slightly and does not change the actual intent or meaning of the Bill, and I would move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 570. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Ewing now asks leave for immediate consideration of Senate Bill 570 as amended. Are there any objections? Hearing none, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 570, a Bill for an Act to amend the Trust and Trustees Act. Third Reading of the Bill."

Speaker Breslin: "Representative Ewing."

Ewing: "Madam Speaker, Ladies and Gentlemen of the House, this Bill provides that... it amends the Trust and Trustees Act to permit bank holding company subsidiaries which are qualified to act... accept trusts, to succeed to part or all of the corporate trust business of any other subsidiary of the bank holding company with all the same rights and duties granted to successor corporations. I'd be glad to answer any questions, and I would move for the passage of

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this Bill."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 570. And on that question, the Gentleman from Cook, Representative Ronan."

Ronan: "Thank you, Madam Speaker. I, too, rise in support of this legislation. Representative Ewing and I have worked on it. We've gotten a compromise and agreement from all interested parties. I think it's a good concept. It's important for the statutes in the State of Illinois. I move for the passage of Senate Bill 570."

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

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

Speaker Breslin: "He will."

Dunn: "Is Amendment #1... House Amendment #1 on the Bill?"

Ewing: "Yes, it is, Representative."

Dunn: "Would you explain that portion of the Bill? It seems to exempt trustees or agents from personal liability."

Ewing: "Representative, that Amendment provides that the corporate fiduciary would only be liable for up to the value of the trust. That means that you couldn't come back beyond the trust assets onto the other assets that the trustee might have."

Dunn: "That seems to be Amendment #2. But Amendment #1 seems different to me. And Amendment #1 is on the Bill? Does Amendment #1 say that the trustee shall not be personal... personally liable for all actions not sounding in tort? So that all contract obligations the trustee is exempt from by this Amendment?"

Ewing: "That is the Amendment. I was trying to give you what the effect of that Amendment was, Representative, but that is the Amendment and that is Amendment #1 and it is on the Bill."

Dunn: "Well, it... I am certainly not an expert in trust law, but

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isn't this a fundamental change in direction in trust law in this state?"

Ewing: "It's my understanding it is not."

Speaker Breslin: "Are you finished, Representative Dunn?"

Dunn: "No, no. Okay. Thank you very much."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Senate Bill 570 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no' and 3 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. With leave of the Body we will go back to Representative O'Connell's Bill. That's Senate Bill 297. Clerk, read the Bill. Excuse me. Representative Ewing, for what reason do you rise?"

Ewing: "Were you coming back? I have the next Bill, 571?"

Speaker Breslin: "Yes, we will. Senate Bill 297, Representative O'Connell. Clerk, read the Bill."

Clerk Leone: "Senate Bill 297, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Cullerton, amends Senate Bill..."

Speaker Breslin: "Representative Cullerton."

Cullerton: "I would ask to withdraw Amendment #1."

Speaker Breslin: "Withdraw Amendment #1. Are there any further Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and

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Gentlemen of the House. This Amendment was, once again, a compromise that was worked out with the retail merchants who are in favor of passing the Bill, and they've agreed to it. The amended Bill... First of all, the Bill deals with the Criminal Code and includes in the offense of deceptive practices the issuance of a non-sufficient funds check in payment of a Bill, invoice or other statement of account in a transaction. It requires the payee of a check to attempt to notify the drawer after the check has been dishonored. The Amendment... the amended Bill, with this Amendment, describes the elements of the offense which the state must prove a trial. They must show that the drawer must write a check which he knows will not be paid by the bank. The check must be in full payment of the amount owed to the creditor or for an amount in excess of 150 dollars towards the balance of the amount owed. The debt must have arisen as a result of a credit transaction for property, labor or services. The drawer must have received actual notice, either from the bank or the creditor, that the check bounced and the drawer failed to deliver... I'm sorry - the drawer failed to deposit money to cover the check within seven days of receiving the notice that the check was dishonored. I move for the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 297. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative O'Connell now asks leave for immediate consideration of Senate Bill 297 as

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amended. Are there any objections? Hearing none, read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 297, a Bill for an Act to amend Sections of the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "Representative O'Connell."

O'Connell: "Thank you, Madam Speaker. Senate Bill 297 recognizes a current distinction in the criminal law, wherein if an individual presents to a person a check for immediate payment and the check has non-sufficient funds and the court proves that there was an intent to commit fraud because the person knew they had non-sufficient funds, that is a criminal offense. However, if a person, under current law, on a deferred payment plan or a credit plan, proceeds with the same criminal intent, there is no crime for NSF checks for a deferred payment or credit plan. This Bill recognizes that fact and now becomes a crime. With the Amendment that was placed on by Representative Cullerton, the Bill becomes a very equitable and long-awaited change in the Criminal Code. There are protections for an individual who makes an inadvertent NSF payment. The second time that a person presents an NSF check, before the matter may be prosecuted, there has to be a certified letter to the drawee... rather, to the drawer that they are going to be subject to potential prosecution. With the Amendments that Representative Cullerton put on, only a person who has either paid for the entire credit arrangement with an NSF check or an amount in excess of 150 dollars may be prosecuted. It's an equitable Bill. The compromise makes it even more equitable, and I'd ask for a favorable vote."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 297. And on that question, the Gentleman from Knox, Representative Hawkinson."

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

Speaker Breslin: "He will yield."

Hawkinson: "John, as I understand this Bill, it is a substantial departure from deceptive practice law in that it will now allow a criminal prosecution for a check written to cover an account dated or a past due account. The traditional Deceptive Practice Act concept of fraud, which is taken from the common law concept, is that for there to be fraud in a transaction, there has to be some sort of reliance or deception or something given in response to the fraud. Now you're going to extend it by this Bill to a situation, for example, payment of a Mastercard bill or some other kind of past due account. A bill is given. How does that fit into traditional notions of fraud? In other words, what is the fraud that is being perpetrated by writing a check that bounces on a Mastercard bill?"

O'Connell: "When the Mastercard was issued, first of all, there is a reliance on the part of the creditor that the debtor will assume that debt with a legitimate method of payment. Each time the creditor extends the billing statement, it could be analogized to the merchant who presents the... either the service or the commodity in return for which he is paid."

Hawkinson: "Well, but what is the debtor or the person writing the check defrauding the merchant of? If you go into a store, and you present a check and you receive the merchandise, you're receiving that merchandise. And if you know that the check will not be paid, that's the fraud. You're defrauding the merchant out of the merchandise. In the situation that we're covering now, you have purchased the merchandise on a credit card or some other matter at a time in the past, assuming there's no criminal intent at

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that time, and then, 30 days later or 45 days later, a check is written, but no merchandise is received. You've already had that for 40 days. What are you defrauding the merchant out of?"

O'Connell: "There was a contractual obligation, when you took the credit card, that payments would be made on advances on that credit card."

Hawkinson: "I understand that, and I'm not quarreling that there's not a civil debt that is owed and that should be enforceable in court along with interest, either by contract on your credit card or otherwise. But I'm... I guess I'm questioning the transference into the criminal law and what the underlying rationale is for that. I'm not standing in opposition, but I'd like some explanation. Let me ask you this question. What is the criminal intent that will be required under the Bill as amended?"

O'Connell: "I'm sorry, Representative. Could you repeat the question?"

Hawkinson: "What is the criminal intent that a prosecutor will have to prove under the Bill as amended in order to obtain a conviction?"

O'Connell: "The prosecutor would have to prove the intent to defraud and that the person knew that he did not have sufficient funds in his account to pay the deferred payment."

Hawkinson: "And where does the fraud element come in? What are you defrauding the merchant of in failure to pay on the past due account?"

O'Connell: "You're defrauding, in effect, the... In effect, you're really defrauding the issuer of the card."

Hawkinson: "So the.. when the prosecutor goes to draw up the complaint, the complaining witness or the victim will not be the merchant but will be the credit card company or the

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bank that issues the credit card?"

O'Connell: "My understanding of credit card transactions is that once the payment is... strike that - once the merchandise is tendered to the buyer, the right to payment is then submitted to the credit card company which, in effect, becomes a holder in due course of that right to payment. If there is a failure to make legitimate payments, that merchant is subject to any sanctions that they have with the credit card company for failure to pay. I am not certain whether the merchant must reimburse the credit card company for payment of that merchandise that was the subject of the credit card transaction."

Hawkinson: "Let me ask a question or two regarding legislative intent, if I might. Normally, in the commission of a criminal offense, you have an intent at the time of the commission of the offense. Are we talking about two different time periods here that you have a criminal intent, the first time being the time that you write the check, knowing that it will not be paid by your depository? That's the first time that criminal intent comes into play, is that right, when you write that check?"

O'Connell: "Correct. Correct."

Hawkinson: "Knowing that it will not be paid."

O'Connell: "That is right."

Hawkinson: "Is there another... You've also got in this Bill, as amended, as I understand it, an actual notice that must go out to the drawer, the maker of the check, saying that the check has bounced, and then there will be a seven day cure period?"

O'Connell: "Right. In effect, it's a seven day grace period prior to the second presentment. There's a notice of a first dishonor by certified mail."

Hawkinson: "And if you then have... once you receive actual

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notice of that dishonor, then you have seven days to make it good or else you become a Class A misdemeanor."

O'Connell: "That's correct."

Hawkinson: "So, the failure to pay, then, is what triggers the violation of the Criminal Code."

O'Connell: "The criminal intent. Yes."

Hawkinson: "What happens..."

O'Connell: "A refusal to pay."

Hawkinson: "What happens in a situation where financial circumstances change and the house of cards comes tumbling down and the person files bankruptcy sometime after that actual notice is received? Does the failure to pay, then, as probably is required under the Bankruptcy Act, does that make them a criminal?"

O'Connell: "Well, as exists under current law, you still have to prove an intent to defraud. If a person presented a check and two days later, as you say, the house of cards fell apart, and he submitted to bankruptcy, that would be an element, in terms of... that the prosecution would have to contend with to determine intent to defraud."

Hawkinson: "But it would not be the intention that failure to pay beyond the circumstances, or out of the control of the debtor, or because of legal... some legal requirements or attachments would subject the debtor to criminal penalties."

O'Connell: "Not criminal penalties."

Hawkinson: "Alright. So, there could be no prosecution under those circumstances."

O'Connell: "Unless the prosecution could prove intent to defraud."

Hawkinson: "Well, that's why I'm asking if we're talking about one period of intent or two. Are we simply talking about what's in the person's mind at the time they made the

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check, or are we talking about their intent over this entire period, including the cure period?"

O'Connell: "Okay. The intent requirement comes in when you initially make out the check. The seven day grace period is a foundation requirement needed in order to sustain a complaint under the law."

Hawkinson: "Let's talk about a common occurrence; that someone writes a check knowing that the next day that they're going to make a deposit. Technically, they're not in violation of the law because it is their intent that that bill will be paid."

O'Connell: "Correct."

Hawkinson: "Now, you come to me in my former role as a prosecutor as a merchant or a bank with a check and you can show that on the date it was made there were insufficient funds in the account to pay the check, and you can also show that the notice has been received and that the amount has not been paid. The debtor, on the other hand, tells the prosecutor, 'I couldn't pay. I filed bankruptcy three days after... three days after I received this notice.' Should I or should I not file that criminal complaint under this Bill?"

O'Connell: "It has to bounce twice. And if a person filed... wrote a check and two days... Let me correct myself. I indicated that it had to bounce twice. It only has to bounce once. The second presentment without the sufficient funds is simply the foundation for the warrant. So, in your example, if a person wrote the check with the intention, two days later, of putting in his deposit, under the classic case, that would not suffice as the criminal intent necessary to successfully prosecute under this proposal."

Hawkinson: "And the same would be true if, for circumstances

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beyond the control of the debtor, someone, such as the IRS or another creditor, put a hold on the account or, pursuant to court order, froze the account or took monies out or offset. Something of that nature would not subject the debtor to criminal penalties either, I take it."

O'Connell: "That is correct."

Hawkinson: "Thank you very much."

Speaker Breslin: "Gentleman from Macon, Representative Dunn, on the question."

Dunn: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise in opposition to the Bill for the reasons so well articulated by the last speaker. This Bill represents a drastic departure from the existing common law and puts in jeopardy all the people who, at the end of the month or the middle of the month or whenever, sit down at the kitchen table and write checks to pay bills; and, as was indicated, plan tomorrow morning to go down and make a deposit to make sure that the funds are there to cover those bills. And sometimes they make a mistake. Sometimes they don't get to the bank to make a deposit right on time. The intention is there to pay the bill at the time the check is written. But the fact circumstances called for in this case will probably ignore that situation and expose them to criminal action. And if you have a criminal complaint filed against you, you are in a very serious situation and you probably have to hire a counsel. And there ought to be other ways to do this. There's no difference, in my mind, between this Bill and saying that anyone who has an open account for any purpose and doesn't pay it promptly should be subjected to a criminal penalty. We don't believe in that. You... if you charge something, you promise to pay. A promise to pay is just what it is. It's different from cash. It's a promise. And some of our

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promises are better than others. And the law has been that way for a long time. I don't see any reason to change it now. And I would urge a 'no' vote on this Bill."

Speaker Breslin: "The Gentleman from Cook, Representative Terzich. Representative Braun, in the Chair."

Terzich: "Representative O'Connell, this is a payment of charge cards. What is the difference if someone didn't pay their charge card? I assume... Or they went and they made a purchase with the charge card without ever having any intent even to pay their charge card. What would happen in that case?"

O'Connell: "Under present law, nothing would happen. You'd be subjected... You, the creditor, would be subjected to any civil remedies you might have as opposed to criminal remedies."

Terzich: "Well, right now if they... what would be the difference if their paid it with a check that says NSF or they didn't pay it at all?"

O'Connell: "Well, there's no sanctions... If there's no sanctions, there's more of an incentive on the part of the individual to withhold payment. Part of the Bill is addressed at providing sanctions, as are all of our Criminal Codes addressed at providing sanctions which will hopefully result in deterrence. Right now, there is no deterrence."

Terzich: "Well, what? A deterrent to write a check or a deterrent to pay a bill?"

O'Connell: "It's a deterrent to write a non-sufficient fund check. There are people that will send a check just to complicate the bill collection process."

Terzich: "But what this would say then is if you sent a check and it came back NSF that whoever it was you were writing that check to would send you a notice say, under penalty of law,

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that you're going to be convicted if you don't come up with the money or satisfy this NSF check?"

O'Connell: "The person must receive actual notice that they may be placed under criminal jeopardy if they don't pay, just as anyone would be placed under the same jeopardy if they went to a grocery store and presented the clerk with an NSF check."

Terzich: "Alright. Well, let's put it this way then, Representative..."

O'Connell: "Knowing that they weren't going to pay it."

Terzich: "Let's assume we both owe 200 dollars to Mastercharge, alright?"

O'Connell: "Okay."

Terzich: "And you went and you wrote out a check and it didn't have sufficient funds, but, me, I didn't even pay it at all. I'm not going to pay it, even though I had the same, you know, charge account. You would be subject to penalty, but, because I didn't pay mine, I wouldn't be?"

O'Connell: "That's correct. If you don't pay it at all, then you are not subjected to criminal penalties; however... however, they simply remove the right to use that card."

Terzich: "Well then, what would be the big difference because I..."

O'Connell: "The difference is..."

Terzich: "I would have an intent not to pay anything whatsoever. But, you, who made out a check and had... and that, you know, that might be not sufficient, you'd be subject to penalty but all I would be is subject to maybe some civil action even though I intended to defraud whoever I purchased my goods from."

O'Connell: "That isn't defrauding. If you just don't pay, there's no defraud, because no one's relying on that. When you submit a check, the person is relying on that. It goes

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through a check collection process, sends it back. The merchant incurs a fee for the NSF check and then sends it back again, incurs another fee."

Terzich: "Well, to the Bill. You know, I personally feel that this type of legislation is either made out for the retail merchants or some banking or whatever the case may be, but I can appreciate the fact if someone made out an NSF check on a purchase of some goods and ... with an intent to defraud, but I can picture anybody who didn't pay their Mastercharge or gas bill, their electric bill by check and it came back NSF, that they would be threatened with a criminal suit against them because the check didn't have sufficient money. And at the same time, I could also see that our state's attorneys, wherever they may be, maybe be inundated by people bringing up criminal charges against someone who might have written an NSF check, but anybody who went and purchased goods with a credit card and they didn't pay their bills, they were okay. But the guy who wrote out the check would be subject to criminal charges. I think this is a bad Bill."

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

Young: "I rise for an inquiry, Madam Chairman. Has a fiscal note been filed on this Bill?"

Speaker Breslin: "Representative Young, I understand that a fiscal note was requested and it has not been filed. Representative O'Connell, for what reason do you rise?"

O'Connell: "In the opinion of the Department of Commerce and Community Affairs, Senate Bill 297, in the House, constitutes a local government organization and structure mandate for which no reimbursement is required under the State Mandates Act."

Speaker Breslin: "Was that filed with the Clerk's Office? In

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addition to that, we're talking... Representative Young's question was with regard to a fiscal note, not with a State Mandates Act note."

O'Connell: "Has there been a request for a fiscal note?"

Speaker Breslin: "Yes, there has. The Clerk's Office tells me that there has."

O'Connell: "Well, accordingly, Madam Speaker, I would then make a Motion... move that that fiscal note not apply."

Speaker Breslin: "Okay. The Gentleman moves that the Fiscal Note Act is not necessary. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 77 voting 'aye', 22 voting 'no' and none voting 'present'. And the Fiscal Note Act is not necessary, according to this Body. The next person to speak on this issue is the Gentleman from Fulton, Representative Homer."

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

Speaker Braun: "He indicates he will."

Homer: "Representative Cullerton, I think it's important for the Body and for all of us to understand exactly what is..."

Speaker Braun: "Representative O'Connell."

O'Connell: "Point of personal privilege. I don't know who's better looking, Representative Cullerton or myself, but I've been confused with Representative Cullerton all Session. Representative Homer, I'm O'Connell. That's Cullerton."

Homer: "Aah. I thought that was... I thought that was John Cullerton doing his John O'Connell imitation. Thank you. I must be listening to Representative Dunn, and I apologize to you. He's got me doing that now, John. Never had that problem before he started indoctrinating me. But anyway, Representative O'Connell, I think it's important that we

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understand what's being amended here by this legislation. Currently, or the law is in the land, throughout the land, that a mere breach of contract does not give rise to a criminal prosecution. A party has a right to breach of contract. So long as there's no intent to defraud, then the remedy for the aggrieved party is a civil remedy, not a criminal one. And it's not your intent, by this legislation, to extend what ordinarily would be a civil remedy into the criminal law, is it?"

O'Connell: "That is correct. And I would further add, Representative, that the example given by the previous... or Representative Terzich, where the individual did not pay at all, constitutes a breach of contract. Where the individual writes out a check with the intent to defraud, would constitute the subject matter that we're trying to address in this Bill."

Homer: "Okay. Now, for example, if I go into a store and buy something and they extend to me credit, and two weeks later I mail them a check to pay my bill and that check bounces twice, and they also had sent me a letter, have I, under your Bill, committed the offense of deceptive practice?"

O'Connell: "That is correct."

Homer: "Even... I would have in those... How did I defraud the merchant in that case? If the merchant extended to me credit, and that was the understanding, that I would pay, how did I... how did I create the offense of deceptive practice by mailing him a check for pre-existing indebtedness? How did I defraud him, and how is he in a worse position after receiving my check than he was before I sent it to him?"

O'Connell: "Because the merchant relied upon that check, went through the administrative costs of processing it, probably incurred an NSF fee from the bank, sent it back... a notice

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to the debtor, incurred further costs, received a second check, processed it again and, once again, was met with NSF. They relied on that... those two checks in order to satisfy the debt."

Homer: "Okay. That would, under your interpretation of the legislative intent of the Bill, be sufficient for conviction under this statute? John, I think... I think that..."

O'Connell: "No, Representative, only if that person had the intent not to have sufficient funds in account when they presented the check."

Homer: "Alright. Well, I guess the problem maybe that Representative Hawkinson had and maybe it's similar to mine is that what we've seen, I think, over a period of years in the state's attorneys' offices are a phenomenon where merchants have wanted the state's attorneys office to become a bill collection service. Obviously, if the person had never written the check, in that example - let's say that the party went into the store, was extended credit and never paid his bill with any check or with anything, just disregarded the payment and the payment notices. Then, in that case, the merchant, I think we would all agree, would have no right to go into the state's attorneys office and ask that criminal charges be filed because there's been nothing except a breach of contract there. The remedy would be for that merchant to go into Small Claims Court or into the Civil Courts to redress that breach. Now we're saying that we're going to have a criminal case by virtue of the fact that the party did not ignore the merchant, but rather, the party paid a check to the merchant which subsequently bounced. Now we've got a person committing a Class A misdemeanor. It's difficult, I think, to determine what the distinction is in what the offending party did.

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In one case, it's clearly a civil liability situation. In the other case, we're subjecting that individual to a Class A misdemeanor for which they may be sentenced to imprisonment for up to a year. Now, I could see if, in fact, that check was sent for that pre-existing indebtedness with the purpose of, for example, having the merchant exceed the statute of limitations to bring a civil action. Suppose that... suppose that a... it was based on a written agreement on a five year statute of limitations... on an oral agreement, five year statute of limitations applies, that the merchant would have five years to bring a civil action. Now the offending party says, 'Alright. It's almost five years. I'm afraid they're going to run into court and file their action, so I'm going to send them a check, knowing it's going to bounce, with the hope that they'll go beyond that period of statute and they'll forebear in their civil remedy.' In the case, clearly there was intent to defraud, because there was an intent to make that merchant or that payee do something that affected adversely that payee's legal rights. But just simply to give that person a check and then, after the check bounces, the merchant or the payee is in no worse position after the bounced check than they were before the bounced check, seems to me kind of a drastic step in jumping that threshold from civil to criminal liability.

And I could vote for your Bill if the legislative intent were to make certain that we were asking ... were we requiring that for the intent to defraud there actually be a showing that the payor of that ... the drawer of that check intended somehow to gain the recipient's reliance to that recipient's detriment upon the receipt of that check. Then, maybe you have a case for criminal intent. But without that, it's difficult to support the Bill."

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Speaker Braun: "Representative Vitek."

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

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

O'Connell: "Thank you, Madam Speaker. First of all, to try to address some of the points that have been raised here in debate. The Representative from Macon gave a scenario where the individual is sitting at his kitchen table making out his monthly payments, where he could be subjected to prosecution under this proposal. That's... that's... that's a ludicrous analogy. The same situation would hold now if that person were sitting, instead of at his kitchen table, sitting at his local barbershop and presented the barber or presented the merchant with a check and he didn't realize that he didn't have sufficient funds in the account when the check would be processed. That's not fraud. That's not a crime. What we're talking about is the individual who deliberately makes out a check knowing full well that he's not going to have sufficient funds in that account to take care of that check. That also draws light to another situation that's been raised in this debate. What reliance does the drawee or, in this case, the merchant have on a person that makes out a check knowing that it's not sufficient funds? There's administrative costs that have been mounting into millions of dollars each year to process these credit card accounts. If anyone wonders who's paying for those millions of administrative costs, I would submit that we are paying for those administrative costs. There is a detrimental reliance on the individual who submits a not sufficient fund check, not

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just once, but in this Bill it must be presented twice in order to implement the provisions of this Bill. The analogy between a contractual breach and a criminal violation is clear. There is a reliance, a detrimental reliance on the part of the merchant. The situation where you can prosecute under our laws, a person who hands a check to a merchant and has given the merchandise at that point in time and the situation where he hands the merchant a check and pays it on a deferred payment basis is very much unfair situation that exists. All this Bill is attempting to do is to make the two situations parallel. The Bill, as amended, maintains the criminal intent necessary to show the intent to defraud that merchant. It makes it clear that there is to be a detrimental reliance on the part of that merchant, and I believe the Bill, as amended, not only gives every leeway to the person, the debtor, to show that he was, indeed, committing a criminal fraud, but it also eliminates this unfair distinction that currently exists in this law. I would ask everyone for a favorable vote."

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 297. All in favor vote 'aye', opposed vote 'no'. The voting is open. Representative Leverenz. Representative Leverenz, Representative Mautino requests to be voted 'aye'. He wants to be voted 'aye'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there are 74 voting 'aye', 38 voting 'no'. Senate Bill 297, having received a Constitutional Majority, is hereby declared passed. On page 12 of the Calendar, appears Senate Bill 571, Representative Ewing. Representative Ewing? Out of the record. Representative Ronan, for what reason do you rise?"

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Ronan: "I'm Cosponsor of the Bill, and I'll handle it."

Speaker Braun: "Alright. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 571, a Bill for an Act to amend an Act to provide and regulate the administration of trusts and trust companies. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Floor Amendments."

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. Mr... Representative Ronan requests consideration of the Bill... immediate consideration of the Bill. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 571, a Bill for an Act to amend an Act to provide for and regulate the administration of trusts and trust companies. Third Reading of the Bill."

Speaker Braun: "Representative Ronan, on Senate Bill 571. Representative Ronan, Representative Ewing has returned to the chamber. But you may proceed."

Ronan: "Thank you, Madam Speaker. I'm sure Representative Ewing will close. Senate Bill 571 is a companion to 570. We've worked on it with a number of interested individuals. It deals with the trust Section of the statutes. We passed a similar House Bill out about a month ago. I move for the passage of Senate Bill 571."

Speaker Braun: "Gentleman has moved the passage of Senate Bill 571. On that question, is there any discussion? There being none, the question is, 'Shall Senate Bill 571 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 115 voting 'aye', none voting 'no'. Senate Bill 571, having received a Constitutional

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Majority, is hereby declared passed. On page nine of the Calendar appears Senate Bill 835. 835, Representative McCracken. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 835, a Bill for an Act in relationship to the Commission of Banks and Trust Companies. Third Reading of the Bill."

Speaker Braun: "Representative McCracken."

McCracken: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I ask leave to return this to Second Reading for purposes of an Amendment."

Speaker Braun: "Gentleman requests leave to return this Bill to Second Reading. Mr... Mr. Clerk."

Clerk Leone: "Amendment #1, McCracken, amends Senate Bill 835."

McCracken: "Amendment #1 was an Amendment requested by the retail manufacturers, and it amends that portion of the Bill dealing with the Electronic Funds Transfer Act. It makes more certain the scope of the commissioners' power under that Act, defines administrative decisions, makes it clear that any suspension or cease and desist order can only follow notice in a hearing, except where the court seeks preliminary injunctive relief in court and, otherwise, is acceptable to the consumer community. I move its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1 to Senate Bill 835. On that, is there any discussion? There being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, McCracken, amends Senate Bill 835."

McCracken: "I withdraw that Amendment, Madam Speaker."

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

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Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading."

McCracken: "I ask leave for immediate consideration on Third Reading."

Speaker Braun: "The Gentleman requests immediate consideration of Senate Bill 835. Does he have leave? Leave is granted by the Attendance Roll Call."

Clerk Leone: "Senate Bill 835, a Bill for an Act in relationship to the powers of Commissioner of Banks and Trust Companies. Third Reading of the Bill."

McCracken: "Ladies and Gentlemen of the House, this Bill was requested by the administration and the Commissioner of Banks. It amends the Bank Holding Company Act, the Banking Act, the Trust Companies Act and the EFT Act. Other than the references made to the EFT Act, which I've already described by reference to Amendment #1, the Bill, to my knowledge, is an agreed Bill and enumerates the Commissioner's powers thereunder. Essentially, it gives him rule making authority in the EFT Act, an authority which he already possesses under the other Acts and allows him to issue subpoenas and conduct an investigation if appropriate. But, again, that discretion has been limited, as defined in Amendment #1. And I move the passage of Senate Bill 835."

Speaker Braun: "The Gentleman moves the passage of Senate Bill 835. On that, is there any discussion? There being none, the question is, 'Shall Senate Bill 835 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is open. For what reason does the Gentleman from Cook, Representative Huff, rise? Your speak light is on, Representative Huff. Have all voted... Have all voted who wish? Have all voted who wish? The Clerk will take the

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record. On this question there are 116 voting 'aye', none voting 'no'. Senate Bill 835, having received a Constitutional Majority, is hereby declared passed. On page four of the Calendar, appears Senate Bill 889 (sic - 882) , Representative Terzich. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 882, a Bill for an Act to create the Expedient Check Clearing Act. Third Reading of the Bill."

Speaker Braun: "Gentleman from Cook, Representative Terzich. Representative Terzich. Representative Ter... Step to the next microphone. Apparently, yours is malfunctioning. Representative Preston, for what reason do you rise?"

Preston: "Madam Speaker, just for the record. I think you may have misspoke and said Senate Bill 889. And just for the record, we are considering Senate Bill 882. Is that correct?"

Speaker Braun: "I'm sorry. Senate Bill 882. 882. Thank you, Representative Preston. Representative Terzich."

Terzich: "Yes, Madam Speaker, Ladies and Gentlemen of the House, Senate Bill 882 provides that a financial institution shall make funds deposited by a check available at the end of financial institution's next banking day if the check is drawn on that institution or a check is a Federal Government, Illinois government or local government check. It requires financial institutions to make funds deposited by check available for withdrawal within a specified period. And I would move for its passage."

Speaker Braun: "The Gentleman moves for the passage of Senate Bill 882. And on that, is there any discussion? There being none, Representative Terzich, would you like to close? Oh, Rep..."

Terzich: "I did."

Speaker Braun: "I'm sorry. The Gentleman from Knox, Representative Hawkinson. I think the microphones are..."

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

Speaker Braun: "He indicates he will."

Hawkinson: "Representative, ordinary payroll check that's deposited, when does that check then become available for withdrawal?"

Speaker Braun: "Representative Terzich."

Terzich: "From what... It depends on the bank."

Hawkinson: "What is the current law on when it would be available for withdrawal?"

Terzich: "I believe it's eight days."

Hawkinson: "Thank you."

Terzich: "Yes, I got one, three and eight days, depending on the financial institution."

Hawkinson: "Couldn't hear him."

Speaker Braun: "Are there further questions? There being none, Representative Terzich, to close."

Terzich: "I closed."

Speaker Braun: "The question is, 'Shall Senate Bill 882 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all... Representative Huff. Have all voted who wish? The Clerk will take the record. On this question there are 117 voting 'aye', none voting 'no'. Senate Bill 882, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1077, Representative Cullerton. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1077, a Bill for an Act to amend the Foreign Banking Office Act. It's been read a second time previously. No Committee Amendments."

Speaker Braun: "Gentleman from Cook, Representative Cullerton."

Cullerton: "Second Reading. The Bill is on Second Reading, Madam Speaker."

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Clerk Leone: "Floor Amendment #1, Cullerton, amends Senate Bill 1077."

Cullerton: "Thank you... excuse me. Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Bill deals with the Foreign Banking... the Chicago Central Business District and we've passed the substance of the Bill out, and it's over in the Senate. This Amendment #1 also is a concept which we have passed in the House. It deals with the savings and loan failure in Ohio, and it's an effort to avoid that from happening in Illinois. It mandates banks, under Illinois Banking Act, to maintain FDIC or other deposit insurance. It amends the Savings and Loan Act to require some insurance, the same insurance, and also the credit unions would be required to be insured by the National... let's see, NCUA. I'm not sure what that stands for and no other insurers. I would be happy to try to answer any questions, but I believe this is something which we have approved in the past, and I would appreciate your support of the Amendment."

Speaker Braun: "Gentleman moves the adoption of Amendment 1 to Senate Bill 1077. On that, is there any discussion? There being none, the question is, 'Shall...?' Gentleman from DuPage, Representative McCracken."

McCracken: "Someone told me to look at Amendment 1. Would you explain that for the record, please?"

Cullerton: "I will... That's what I just did, of course, but I'll try to do it again. This Amendment deals with the issue of savings and loans, credit unions and banks not having proper insurance. Okay? And the failure in Ohio, this is a response to that, Amendment #1 is. And it mandates that banks under the Banking Act, Savings and Loan Act and the credit unions have proper insurance, have insurance and so they can't go belly up and have depositors lose money."

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McCracken: "Okay. I'm... I..."

Cullerton: "I believe..."

McCracken: "Is there no comparable requirement now or, if so, is it limited to just certain types of institutions?"

Cullerton: "No, I believe that there's no comparable requirement now. And now.. we haven't had the circumstance where, you know, the banks or the credit unions or the savings and loans went belly up, but this is in response to that situation that happened in Ohio and also in Balti... in Maryland."

McCracken: "Alright. It doesn't apply to national banks because they're already required."

Cullerton: "Right."

McCracken: "And there is no comparable program for state banks or comparable coverage."

Cullerton: "That's my understanding."

McCracken: "Have the feds authorized the issuance or the coverage for state institutions, or is there any implication along those lines?"

Cullerton: "I'm sorry. What was your..."

McCracken: "Well, is... is the federal coverage available for non-national banks?"

Cullerton: "Oh, yes."

McCracken: "I mean, can they opt in?"

Cullerton: "Sure."

McCracken: "Alright. And how does this change the insurance requirements, if any, for credit unions?"

Cullerton: "This NCUA insurance is... what - the National Credit Union Administration. This would require that they would apply to that administration for insurance."

McCracken: "Okay. And is that also a federal institution?"

Cullerton: "I'm sorry?"

McCracken: "Is that also a federal institution or what is that -

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the NCUA?"

Cullerton: "National Credit Union Administration."

McCracken: "It's not rhetorical. I really don't know."

Cullerton: "It's sanction... I believe it's sanctioned by the Federal Government. The point is it's a..."

McCracken: "It's comparable to the FDIC?"

Cullerton: "Right."

McCracken: "Okay. Now, are the... is the IBA in favor of this or opposed to this or do they have a position? The IBA. The Illinois Bankers' Association?"

Cullerton: "The Bankers' Association? I think that we passed this similar Amendment on House Bill 419, Amendment #6 and that... that, I believe... I'm not sure if it passed the Senate. I know it got out of Committee, and it's on the floor. So, I'm not sure..."

McCracken: "Now I'm told they're neutral. So..."

Cullerton: "Okay."

McCracken: "Alright. Thank you."

Speaker Braun: "Is there further discussion? The Gentleman has moved... There being none, the Gentleman has moved for the adoption of Amendment #1 to Senate Bill 1077. All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Cullerton, amends Senate Bill 1077."

Speaker Braun: "Representative Cullerton, Amendment 2."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. This Amendment deals with the Bill as originally offered - the expansion of the Foreign Banking Central Business District. It's simply a technical Amendment, which deals with the meets and bounds description, and I move for the adoption of the Amendment."

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Speaker Braun: "The Gentleman moves the adoption of Amendment 2. On that, is there any discussion? There being none, the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. Representative Cullerton."

Cullerton: "Madam Speaker, may I have leave to hear this Bill on Third Reading right now?"

Speaker Braun: "The Gentleman requests leave to... for immediate consideration on Third Reading of Senate Bill 1077. Leave is granted by the Attendance Roll Call. Representative Cullerton. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1077, a Bill for an Act to amend the Foreign Banking Office Act. Third Reading of the Bill."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Bill now, as amended, does two things. First of all, it expands the Foreign Banking Business District in Chicago so as to allow for foreign banks to locate in a slightly larger area within the Loop, recognizing the expansion of the business district in the City of Chicago. And Amendment #1, as adopted, deals with the Banking Act, the Savings and Loan Act and the credit unions so as to require those institutions to have insurance that will protect their depositors. I move for the adoption of Senate Bill 1077."

Speaker Braun: "The Gentleman moves the passage of Senate Bill 1077. On that, is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "No objection to the Bill. Sorry for the delay on Amendment #1. Let's roll."

Speaker Braun: "Thank you. The Gentleman has moved for the

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passage of Senate Bill 1077. All in favor vote 'aye', opposed vote 'no'. The voting is open. The Chair has an announcement. It is the intention of the Chair to adjourn at 8:00 p.m. tonight. Therefore, on all pending legislation to be taken up today, it would be appreciated if you would keep your discussion and explanation of vote as concise as you possibly can manage so that we can cover all the Bills that are on the Calendar and have an opportunity to address everyone's legislation. So, it's in the interest of your colleagues, as well as yourself, that you keep the debate short and move this process along. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 107 voting 'aye', none voting 'no'. Senate Bill 1077, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1192, Representative Bullock. Representative Bullock. Out of the record. On the Calendar, Special Order of Business - Elections, appears Senate Bill 506, Representative Terzich. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 506, a Bill for an Act to amend the Election Code. Third Reading of the Bill."

Speaker Braun: "Gentleman from Cook, Representative Terzich."

Terzich: "Yes, Madam Speaker, Ladies and Gentlemen of the House, I would like to get a task force to make sure we have good elections and; therefore, I'd like to make a Motion we defer this to the fall Calendar."

Speaker Braun: "The Gentleman requests leave to put Senate Bill 506 in Interim Study."

Terzich: "That's good enough. Thank you. Is that brief enough? Is that brief enough?"

Speaker Braun: "That's really good, Representative. The Speaker would like to have us adjourn at a reasonable time, and I

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really appreciate your cooperation, Representative Terzich. Thank you. On the Order of... Special Order - Civil Law... On page 12 of the Calendar, appears Senate Bill 681, on the Order of Elections. Representative Nash. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 681, a Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Laurino - Olson - Nash, amends Senate Bill 681."

Speaker Braun: "Representative Laurin... Representative Nash."

Nash: "Madam Speaker, I move to table Amendment 1."

Speaker Braun: "Amendment 1 is tabled... withdrawn, rather. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Alexander - Braun."

Speaker Braun: "Representative Alexander."

Alexander: "Thank you, Madam Speaker. The Amendment has not been printed, but I am withdrawing Amendment 2."

Speaker Braun: "Amendment 2 is withdrawn. Further Amendments?"

Clerk Leone: "No further Amendments?"

Speaker Braun: "Third Reading. Gentleman requests leave for immediate consideration of Senate Bill 681. Does he have leave? Leave is granted by the Attendance Roll Call. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 681, a Bill for an Act to amend the Election Code. Third Reading of the Bill."

Speaker Braun: "Representative Nash."

Nash: "Thank you, Madam Speaker, Ladies and Gentlemen of the House, this Bill was on the agreed Bill list, and we had moved it to Second Reading for the purpose of Amendments. It's a Board of Elections Bill. I ask for a favorable Roll Call."

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Speaker Braun: "Gentleman requests passage of Senate Bill 681.

On that, is there any discussion? The Gentleman from Lee, Representative Olson."

Olson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We agree with Representative Nash on the intent of the original legislation. We would urge the support for the passage of 681."

Speaker Braun: "Thank you. The Gentleman has moved for the passage of Senate Bill 681. All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye', 1 voting 'no'. Senate Bill 681, having received a Constitutional Majority, is hereby declared passed. On the Order of Civil Law, on page 20 of the Calendar, appears Senate Bill 164, Representative Pangle. I'm sorry. For what reason does the Gentleman from Cook, Representative Nash, rise?"

Nash: "Can the electrician shut off my mic, please?"

Speaker Braun: "I'm sorry, what did you say?"

Nash: "Shut off my mic."

Speaker Braun: "Yes, Representative Nash. Representative Pangle, on Senate Bill 164. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 164, a Bill for an Act to create the Parental Right of Recovery Act. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Kankakee, Representative Pangle."

Pangle: "Thank you, Madam Speaker. This is the Bill that we heavily debated two days ago on the right for a parent and a young person under the age of 17 to get rehabilitation from a drug pusher. I'd be happy to answer questions again if necessary."

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Speaker Braun: "Gentleman has moved the passage of Senate Bill 164. On that, is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative McCracken."

McCracken: "Parliamentary inquiry. What Order of Business are we on?"

Speaker Braun: "The Order of Business Civil Law."

McCracken: "Well then, I think we shouldn't be on this Bill. Isn't this on Postponed Consideration? Is this his first Bill?"

Speaker Braun: "I'm sorry. Representative... Representative..."

McCracken: "It's Postponed Consideration. It's already been voted."

Speaker Braun: "You're exactly right. It has to come out of the record, Representative Pangle. I'm sorry. It was on the list, but it is on the Consideration Postponed. We are taking all Bills that have not yet had an opportunity to be heard, first. On page 14 of the Calendar appears Senate Bill 164. Out of the record. On page 14 on the Calendar appears Senate Bill 293, Representative Hallock."

Hallock: "Thank you, Madam Speaker. We're having an Amendment drafted. I ask that it be taken out of the record at this time."

Speaker Braun: "Out of the record. Senate Bill 957, Representative Zwick."

Clerk Leone: "Senate Bill 957, a Bill for an Act to amend the Uniform Commercial Code. Been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Cullerton, amends Senate Bill 957 on page one and so forth."

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Speaker Braun: "Representative Cullerton, on Amendment #2."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Against my better judgement, against my better judgement, I ask leave to withdraw Amendment #2."

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

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. The Lady requests leave for immediate consideration of Senate Bill 957. Is leave granted? Leave is granted by the Attendance Roll Call. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 957, a Bill for an Act to amend the Uniform Commercial Code. Third Reading of the Bill."

Speaker Braun: "Representative Zwick."

Zwick: "Thank... Thank you. Hello? Thank you, Madam Speaker. Am I on? Thank you, Madam Speaker, Members of the House. Senate Bill... I don't think it's on. I'm on now. Okay. Senate Bill 957 is a Bill which deals with bad checks. One of the... One of the biggest operating burdens of retail merchants has for a long time been the collection of bad checks. We have addressed that issue several times before on the floor of this House and have tried to assist in whatever ways we can to make that burden a bit easier, but it has come to light that there is a growing problem out there that I think we need to address right now and that is the fact that when a person gives a bad check to a small businessman, when that check is given back to the retail merchant for whatever reason, whether it's uncollected funds or a checking account that no longer exists, or whatever reason, even though the retail merchant has checked into that person's background and has called all the phone numbers that is required of them and they've done all that they can to assure that it is not a bad check, should that check come back to them, they are not only

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being... being hurt by having to absorb the cost... the amount of the check, but they are also being charged by many of our banks the extra collection fee of between 10 and 20 dollars, depending on what bank they're dealing with. What this Bill attempts to do is to remove that additional burden on our small businessmen. It makes the drawer of the check liable for not only for the additional charge that is currently being levied upon the retail merchant who has accepted the check. We put an Amendment on it in Committee to limit it to the ... probably the first check only that would be given to a retail merchant and would be bounced. Should it be someone who is a constant passer of bad checks, that would not be affected by this. It would only be the person, the first time they would give a bad check to a retail merchant so that the retail merchant would have no way of knowing that this is a person who might have passed a bad check. In other businesses, perhaps in larger businesses, what usually happens is that if this merchant is large enough that they are a very good customer of a bank, the bank will waive these fees for our larger corporations and manufacturers. However, the small businessman is being charged this additional fee, and it is very costly and they are being ... being punished enough for taking a bad check, which they are trying not to do, by having to absorb the amount of the check, whatever that may be. Now they are putting upon the retail merchant not only the cost... not only the amount of the check, but an additional 10 or 15 or 20 dollars for the collection which, of course, we all know that it doesn't really cost the bank that much to collect the check anyhow and they are also charging the person who wrote the check 10, 15 or 20 dollars for bouncing the check on the bank. So, in other words, they are many times

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collecting two fees for this one bad check. I think Representative Greiman earlier in our discussion on banking referred to the battle between the millionaires and the billionaires. I think this one looks like it's the borrowers against the millionaires. They are not waiving the fees for smaller business. They're only doing it for larger ones. And I would ask for your support on this piece of legislation. Thank you."

Speaker Braun: "The Lady has moved the passage of Senate Bill 957. On that, is there any discussion? The Chair recognizes the Gentleman from Macon, Representative Dunn."

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

Speaker Breslin: "She indicates she will."

Dunn: "What is the position of the Retail Merchants' Association on this Bill now that the Amendment has been withdrawn?"

Zwick: "The retail merchants are in full support of this Bill as is the National Federation of Independent Business."

Dunn: "Thank you."

Speaker Braun: "The Chair recognizes the Gentleman from Marion, Representative... I'm sorry. The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you, Madam Speaker. Will the Sponsor yield? I'll go ahead and ask anyway."

Speaker Braun: "Yes, she will."

Weaver: "Under the circumstances established by this Bill, would this not allow a retailer to accept any check and forward it to the bank without regard to whether or not that check was given in good faith or whether or not that check was drawn upon an account that even didn't exist?"

Zwick: "I... No, that could not happen, because, first of all, there is the built in incentive for a retailer not to accept a bad check because they stand to lose all of the money that the check is written for, should that check be

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written for 50 dollars or 150 dollars. Whatever the amount a check is, the retailer is going to have to go after the person and try to collect on it. As a second precaution against a retailer having disregard for the collection of checks, there is a provision that we put in the Bill, in Amendment #1, which was adopted in Committee, stating the retailer should have had reason to know that this person would have passed a bad check. In other words, if the person has a history of passing bad checks or has passed a bad check before to this retailer, then this fee would not be waived. It is only when the retailer would have no way of knowing. There are many services that have been set up by associations where you can call before you accept a check and most retailers do that as a precaution. They not only take their driver's license number, but they call certain credit bureaus to check and see if you have a history. If that could have been done, then this wouldn't apply. This is for the person who had no way of knowing about it."

Weaver: "I may be misunderstanding the Bill. Does not the Bill rest the sole responsibility for the check on the drawer?"

Zwick: "On the drawer, right."

Weaver: "So, if someone were to give a bad check to a merchant, the merchant takes it to the bank, the bank cannot recover from the merchant, but the bank has then to go to the drawer of the check, which is the..."

Zwick: "Right. That's correct."

Weaver: "So, the merchant would not be out any money."

Zwick: "No. This is just the bad check fee that we're talking about. The merchant is responsible for the amount of the check. What we are addressing here is the fee that the banks charge for bouncing the check. They are charging both the drawer of the check and the retail merchant. So,

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all the Bill addresses is that fee, not the amount of the check. Nothing about the amount of the check changes. The Bill simply addresses the fee for bouncing the check."

Weaver: "Is there an Amendment I'm not aware of that changes the complexion of the Bill? Because, as I see it, it provides that liability for bad checks rest exclusively with the drawer, which means the amount of the check, is that not true?"

Zwick: "No. I'll read you the language of the Bill. It says specifically, 'no fee or charge may be assessed to any person other than the drawer who issues the check'. So, it's only dealing with the fee or charge in relation to that check, not with the amount of the check."

Weaver: "So, the amount of the check... So, the amount of the check itself is still recoverable from the merchant by the bank."

Zwick: "Right. Oh, yes."

Weaver: "Okay. I'm in error. Thank you."

Zwick: "Okay."

Speaker Braun: "Chair recognizes the Gentleman from Peoria, Representative Saltsman."

Saltsman: "Speaker, move the previous question."

Speaker Braun: "Gentleman has moved the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Previous question is put. Representative Zwick, to close."

Zwick: "I would simply ask for your support on this Bill. I think you've heard the issue. I think it's a very reasonable proposal and one that will help our small businesses in a small way, but a significant way. I would appreciate your vote, so would the National Federation of Independent Businesses and the retail merchants. Thank

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you."

Speaker Braun: "Lady has moved the passage of Senate Bill 957. All in favor vote 'aye', opposed vote 'no'. The voting is open. Representative... The Gentleman from Fulton, Representative Homer, to explain his vote."

Homer: "Thank... I don't think it's necessary, Madam Speaker. I'm going to waive the right."

Speaker Braun: "The Gentleman from Cook, Representative Piel, to explain his vote."

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I don't know if this Bill has changed an awful lot than when we defeated it a couple weeks ago. But what you're talking about... the way the Bill is written presently, you're talking about collecting on a bad check. Many times, it does not happen that a bad check is handled through the normal collection procedures. Lots of times it's a special handling type of a thing as far as a bad check. What she failed to mention was that the ICBI, the IBA and a lot of the... the savings and loan people who happen to have checking accounts are opposed to this thing because lots of times these have to be handled by special procedures through mailing back and forth of this check and it's a collection fee... they're saying that no collection fee can be charged and all they can collect is the fee from the institutions the check is drawn on. I would be very, very careful before you cast an 'aye' vote. I would suggest, if you are not sure, to cast a 'present' vote instead of an 'aye' vote because you're talking about something that could very easily tighten up collection procedures for people trying to open up checking accounts. And I would be very skeptical before you ... before you cast an 'aye' vote on a Bill like this."

Speaker Braun: "Have all voted who wish? Representative..."

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Gentleman from Lake, Representative Churchill, for what reason do you rise?"

Churchill: "To explain my vote, Madam Speaker. I had my light on to ask a question. Unfortunately, I was unable to ask the question because another person moved that we go on. It seems to me that you have a situation here where a person could have an account in a Springfield bank and go to Chicago and write a check and deposit it in a Chicago bank. By the time that check arrived back in the Springfield bank, there were insufficient funds. The check will be sent back to Chicago, charged against the account in Chicago, but the bank in Chicago could not charge a fee, even though it had to reprocess the check, because of the fact that it could not go against the drawer of the check who has the Springfield bank. So, I think you're cutting out one whole part of the transaction. That was the question I was going to ask and I think that a 'present' vote is probably the proper vote on this until we can find out the answer to that question."

Speaker Braun: "Gentleman from Marion, Representative Friedrich, to explain his vote."

Friedrich: "Well, Madam Speaker, the one who writes the check is not necessarily a customer of the bank. He's a customer of the grocery store or someone else. But the grocery store is the customer of the bank. The bank services that account, including the bad checks, and there is a lot of work involved in returning a bad check, changing it on the records and all that. It's the responsibility, actually, of the merchant, not the responsibility of the bank. Now, this is going to pass, but I will tell you this. The bank has no choice from then on but to raise the service fees to their retail accounts. They're going to get the money. They have to have it to operate. So, you can have it

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either way you want it. You can either have it in the monthly charge to the retailer, or you can have it a check at a time."

Speaker Braun: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 78 voting 'aye', 25 voting 'no'. Senate Bill 957, having received a Constitutional Majority, is hereby declared passed. On the same Order of Business - Civil Law, appears... on page five of the Calendar, appears Senate Bill 1288, Representative Williamson. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1288, a Bill for an Act in relation to reports of child abuse and neglect. Third Reading of the Bill."

Speaker Braun: "Lady from Cook, Representative Williamson."

Williamson: "Hadam Speaker and Ladies and Gentlemen of the House, Senate Bill 1288 simply amends the Abused and Neglected Child Reporting Act. The Bill permits law enforcement agencies to have access to records when investigating sex crimes when a child is alleged to be involved. The Bill also permits the Department of Law Enforcement to have access to records when administering the Intergovernmental Missing Child Recovery Act. I ask for a favorable vote... Roll Call."

Speaker Braun: "The Lady has moved the passage of Senate Bill 1288. And on that, is there any discussion? There being none, the question is, 'Shall Senate Bill 1288 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no'. Senate Bill 1288, having received a Constitutional Majority, is hereby declared passed. On the Order of Insurance, on page 20 of

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the Calendar, appears Senate Bill 1298, Representative Panayotovich. Representative Panayotovich. Out of the record. Senate Bill 1394, Representative Ronan. Mr... oh. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1394, a Bill for an Act to amend Sections of the Religious and Charitable Risk Pooling Trust Act. Third Reading of the Bill."

Speaker Braun: "Chair recognizes the Gentleman from Cook, Representative Al Ronan."

Ronan: "Madam Speaker, we're waiting for an Amendment to this Bill that should be up here momentarily. Can we take it out of the record until the Amendment gets here?"

Speaker Braun: "Out of the record. On the Order of Transportation appears Senate Bill 492, Representative Wolf. Mr. Clerk. Representative Wolf, are you prepared to proceed? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 492, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Braun: "Gentleman from Madison."

Wolf: "Thank you, Madam Speaker and Members of the House. Senate Bill 492 is the same Bill that was put on the Consent Calendar. It was taken off the Consent Calendar for the possible addition of an Amendment, which has been since discarded. This Bill would simply authorize trailers or semi-trailers not exceeding 28 feet six inches in length in combination with a truck tractor to have access to all points of loading or unloading. This is a Bill that has been agreed to, and I would solicit your 'aye' vote."

Speaker Braun: "The Gentleman has moved for the passage of Senate Bill 492. On that, is there any discussion? The Chair recognizes the Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Madam Speaker. Will the Gentleman

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yield for a question?"

Speaker Braun: "He indicates he will."

Mays: "Has this Bill been amended in the House?"

Wolf: "No. Representative Mays, this is the same Bill that they were going to put an Amendment on; but, after talking to you, you persuaded them that they couldn't possibly pass it. So, we withdrew from that action."

Mays: "Okay. So, there is no Amendments on the Bill that we did. So, basically, this will be..."

Wolf: "Hold it just a second."

Mays: "Representative, my staff indicates that there has not been any Amendments added to this Bill in the House and that this would, indeed, be final action then. Is that not correct?"

Wolf: "That's my understanding also, Representative Mays. Just hold on just a second."

Mays: "Okay. Beautiful."

Wolf: "No, they're bringing in an Amendment that has not been presented. There is not an Amendment been added in the House."

Mays: "Okay. So then, this would be final action. I would support the Gentleman's Bill in this regard to move it on out and get it on over to the Governor's desk. It's a fine Bill as it stands right now, and I'd like to see it stay that way."

Speaker Braun: "The Chair recognizes the Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you. My question was in the same vein because I think there was interpreted by the Department of Law Enforcement, a provision that was going to be presented in a House Amendment to Senate Bill 492 as it pertains to the 2000 pounds which an individual must take off of their vehicle. Is that not correct?"

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Speaker Braun: "Representative Wolf."

Wolf: "That's correct, Representative Mautino, but there have been discussions between the truckers, the Secretary of State's Office and the Department of Transportation and the Trucking Association has now determined that they would rather back off this Amendment at this particular time."

Mautino: "Okay, fine."

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 492. All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no'. Senate Bill 492, having received a Constitutional Majority, is hereby declared passed. On the same Order of Business, on page 11 of the Calendar, appears Senate Bill 1229, Representative Shaw. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1229, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Braun: "Gentleman from Cook, Representative Shaw."

Shaw: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. All... We had great debate on this Bill yesterday, and all I'll do is move for passage of 1229."

Speaker Braun: "The Gentleman has moved for passage of Senate Bill 1229. On that question, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Levin."

Levin: "Would the Gentleman yield for a question?"

Speaker Braun: "He indicates he will."

Levin: "Okay. This is the Bill - just first of all, to apprise the Members of this Body, this is the Bill that would require your downstate constituents, who falsely get traffic tickets in Chicago, to pay those tickets or lose

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their license. I do have a question for the Sponsor though. The genesis of this Bill, and we've seen several versions of this Bill since last year, was a problem having to do with Judges initially. The procedure used to be that when you got a lot of traffic tickets which you didn't pay, the Judge would issue a warrant and you'd have to come into court and, in court, at least you have an opportunity to say, 'No, that's not my ticket'. You have your day in court. There was a court decision that said that the Judges were personally liable if they issued these warrants. Is that correct?"

Shaw: "Yes, that's correct. That was in one of the other states."

Levin: "Right. So that the Judges became reluctant to issue the warrants because they were going to be held personally liable. And then we started seeing Bills like this which attempted to get around that problem by saying if you didn't pay ten tickets, the message would go to the Secretary of State and the Secretary of State would yank your license. Is that correct, as far as the background?"

Shaw: "Yes. But at the same time, we have tried to remedy that. We did increase the number of tickets to 20 tickets, rather than 10. And I don't believe that people just should go around flagrantly violating the law and parking by fire plugs when somebody's house could be on fire and the firemen couldn't get there and not pay the ticket."

Levin: "Representative, are you familiar with House Bill 343 which directly deals with the problem of the Judges issuing warrants and indemnifies them and hold them harmless and directly solves the underlying problem? That Bill passed the House by 111 to 4 votes and got out of the Senate Judiciary I Committee by a 9 to nothing vote. I'm not sure if it passed the Senate yet, but it certainly looks like

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it. That solves the problem. We can go back now to the old procedures where the Judges issue warrants when somebody piles up a lot of tickets, requires them to come into court and justify it. We don't have to deny people due process. Am I wrong? Haven't we solved, through another Bill, the problem that this legislation attempts to deal with?"

Shaw: "But, Representative Levin, we're not denying anybody due process here. The... not really. The people do have an opportunity to go to court and defend the tickets. There's a court date on the tickets at the time that they are written and due notices. There is a provision in the legislation, I believe, for two notices from the Secretary of State. So, we're not denying anybody due process here. The only thing that we are doing is attempting to make people adhere to the law."

Levin: "Madam Speaker, to the Bill. I thank the Sponsor for his indulgence. This legislation is a very basic denial of due process because it says, even if you've had no conviction on any traffic ticket, if you have had no convictions at all, the matters have just been put over, but there are more than 10 - now it's changed to more than 20 - without any court action at all, notice can be sent to the Secretary of State and people can lose their right to drive an automobile. And what this means for downstaters is if you... your constituents mistakenly get Chicago traffic tickets, and you don't come out to Chicago to appear in court, your constituents can lose their driving permit, the privilege to drive. You know, the underlying problem that necessitated the introduction of this legislation last year, and this is about the third reincarnation of this Bill, has been dealt with. It was dealt with in House Bill 343. By giving the Judges indemnification, they're going

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to be held free from liability if they issue warrants to bring people in who haven't paid tickets. And at least that way, if we go back to the old procedures, people will have their day in court. They'll have their due process. And if they don't comply, you know, then they ought to pay the piper. But this legislation will allow your constituents to lose their permits to drive without even an opportunity for a court determination of whether or not they were... they are innocent or guilty of not paying the traffic tickets. I urge a 'no' vote. We have another option. We ought to go with that option. It solves the problem."

Speaker Braun: "The Chair recognizes the Gentleman from Marion, Representative Friedrich. Surprised you."

Friedrich: "Madam Speaker, people in my district get parking tickets from Chicago all the time. Some of them have never even seen Chicago. If you... I don't believe there's any way in the world this Bill could be constitutional, because I don't see how a person in my district could lose their license because some clerk in Chicago made an error. No due process, no nothing. And I think this is bad legislation. I think it's a bad precedent. What you're trying to do is make the Secretary of State a collector for the City of Chicago."

Speaker Braun: "The Chair recog... The Chair recognizes the Gentleman from Peoria, Representative Saltsman."

Saltsman: "Yes, Madam Speaker, move the previous question."

Speaker Braun: "Gentleman moves the previous question. The question is... Alright. Now we can either listen to an hour of debate and then other Bills, which you want to hear as well, will not have an opportunity to be called, or we can continue... consider this Motion now and ... Alright. There's been a request for a Roll Call on the Motion to

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move the previous question. All in favor... All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? The Motion to move the previous question... Okay. Have all voted who wish? On this question there are 58 'ayes' and 49 'nos'. The Motion fails. Further discussion? The Chair recognizes the Gentleman from Champaign, Representative Johnson."

Johnson: "I think... excuse me. I think the discussion about due process and the experience of downstaters is important. But I think a more basic question is whether the State Government ought ever to be able to suspend somebody's right to drive a vehicle simply based on parking tickets. We just passed a Bill, I believe yesterday or the day before, that I think makes sense and that provided that for... that for speeding... speeding tickets, a certain miles an hour over the limit, that that was not reportable and, therefore, wouldn't be a basis for suspension of your driving privileges. We have a number of other offenses that aren't reportable, including faulty tail lights and various equipment violations and those things, speeding and equipment violations, pose a threat to other drivers. Now, it probably makes sense that those don't form the basis for suspending your driving rights because they aren't of a sufficient character that you'd constitute a hazard to other people. Well, if those don't, how on earth does getting 20 parking tickets constitute a threat to other drivers on the road? Perhaps we ought to have provisions for recovery of attorney fees, for collection. Perhaps we ought to have provisions for penalties in excess of the ticket when you don't pay them. But to take somebody's right to drive away, aside from due process, simply because they park too long in a spot is absolutely ridiculous. And for Representative Shaw to propose this, realizing that

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this sort of thing comes down heavily on people who are least able to afford to, quote, 'fight the system', is absolutely anethetical to everything I think he believes in and I would suggest everything that most of the people in this chamber believe in. It's ridiculous to take away your right to drive because you parked in a spot too long or didn't pay your fifty cents in the meter and you came out five minute too late. It's silly. It doesn't make sense, and I urge a 'no' vote."

Speaker Braun: "Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, I just want to once again give this speech about the irony of the position taken by the opponents of this Bill. Maybe later on today we're going to get to the Criminal Law Special Order, and we'll go through those Bills and raise penalties and get tough on crime. And everybody's going to stand up and talk about... beat their chest and talk about how great it is, how tough we are getting on crime. There's not going to be any talk about due process. But when we get to this Bill, oh, wait a minute. These are parking tickets. These are people from the suburbs and from maybe downstate who go to Chicago and don't pay their parking tickets. So, we better protect... we better talk about due process. We better talk about... oh, it's only parking tickets. It has nothing to do with safety. What if they park in front of a fire plug and some house burns down? That's safety, isn't it? And, yes, there's revenue involved. There's a lot of revenue involved. How do you get people to pay their tickets? You hit them over the head by taking away their license. That's what the Bill is all about. And it's just so... it's just so... I just can't sit here and let this go by without pointing out how ironic it is. Wait a minute. Oh,

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my God, there's people in my district this might affect. They want to go down to Rush Street, and, you know, there's no place to park. They don't want to pay the parking rates, so they want to park illegally on the street, causing safety hazards. And they want to just be able to do that ten times, receive a whole bunch of notices and ignore them, and their Representatives down here in Springfield are looking out for their best interests. Well, you should really be complimented. I would suggest we vote 'aye' on the Bill. And I... pass it, it's going to be on a Conference Committee Report anyway."

Speaker Braun: "Chair recognizes the Gentleman from DuPage, Representative McCracken."

McCracken: "It is a question of due process. Everything I said yesterday is still true. So, vote 'no'. I move the previous question."

Speaker Braun: "Chair recognizes the Gentleman from Cook, Representative Shaw, to close."

Shaw: "Yes..."

Speaker Braun: "I'm sorry. I'm sorry. The Gentleman has moved the previous question. The question is, 'Shall the previous question be put?' And on that Motion, the Gentleman from Cook, Representative Preston."

Preston: "Madam Speaker, I was under the impression, if you can clarify the rules for me, that when you speak on a Bill, you can't combine that with a Motion to move the previous question."

Speaker Braun: "You are correct."

Preston: "So that it would seem to me that Mr. McCracken's Motion..."

Speaker Braun: "You are correct, Sir."

Preston: "... is out of order."

Speaker Braun: "The Motion is out of order. The Chair recognizes

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the Gentleman from Cook, Representative Young."

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

Speaker Braun: "This Gentleman has moved the previous question, and the Motion is properly put. All in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The previous question is put. Representative Shaw, to close."

Shaw: "Yeah, they're talking about due process, and I'm not a lawyer, but I know there's provisions in the Bill... I know there's provisions in the Bill that would... that would cause... that... where it would enable you to get two notices. Two notices would be sent to anyone before their license would be snatched. Not only that, they realize that they have gotten the tickets. They know that they have gotten the tickets. They know that they were parked illegal, and, you know, like Representative Cullerton said, some of the criminal laws that you're going to be dealing with here is far more outweigh what we are attempting to do here today. And when you talk about we raised it from 10 to 20 tickets. For those people who got three tickets, who got three tickets, there is... your license are not snatched. The people who get four tickets, your license are not snatched. You have to get 20 tickets or more before you get your license suspended. And there is ample notice on this. I think we ... I know we need this in Chicago. We need it across this state. And we don't want to just go around breaking the law. We don't want the citizens to do that. And I urge an 'aye' vote on this Bill."

Speaker Braun: "The Gentleman has moved the passage of Senate Bill 1229. On that question, the question is, 'Shall Senate Bill 1229 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is open. The Chair recognizes the

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Gentleman from Lake, Representative Churchill, to explain his vote"

Churchill: "Thank you, Madam Speaker. I rise to comment briefly on the comments of a previous speaker who rose to question the elements of due process in this Bill. It just seemed so different to hear that speaker talk about not having due process. And, my goodness, there is no hearing in this Bill. In fact, there's not even a knowingly Amendment on this Bill. And so, I just wanted to question that, because I know that we will be discussing criminal law later, and it will be interesting to watch the change of positions. Thank you."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Preston, to explain his vote."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. We've gotten somewhat crazy on the notion of parking tickets and the evil that is done to society based on parking tickets. Do you know the penalties that today attach to parking illegally in the City of Chicago or anywhere else is greater than if that person driving that vehicle and parking it took a gun and robbed the person next to them? You'd get supervision for robbing somebody, but it might cost you 500 or 1000 dollars for simply parking illegally. And I think it's a shame that we attach such severity to simply parking your automobile. We call it a privilege, but driving is not a privilege. And for those of you who aren't aware of it, if you look outside of city hall, you'll see a great big limousine that's parked illegally every single day, and there's not a single parking ticket on it."

Speaker Braun: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 36 voting 'aye', 74 voting 'no', 6 voting

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'present'. This Bill, having failed to receive a Constitutional Majority, is hereby declared lost. On the same Order of Business, on page 20 of the Calendar... For what reason does the Gentleman from Rock Island, Representative Brunsvold, rise?"

Brunsvold: "Thank you, Madam Speaker. I'd like to introduce a former Member of the House, Representative Tim Bell, right here next to me. Want to stand up, Tim?"

Speaker Braun: "Welcome back, Representative Bell. Thank you."

Brunsvold: "He used to... He sat on the other side of the aisle but has finally seen the light and is over here."

Speaker Braun: "Okay. Moving right along. We have precious few hours, Ladies and Gentlemen. I would remind you again. We will adjourn this evening at about 8:00. We have several hundreds of Bills to pass, or not, as the case may be. If you want to give those Bills an opportunity, you will keep your remarks to a minimum. On page 20 of the Calendar appears Senate Bill 1352, Representative Young. Representative Greiman, in the Chair."

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

Clerk O'Brien: "Senate Bill 1352, a Bill for an Act to amend Sections of the Illinois Vehicle Code. This Bill has been read a second time previously. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Young and Wojcik."

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

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 actually becomes the Bill. What this Bill does is it adds licensed child care facilities to the list of entities whose vehicles used for transporting children are regulated according to the same rules we have

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for school buses. What those regulations will include is that the driver must be at least 21 years of age, have Illinois drivers' license, have no license suspensions or revocations in the previous three years, does not have three moving violations issued in a twelve months period, has not in the past five years caused an accident resulting in death and has not been convicted in the past three years of DUI, reckless driving, manslaughter or reckless homicide from an accident. I move for the adoption of Amendment #1."

Speaker Greiman: "The Gentleman from Cook, Mr. Young, moves for the adoption of Amendment 1 to Senate Bill 1352. And on that, the Gentleman from Adams, Mr. Mays."

Mays: "Thank you very... Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Amendment. It is basically... will put the Bill in similar form to Senate Bill 755, which Mr... Representative Preston passed out of here yesterday overwhelmingly. It does, however, correct the problem that we had raised on his Bill. And so, I believe that this Amendment should be adopted overwhelmingly."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Amendment be adopted?' I'm sorry. Gentleman from Knox, Mr. Hawkinson."

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

Speaker Greiman: "Indicates he will"

Hawkinson: "Representative, as I understand it, this Amendment now makes the Bill only apply to license requirements and not to any requirements for vehicles. Is that correct?"

Young: "That is correct. This applies to the driver of the vehicle."

Hawkinson: "And then the Bill, as amended, will only apply to

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transportation provided by the day care center and not to parents of children who do car pooling and that type of thing."

Young: "That is correct."

Hawkinson: "Thank you."

Speaker Greiman: "There being no further discussion, the question is, 'Shall Amendment #1 be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendment?"

Clerk O'Brien: "Floor Amendment #2, offered by Anthony Young."

Speaker Greiman: "Gentleman from Cook, Mr. Young, on Amendment #2."

Young: "Withdraw Amendment #2."

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

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

Koehler: "Lady from Marshall, Ms. Koehler, on Amendment #3."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #3 I offer to allow a licensed automobile dealer to be open on no more than six Sundays within a given calendar year provided that dealer files a notice of intent to conduct business with the Secretary of State's Office. This is generally to correct a problem that we have had in the downstate area whereby those dealers would like the opportunity to have special anniversary sales, special sales that would be better at the time that they have their new models, those things that would not be completely contrary to legislation that has passed here recently but would give them an opportunity to have those special sales that have been important to them in the past. I offer this for your consideration and move for its adoption."

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Speaker Greiman: "The Lady from Marshall, Ms. Koehler, has moved for the adoption of Amendment 3 to Senate Bill 1352. On that, the Gentleman from Cook, Mr. Preston."

Preston: "Excuse me. Mr. Speaker, I just wanted to question the germaneness of this Amendment. Could the Speaker rule on whether or not this Amendment is, indeed, germane?"

Speaker Greiman: "Amendment is not germane. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Cook, Mr. Young, asks leave of the House, using the Attendance Roll Call, to waive Rule 37(c) so that this Bill may be heard at this time. Does the Gentleman have leave? The Gentleman has leave. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "Senate Bill 1352, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

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

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen. The Bill is the Amendment we just passed. I would ask for your favorable vote."

Speaker Greiman: "Gentleman from Cook, Mr. Young, moves for the passage of Senate Bill 1352. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 116 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Special Call - Financial Institutions, appears Senate Bill 1192. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1192, a Bill for an Act to amend an

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Act in relation to currency exchanges. Third Reading of the Bill."

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

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1192 amends the Currency Exchange Act. It relates to the surety bond requirements in relationship to ambulatory currency exchanges. There is only one ambulatory currency exchange operating in Illinois and that, in fact, is 'Phillums' Incorporated, which serves the Chicagoland area. This Bill has no Amendments. It came over from the Senate without a dissenting vote in either Committee. The Bill is promoted and supported by the 'Phillums' Industry and the Mobile Truck Currency Exchange Company. Essentially, in applying to Chicago, the initiatives as embodied in this Bill, in fact, repeal the requirement that a currency exchange, of which serves a single employee on a single premises, need have a surety bond for each application and renewal. Such bond in the sum of 2000 dollars would, in fact, go directly to the Department of Financial Institutions and benefit any claims against the currency exchange. It repeals the bond requirement which permits a currency exchange to use a blanket surety bond covering all locations in the sum of 100,000 dollars and having a liability of each location of 2000 dollars. That, Mr. Speaker and Ladies and Gentlemen of the House, is the Bill. The bond requirement for ambulatory currency exchanges is repealed."

Speaker Greiman: "The Gentleman from Cook, Mr. Bullock, has moved for the passage of Senate Bill 1192. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Mr. Clerk, take

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the record. On this question there are 109 voting 'aye', 1 voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. We are now... it is the intention of the Chair for us to move to the Order of Special Calls - Labor. Mr. Van Dyne, for what purpose do you seek recognition?"

Van Dyne: "Yes, I think, Mr. Speaker, that Representative Giorgi and Representative Mulcahey should be admonished for falling for that old gag, the note in the hand saying that the ladies are up in the gallery admiring them. There's a dozen girls up there with those two fellows and I think they're outnumbered."

Speaker Giorgi: "There's no fool like an old fool. Mr. Johnson, what purpose do you seek recognition?"

Johnson: "Well, I guess a parliamentary inquiry. Do I understand that we're now going to the Special Order of Labor?"

Speaker Greiman: "That is the intention of the Chair."

Johnson: "I guess my inquiry is how that comports with the memo that we were given today that indicated that the following is a listing of the Order of Call for Special Orders: Business, then Financial Institutions, then Elections, Civil Law, Insurance, Transportation and Labor."

Speaker Greiman: "Transportation. We just finished Transportation, Mr. Johnson."

Johnson: "But did we do everything in between?"

Speaker Greiman: "We did Transportation, Mr. Johnson."

Johnson: "I understand that, but we didn't do the things in between."

Speaker Greiman: "Plus we picked up a Bill on Financial Institutions. Mr. Johnson, the Chair is moving to the Order of Special Call - Labor. On that Order there appears Senate Bill 200. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 200, a Bill for an Act to provide for

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the Assistant Director of Apprenticeship and training programs and systems of apprenticeship and other on-the-job training, to establish the State Apprenticeship and Training Council and provide for standards of apprenticeship and for other related purposes. Third Reading of the Bill."

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

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 200, as amended, calls for the establishment of a state apprentice program... apprenticeship program which essentially will allow the Department of Commerce and Community Affairs to have a role in... in helping with the establishment of an apprenticeship and training programs which have been noted in the past for their advocacy in bringing minorities and women into the construction and building trades. Additionally, the Bill was amended yesterday with Representative Saltsman's Amendment... Saltsman's Amendment which provides for prevailing wage on industrial revenue development projects. I encourage your support for the Bill, and I will respond to any questions you may have."

Speaker Greiman: "The Lady from Cook, Ms. Braun, has moved for the passage of Senate Bill 200. And on that, is there any discussion? The Gentleman from Peoria, Mr. Tuerk."

Tuerk: "Mr. Speaker, Members of the House, boy, the old adage about never... nothing never, ever dies in the House is true. Prevailing wage has been up before us about eight times now, I believe. This includes all projects financed by industrial revenue bonds issued pursuant to the Industrial Project Revenue Bond Act and subject construction projects in the private sector that are financed by these bonds. I just think it's a bad idea."

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It's a bad public policy to get into this area. I would ask for your negative vote on this Bill and the following Bill to come."

Speaker Greiman: "The Gentleman from Adams, Mr. Mays."

Mays: "Thank you very much. Would the Lady yield for a question?"

Braun: "Yes."

Mays: "The Bill as introduced did exactly what? Didn't it have something to do with job training or..."

Braun: "Yes, Sir. That was the purpose of the Bill."

Mays: "And what Amendments have been adopted since?"

Braun: "Two Amendments were adopted. The first provided for a change in the apprenticeship program and the operation of it. I'm... I misspoke during my opening remarks, because originally, the Bill put the training programs under the auspices of DCCA. Now, it's put under the auspices of the MFBECC, the Minority and Female Business Enterprise Council. So, that was... That was the first Amendment to the Bill... or the Second Amendment to the Bill. The first Amendment to the Bill that went on was the Amendment having to do with the prevailing wage on IRB projects."

Mays: "What's the rationale for removing the job training from the auspices of DCCA to the minority female... "

Braun: "That was what was apparently... There was some discussions about the appropriate place for the... for the program, because it also takes with it a bidder's preference having to do with those companies that are doing... that have minorities involved with the job... minority and women involved with the job training program, and it was thought more appropriate to be in the MFBECC."

Mays: "Does... Does that council have any authority to get into job training right now? I mean, are we doing job training through that council right now?"

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Braun: "No. No, we're not. That's why the Bill was filed."

Mays: "Okay. Then, with regards to the Second Amendment, what was the net effect of that? What's a practical effect of establishing prevailing wage to industrial revenue bonds?"

Braun: "I... I don't have a figure, a dollar figure. I would submit to you, Representative, that insofar as we have prevailing wage on other state finance projects, projects which are financed through the tax revenues, that it is only appropriate that we would also have the same provision for workers, for working people, on projects financed through state debt."

Mays: "So then, you were agreeable to the Second Amendment going on the Bill, then. Is that right?"

Braun: "Thank you, Representative."

Speaker Greiman: "Representative Johnson, would you come to the podium?"

Mays: "Mr. Speaker, to the Bill. In the first case, we have an Amendment that's been adopted that removes the job training auspices of the Bill from the Department of Commerce and Community Affairs, which in my mind has any number of job training responsibilities that it already administers to the Minority Female Business Enterprise Act. The second phase of the Bill, equally unappealing to me, is the prevailing wage aspect extension into the industrial revenue bond field. Now, everybody in the chamber has been aware of the debates regarding the second aspect of the Bill, because it's that particular aspect that's been around this chamber for at least two years. Everybody knows that the state is not, in any way, liable for any of the bonds that are issued. As taxpayers, we are not liable for the repayment of any of the bonds, should the holders go into default, or the business go into default. We also already know that the purpose of those industrial revenue

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bonds is to increase jobs in the State of Illinois. We know that that's a municipal function, that they issue those bonds and that it's their responsibility to make whatever... tie whatever strings they would wish to the issuance of those bonds. We also know that the practical effect of the Bill would be to increase the cost of the construction projects undertaken through the use of the industrial revenue bonds, which would basically eliminate, wipe out the advantage that a given company could secure through the use of those bonds. I can't see any redeeming value to the Bill as it stands right now. For that reason, I would urge a 'no' vote."

Speaker Greiman: "The Gentleman from DuPage, Mr. Barger... Mayor Barger."

Barger: "Thank you... Thank you, Mr. Speaker. I have a few questions, Ms. Braun. Would you yield?"

Braun: "Yes, I will."

Barger: "Oh, that's nice. First, if Mr. Olson would get his head out of the way so I can see. Thank you. Normally, apprenticeship programs are handled either by the labor union involved and the employer on a interorganizational agreement, or if it happens to be a non-union organization, by the employers. And in an area like the one that I presently represent, we have a community college that provides training programs in that vein, too. It assists the employers or the employer labor unions in training employees. And in almost every case, the employers today are under an obligation to hire minorities and females whenever they are available, so why aren't we leaving this with the employers, the labor unions and the community colleges, rather than putting it under the auspices of a state organization that has absolutely no background in handling this type of training?"

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Braun: "Well, first, I would respond with regard to the MFBECC and the value of putting it there is because that council is comprised of the heads of the various state agencies that might be involved in any development. You've got the head of DCCA on there, the head of Central Management Services, the head of the various agencies, so it would give us, if you will, the benefit of the input of our best and brightest in state government in addressing these issues. Second, with regard to the apprenticeship and training program itself, all that the legislation calls for is that the MFBECC help to encourage and coordinate and help develop... the development of such programs in the private sector. We want to encourage the private sector to undertake such programs, and it is for that reason that the preference is put in the Act, which gives business a benefit for getting involved with the on-the-job or apprenticeship training program. The reason that we are doing or attempting this approach is because the figures are very clear that in the State of Illinois, for example, between 1980 and 1985, the percentage of minority... the percentage of minority apprentices went from 20... well, essentially dropped by 27.3 percent. There was a drop altogether in apprenticeships... in the apprenticeship program having to do with minorities and non-minorities as well, because of the changes in the economy, but minorities and women suffered the most, and pursuant to the tradition of the last hired first fired, were the first to go when the economy took a down turn. We believe that it is time to begin to bring people into the work force, into the job force, through training, through on-the-job training, through these apprenticeship programs, and so we want to give a boost to them. So, as opposed to taking a stick at business in this area, we are offering instead, a carrot,

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and suggesting to the business community that we will provide some incentives, the state will give you some assistance in having these programs operate on your local projects."

Barger: "Then, according to the normal rehiring practices of business and labor unions, those people who have been let go because of the decline in the economy would normally have first choice for being reinstated in those programs, and I can't find any good reason to involve ourselves as a government into this effort that has been handled since many, many years ago. In the case of minorities, 20 some years we have been working on the project, and I can't see any reason for handing this over to an organization whose only function - only function - is to promote minority and female hiring. I find that there's a very strong possibility that this could throw the whole training program totally out of balance in the other direction, and I believe very strongly in equity and equality and equal treatment, but I hate the possibility to exist wherein young people, like my son, who has recently applied for a job and happens to be a white male of 25 years of age, finds himself totally unable to find employment because he, now, is in a majority group who is not allowed the opportunity to have a job. And I hate to..."

Braun: "Representative... Representative, in response to that, this Bill, not this Bill, nor any other piece of legislation that we consider here, will guarantee a young person a job. It doesn't do that. What it says is that we will provide opportunities for young people to learn. We will provide opportunities for young people to have training, and with regard to those young people who are... who not only historically, but are currently less able to get the advantage of such programs, the State of Illinois

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will provide some assistance and encouragement to those programs."

Barger: "I would appreciate it very much if you would include my son in this and get him off my back. Thank you very much."

Speaker Greiman: "The Gentleman from Peoria, Mr. Saltsman."

Saltsman: "Thank you, Mr. Speaker. As far as the prevailing wage Bill and as far as it raising the cost of construction, it won't. This is very misleading. The only way it would, if you are for right to work and you'd bring right to work strike breakers in from other states and from other areas to take the place of construction workers and contractors who have agreed contracts. They have agreed to a wage base for that area, and the only way it's going to save money is if you bring these right to work people in, like happened in my district where a company got nine million dollars worth of IDB's and turned back around and ran all the Peoria contractors out and brought contractors from Kansas and Iowa in for three dollars an hour or less more money and used the people of Peoria as bonding power. Now, if you're for right to work, you shouldn't vote for this Amendment or this Bill, but if you're opposed to right to work, like we were here three years ago when it was defeated soundly, then you want to vote for this Bill."

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

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

Speaker Greiman: "The Gentleman from Madison moves that the main question be put. Those in favor, say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the main question will be put. Ms. Braun, to close."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Again, I submit to you, this is not creating any unfairness for anybody. This Bill simply will allow for the state to get involved with helping young people to have

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educational opportunities in the trade and the crafts. The legislation is supported by the Illinois Construction Industry Council as well as organized labor. I encourage your support."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. The Lady from Kane, Ms. Deuchler, one minute to explain your vote. Ms. Deuchler."

Deuchler: "Hello. I had wanted to ask a question, but just in... to explain my vote... vote, at this time, it would seem that Amendment 2 may possibly be an overambitious program for the minority and female business enterprise area of CMS. It would appear that they may be overloaded at this time with a workload, and that in order to get the programs out that they now have in progress, this may just be an overload. And for that reason, I will have to vote 'no'."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 66 voting 'aye', 50 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Labor appears Senate Bill 670. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 670, a Bill for an Act to amend an Act to permit employees to review personnel records. This Bill has been read a second time previously. No Committee Amendments."

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

LeFlore: "Thank you, Mr. Speaker."

Speaker Greiman: "Excuse me, Mr. LeFlore. Are there any Floor Amendments?"

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

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Speaker Greiman: "The Gentleman from Peoria, Mr. Saltsman, on Amendment #1."

Saltsman: "Yes, I'd like to table this Amendment, Mr. Speaker."

Speaker Greiman: "May Amendment #1 be withdrawn. Further Amendment?"

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

Speaker Greiman: "The Gentleman from Adams, Mr. Mays."

Mays: "I'd like to withdraw this Amendment, please."

Speaker Greiman: "Leave to withdraw. Amendment 2 is withdrawn. Further Amendment?"

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

Speaker Greiman: "The Gentleman from Adams, Mr. Mays, on Amendment 3."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3, I believe, has been approved by labor as well as the State Chamber and some others. What it involves is simply assuring that the administrative hearings do not go concurrently with the court hearings on these topics. So, I would move for its adoption."

Speaker Greiman: "The Gentleman from Adams moves for the adoption of Amendment #3 to Senate Bill 670. And on that, is there any discussion? The Gentleman from Peoria, Mr. Saltsman."

Saltsman: "Yes, thank you, Mr. Speaker. I urge the adoption of this Amendment. It's similar to the Amendment we put on the previous Bill, and I hope for its adoption."

Speaker Greiman: "The question is, 'Shall Amendment 3 be adopted?' Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendment?"

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

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Speaker Greiman: "The Gentleman from Peoria, Mr. Saltsman, on Amendment #4."

Saltsman: "Excuse me, Mr. Speaker. On Amendment #3, I'd like to have had that tabled, too. May we go back to that?"

Speaker Greiman: "Pardon?"

Saltsman: "May I... Can we go back to Amendment #3? I'd like to have that tabled, too."

Speaker Greiman: "Amendment #3 was the Amendment that you spoke in favor of just now, and that we adopted. Mr. Mays..."

Saltsman: "Amendment #3 was Representative Mays, right?"

Speaker Greiman: "Yes."

Saltsman: "Okay. Now, we're at Amendment #4, which was mine?"

Speaker Greiman: "Now, we're on Amendment #4, which is yours."

Saltsman: "Okay. Thank you. Yes, this is a similar Amendment that was on the last Bill, and I ask for its adoption."

Speaker Greiman: "The Gentleman from Peoria moves for the adoption of Amendment #4 to Senate Bill 670. And on that, is there any discussion? The Gentleman from Adams, Mr. Mays. Mr. Mays."

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

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

Mays: "First, let me note, I appreciate the support you gave me on that last Amendment, which I think was all fine and good. On this Amendment that you're proposing that is identical, as I understand it, to the Amendment that was on Senate Bill 200, I think, Amendment #3. Is that not correct? Or 2?"

Saltsman: "You're right."

Mays: "Which dealt with prevailing wage industrial revenue bonds."

Saltsman: "Yes."

Mays: "Ladies and Gentlemen of the House, we have dealt with this

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issue time and time again. The Gentleman just passed a Bill that had had this issue incorporated with it. I believe it would save the time of this House on our deadline day if we just put this... laid this whole issue aside and moved on to other things. It's my understanding that in addition to applying the prevailing wage to industrial revenue bonds, this Amendment would also apply to the Illinois Development Finance Authority. Is that the same as the Amendment that was on the previous Bill, too?"

Saltsman: "Yes."

Mays: "Then, I would suggest, why don't you just withdraw this Amendment so that we can move on to other things and not encumber an otherwise noncontroversial Bill with this Amendment?"

Saltsman: "Yes, Representative Mays. I'm looking for the same 65 votes that the last... one got to."

Mays: "Is... Mr. Speaker, a parliamentary inquiry."

Speaker Greiman: "Please."

Mays: "Is this... Is this Amendment germane to the Bill?"

Speaker Greiman: "We'll look. It's not germane. The Amendment is not germane. Further Amendments?"

Saltsman: "Mr. Speaker?"

Speaker Greiman: "Yes, Mr. Saltsman. I'm sorry. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Cook, Mr. LeFlore, asks leave of the House to waive Rule 37(c) so that this Bill may be heard on the Order of Third Reading at this time with leave of the Attendance Roll Call. Does he have leave? He has leave. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 670, a Bill for an Act to amend an Act to permit employees to review personnel records. Third Reading of the Bill."

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

LeFlore: "Thank you, Mr... Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 670 as amended authorizes the Director of the Department of Labor to enforce and administrate the Act that provides employers who violate the act of discrimination against employees because of the employees' role in enforcing the act that commits a petty offense. I'd like to have favorable vote on this Bill. If there is any question, I'm open to answer any questions that might be raised."

Speaker Greiman: "The Gentleman from Cook, Mr. LeFlore, moves for the passage of Senate Bill 670. And on that, the Gentleman from Adams, Mr. Mays."

Mays: "Thank you very much, Mr. Speaker. I simply want to commend the Sponsor for his willingness to work with this side of the aisle on this issue. It's still not, you know, a totally great thing. There's some other things that ought to be addressed, but I believe you've made a lot of progress, and I'm... for that reason, I'm more than happy to support your passage in this Bill."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. It is the intention of the Chair to now move, Special Call - School District Reorganization. And on that call appears Senate Bill 1010. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1010, a Bill for an Act relating to school districts and board of education in cities having a population in excess of 500,000. Third Reading of the

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Bill."

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

Huff: "Yeah, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1010 as amended by Speaker Madigan yesterday now provides that the district superintendent in each school subdistrict will appoint an advisory council that he will consult as to the superintendent's use of the discretionary funds under his control. It further provides that the principal in each school will also create an advisory council that will have input as to the principal's discretionary funds with reference to the purchasing of textbooks and supplies. It also provides a task force on encouraging citizens' involvement in education and to report back to the General Assembly as to the advisability of further decentralization of authority within the school districts. I'll be happy to answer any questions."

Speaker Greiman: "The Gentleman from Cook, Mr. Huff, has moved for the passage of Senate Bill 1010. And on that, the Gentleman from Winnebago, Mr. Hallock."

Hallock: "Will the Sponsor yield for a question? Is there any authority to levy taxes or issue bonds still in this Bill?"

Huff: "No, Representative, the Bill is, as I described it, in its totality."

Hallock: "Thank you."

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

Ronan: "Would the Sponsor yield? Yeah, Representative Huff..."

Speaker Greiman: "Yes... yes... "

Ronan: "Just to verify. This Bill, at no point, calls for any kind of an elected school board system."

Huff: "No."

Ronan: "Okay. Thank you very much."

Speaker Greiman: "The Lady from... The Lady from DuPage, Ms. Cowlshaw."

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Cowlshaw: "Thank you... Thank you, Mr. Speaker. Will the Gentleman yield to a question?"

Huff: "Yes."

Cowlshaw: "Thank you, Representative Huff. As I understand, this Bill is now, in fact, the same as Amendment #11 which was adopted yesterday. Is that correct?"

Huff: "I believe... Yes, it was... actually Amendment #10, but I understand Amendment #11 was the same as Amendment #10."

Cowlshaw: "That's right. #11 was out of order, but 11 was... 10... 11 actually became the Bill."

Huff: "That's right."

Cowlshaw: "Representative Huff, I think all of us in this chamber recognize that the City of Chicago schools have had a lot of problems over the years, and not just funding problems. It's been, I think, the impression of all of us, and certainly from reading the newspapers, that the people of Chicago have felt that their schools were not responsive to them, that they really didn't have much input into those schools. Now, that's a deplorable situation. I do not live in the City of Chicago, but I care about your school system. I'm sure that is so of all of our colleagues. If this is a proposal that those of you who do live in the City of Chicago truly believe will improve your schools, then I think it deserves the support of all of us. Do you believe that that is what this Bill will achieve?"

Huff: "Well, first of all, let me thank you, Ms... Representative Cowlshaw, for your sincere concern. I appreciate it very much, as I've listened to you on our Committee. It is my unswerving belief that this Amendment, rather than decreasing decentralization, will enhance it. It is by no means the epilogue of decentralization concept, but in fact, the prologue."

Cowlshaw: "Thank you, Representative Huff."

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Huff: "Thank you, Representative."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. Huff, to close. Mr. Huff."

Huff: "Thank you, Mr. Speaker and Ladies and Gentlemen... "

Speaker Greiman: "Excuse me. Mr. Vinson, was your light on? I didn't see it was."

Vinson: "Yes, and I just want to make sure I understand the form that the Bill is in right now. I'd just like to ask the Sponsor a couple of questions."

Speaker Greiman: "Sure, Mr. Vinson."

Vinson: "Representative, as I understand things, the way... the format that the Bill is in right now, there is an umbrella district?"

Huff: "No. No, this Amendment will apply equally to all of the 20 subdistricts in Chicago."

Vinson: "Okay. There are 20 subdistricts."

Huff: "Yes."

Vinson: "There is some kind of an umbrella organization above them."

Huff: "Well, that would be the existing appointed board."

Vinson: "The existing appointed board is above them."

Huff: "Yes."

Vinson: "In the 20 subdistricts, is there some kind of elected board advising them?"

Huff: "No, not necessarily."

Vinson: "Okay. What... What... What happens as a result of Mr. Madigan's Amendment? Is there a... "

Huff: "The superintendent will appoint an informed advisory council. There are advisory councils in place right now, and the guidelines as to how this will operate will be left to the State Board of Education, in accordance to Paragraph 7 of that code."

Vinson: "And the existing board continues to be appointed."

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Huff: "Yes, for the time being."

Vinson: "Okay. Thank you."

Speaker Greiman: "The Lady from Cook, Ms. Braun, are you seeking recognition?"

Braun: "Thank you. I rise in support of this legislation. To Representative Vinson's questions, essentially what you have are local school councils that are created. We've discussed the local school councils before. In this legislation, they're given some budgetary input as well, and the Bill, I think, is a responsible response to the whole issue of infusing accountability in local schools, and I support the Amendment and the Bill."

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

Huff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1010 as amended... as amended, in my belief, provides a reasoned and measured step through that threshold to legitimate community participation with the school system in Chicago, albeit embryonic, it is my opinion that it nevertheless creates a new partnership between Chicago schools and its communities while minimizing the raucous, the bombast, the internecine struggles that have historically plagued this system. It is my further belief that this Amendment will allow Chicago school systems to confidently face the future with one consummated desire, and that is to make our children second to none in education. And on that, I move for the adoption of Senate Bill 1010."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'aye', none voting 'no', and none voting 'present'. This Bill,

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having received the Constitutional Majority, is hereby declared passed. It is the intention of the Chair to move to the Special Order - Higher Education. And on that Order appears Senate Bill 558. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 558, a Bill for an Act to amend the Illinois Purchasing Act. Third Reading of the Bill."

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

Johnson: "I think this Bill... I know the Bill came out of Committee uncontested and out of the Senate uncontested. I think it's an agreed Bill. It replaces the current seven year limitation on the term of contracts by a state university for leases of telecommunication equipment and services and so forth, for the 10 year limitation, the purpose being to provide more flexibility for the various state schools in terms of their high tech program. I know of no opposition, and I ask for its approval."

Speaker Greiman: "The Gentleman from Champaign has moved for the passage of Senate Bill 558. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this will be final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109... 110... 111 voting 'aye', none voting 'no'. Capparelli 'aye'. 112 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Special Call - Higher Education appears Senate Bill 559. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 559, a Bill for an Act to amend the law in relation to leases of land, buildings or facilities to and the powers of boards of trustees of various institutions of higher education. This Bill has been read

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a second time previously. No Committee Amendments."

Speaker Greiman: "Are any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 559, a Bill for an Act to amend the law in relation to leases of land, buildings or facilities to and the powers of boards of trustees of various institutions of higher education. Third Reading of the Bill."

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

Johnson: "This is really the related legislation to 558, applies to all state institutions of higher education and authorizes the governing boards of the four university systems to enter into leases for terms of up to 18 rather than the current five year limitation. It's all subject to BHE approval, and again, provides flexibility for the state systems in terms of high tech and related areas. I know of no opposition. It came out of the Senate unanimously, and I'd ask for its approval."

Speaker Greiman: "The Gentleman from Champaign, Mr. Johnson, moves for the passage of Senate Bill 559. There being no discussion, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Special Order... Special Call - Higher Education, appears Senate Bill 626. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 626, a Bill for an Act to create the Illinois Consortium of Educational Opportunity. This Bill

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has been read a second time previously. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 626, a Bill for an Act to create the Illinois Consortium of Educational Opportunity. Third Reading of the Bill."

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

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill passed the Senate overwhelmingly, and I know of no opposition to it. The proponents of the Bill... It has to do with the promoting opportunities for minorities to pursue graduate and professional degrees in higher education. It's a recommendation of the Senate Higher Education Subcommittee, and it's supported by most of the major universities in the State of Illinois. It is in response to a study that was recently published which indicates that minorities in higher education have actually declined in the last eight years by almost half, and we are concerned that there must be some reasons for that. This will provide an opportunity to address that issue, and I encourage your support."

Speaker Greiman: "The Lady from Cook moves for the passage of Senate Bill 626. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor say 'aye'... signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Special Call - Higher Education,

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appears Senate Bill 627. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 627, a Bill for an Act to amend Sections of an Act creating the Board of Higher Education. This Bill has been read a second time previously. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 627, a Bill for an Act to amend an Act creating the Board of Higher Education. Third Reading of the Bill."

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

Rice: "I'd like to read the analysis, if I can. It amends the Illinois Human Rights Act, prohibits the Institution of Higher Education from discriminating against a student in an education program or activity, guidance counseling or financial assistance service on a basis of race, color, religion, national origin, ancestry, age between 18 and 70, sex, marital status, handicap or unfavorable discharge from the military service, grants the Board of Higher Education power to implement these provisions, provides the judicial review and enforcement effective immediately. I respect your favorable... request your favorable vote."

Speaker Greiman: "The Gentleman from Cook, Mr. Rice, moves for the passage of Senate Bill 627. On that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This will be final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Special Call -

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Higher Education appears, Senate Bill 1127. Mr. Clerk, read the Bill. Excuse me... "

Clerk O'Brien: "Senate Bill 11... "

Speaker Greiman: "Mr... Excuse me. Mr. Turner? Ms. Braun, were you going to take that? Alright."

Clerk O'Brien: "Senate Bill 1127, a Bill for an Act relating to public institutions of higher education. This Bill has been read a second time previously. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1127, a Bill for an Act relating to public institutions of higher education. Third Reading of the Bill."

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

Braun: "I've just been advised by Representative Satterthwaite that Representative Turner would like this Bill to go to Interim Study, and so, I so move."

Speaker Greiman: "Alright. Leave of the House. The Bill will be placed on the Interim Study Calendar of the Committee to which it was originally assigned. Leave. Leave is granted. The Bill will be so placed. On the Order of Special Call - Higher Education, appears Senate Bill 1159. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1159, a Bill for an Act relating to the duty of public... to the duty of public institutions of higher education. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, on Senate Bill 1159."

Keane: "Thank you, Mr. Speaker. Senate Bill 1159 requires public colleges and universities within home rule municipalities to pay over to home rule... home rule taxes when such

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taxes are borne by the purchaser. This applies to northern Illinois, where the school bookstores and that have not been paying the municipal... the home rule municipal tax, and this would clarify it. I'd be happy to answer any question."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, has moved for the passage of Senate Bill 1159. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This will be final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108... 9... 109 voting 'aye', none voting 'present'... excuse me. There are 109 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order... Yes? Ms. Alexander, the Journal will indicate your support of this Bill. On the... On the Order... On the Order of Special Call - Higher Education, appears Senate Bill 1358. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1358, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane. Senate Bill 1358."

Keane: "Thank you, Mr. Speaker. Senate Bill 1358 amends the Higher Education Student Assistance Act to include in the definition of an institution of higher learning, nationally accredited proprietary institutions. What this is, is it's a... the Illinois State Scholarship Commission, 10 percent of the 'NAP' program that goes to the colleges for scholarships, an amount of 10 percent of that, maximum of 10 percent of that will go to proprietary schools. In... We have two Amendments that were put on in Committee."

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Amendment #1 said that they must meet the standards established by the Illinois State Scholarship Commission and be approved... have been accredited for at least three years by a nationally recognized accredited agency. Amendment #2 said that after January 1, 1986, in order to be qualified for the fund, the institution has to be approved by the Board of Higher Education. There was a further Amendment added on the floor which limited the grant to 1,000. I'd be happy to answer any questions and would ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, moves for the passage of Senate Bill 1358. On that, Ms. Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, before anyone votes on the issue, I hope that they will be fully aware that this would obligate the state for a new scholarship program to for-profit institutions. It is true that the Sponsor has worked with the Bill in order to try to put restrictions on the numbers of institutions that would qualify for the funding. However, I think that we should be aware that if we adopt this program, and if we fund the program, it could increase the cost of our scholarship programs by as much as 10 percent. If we were to fund this at the 10 percent level this year, it would be in the neighborhood of 12 million dollars. I appreciate the fact that it will be a separate line item and that we would therefore be able to track the amount of money going into this program specifically, but I would remind the Members that we do not have a way of creating money out of thin air, and so, there will be a direct competition for dollars going into this program versus dollars going into any of the other programs that the state has to fund. And so, for my own position, I will oppose the Bill, because it

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is not clear to me that we should be expanding our obligation for funding into for-profit institutions, many times for programs which are similar or perhaps equal to programs that are available within our four year or two year institutions within the state that already qualify for scholarship funding."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. Ronan. Mr. Ronan."

Ronan: "Thank you, Mr. Speaker, Members of the House. I, too, rise in support of this fine piece of legislation. A tremendous amount of work and effort has gone in on behalf of the Sponsor. These institutions have to be approved by the Board of Higher Education of the Illinois Office of Education so that they're legitimate programs that do provide a tremendous service for kids, especially coming out of the inner city of Chicago in a district like my own, who may not be able to get into other institutions of higher education but need opportunities for vocational training in these kinds of programs. I think Representative Keane's got a solid Bill, and I move for the passage of Senate Bill 1358."

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

Vinson: "Yes, Mr. Speaker, Ladies and Gentlemen. I rise in support of House... Senate Bill 1358. I think that it has been pretty carefully crafted and constructed to remove the... many of the legitimate objections that people raised in the past. And I think the way the Bill is structured now, it does create a legitimate opportunity to actually take people off of welfare and put them into jobs. I don't think that it is very likely that you're going to take very many people off of welfare and make them nuclear engineers or make them lawyers or make them doctors, but I think this

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kind of program could create the kind of meaningful vocational opportunities and vocational education for those people. And for that reason, I think that it's a program that might well... might well actually save the budget money in the long run, and I rarely could say that about things we vote on around here."

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

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Bill. With all due respect to the Sponsor, and I know he's worked hard and he's sincere minded and has the interest of our colleges and universities in the state in his heart, I feel that this is the wrong time for us to move into supporting the for-profit institutions. When I served on the Higher Education Committee, the people who lobbied us about this were the for-profit institutions, not the students who would be attending those institutions. The students are the ones we need to protect. We're encouraging our university students to get into the universities. We support them with our financial aids in every possible way, but we haven't been funding the scholarships in the way in which they should be funded, and to create another line item which will subsequently be added to and something we won't examine in the budgets when it comes up as a separate line item we won't debate, is bad policy, and bad policy to set now. If you're voting for the students, I would suggest a 'no' vote."

Speaker Greiman: "Further discussion? Ms. Oblinger."

Oblinger: "Thank you. Thank you, Mr. Speaker, Members of the Committee... of the House. I stand in opposition to this Bill for two reasons. Number one, it is a for-profit organization that is requesting these scholarships. They already get federal money, which I think is sufficient.

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Secondly, why do we have community colleges? One of the arguments in Committee was, well, they don't want to go to two years. I assure you that we have one semester and one year programs in our community colleges. That's what they were for, to help the people in the local communities who didn't want to go on to two or four year colleges. I think we need the scholarship money for our not-for-profit colleges, our private and state universities and colleges. I don't think we need to be taking on another group to indemnify."

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

Brookins: "Thank you, Mr. Speaker. I rise in support of this Bill. I have toured the private schools, and they do serve a useful purpose. In fact, in my youth, I attended one of these same schools that would be afforded one of these scholarships. So, I know that what they do to the young folks, it gives them jobs to train them for skills because, as was said earlier, all young people will not or do not have the skills to become engineers and doctors and lawyers, so with that, I rise in support of this Bill, and compliment the Sponsor of this Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, to close."

Keane: "Thank you, Mr. Speaker. In the past, we told, and I voted against legislation that would have taken money from our regular... our regular Illinois State Scholarship Commission. We told the proprietary schools, and I was one of the people who told them in the past, go get your own fund, and make sure it doesn't interfere with the regular Illinois State Scholarship Program. We have not interfered. This Bill does not interfere. We are going to still give \$2,850 maximum grant, and we are not reducing that for this Bill. We are, however, funding schools that have been accredited by the Illinois Office of Education

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and the Board of Higher Education, and we're giving the students who can qualify a maximum grant of \$1,000. This is a very, very good Bill, in that it keeps the private colleges in existence, it provide the students who go to the private colleges funds, and it is a bargain for the State of Illinois because... and for the local governments, because they are not paying substantial amounts. And for that reason, I would ask for an 'aye' vote."

Speaker Greiman: "The question is, 'Shall Amend... Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 55... 54... 54 voting 'aye', 57 voting 'no', 1 voting 'present'. And Mr. Keane? Mr. Keane?"

Keane: "Poll of the Absentees, please."

Speaker Greiman: "Mr. Keane asks for a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. DeJaeghe. Homer. Krska. Mautino. McGann and Sutker."

Speaker Greiman: "Excuse... Mr. Preston goes from 'aye' to 'no'. Mr. Keane? Mr. Keane. Mr. O'Connell. Mr... Yes, Mr. O'Connell?"

O'Connell: "Just to explain my vote, Mr. Speaker. The... The issue appears to be the fact that it is for profit, therefore, there should not be the grant money, which was reduced from 1,800 to 1,000 in recognition that it is a for-profit proprietary school. The fact of the matter is, though, it is a school, and we do have the need for people to be schooled in the world of work. And this is a measure that's an effort to do that. Whether it be a for-profit or a not-for-profit school, it still has a well-meaning and productive end in its... in its existence. So, I would ask

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that everybody give this some serious thought and vote 'aye'."

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

Cullerton: "Yes, thank you, Mr. Speaker. Mr. Speaker, I just spoke with the real Speaker, and he indicated he wishes to vote 'aye' on this Bill, so with leave of the House... "

Speaker Greiman: "Madigan goes from 'no' to 'aye'. Mr. McPike, the Gentleman from Madison, for what purpose do you seek... Mr. McPike votes 'aye'. Mr. Mays. Mr. Mays votes 'aye'. Mr. Tate. Mr. Tate votes 'aye'. Mr. Mautino votes 'no'. Mautino, 'no'. Mr. Weaver?"

Weaver: "Mr. Speaker, if I could explain my vote real quickly, maybe the Members of this Assembly don't realize that we have serious problems with a lot of our state universities. They have vacant seats. They have trouble funding classrooms that we've already got empty seats in, and here, we're taking money from students who could be attending state universities, where we've already got the tax money sunk into the investment, and we're putting them in private proprietary schools. I think it's wrong, and I think we ought to offer the chance of our students to go to state supported institutions where we've already spent the money."

Speaker Greiman: "Mr. Pedersen."

Pedersen: "Change my vote to 'no'."

Speaker Greiman: "Mr. Pedersen votes 'no'. Have all voted who wish? Mr. McMaster? Mr. McMaster votes 'no'. Mr. Countryman."

Countryman: "Mr. Speaker, if this should receive the requisite numbers of votes, I'd like to verify it."

Speaker Greiman: "Okay. Mr. Clerk... Mr. Pangle. Mr. Pangle goes from 'no' to 'aye'. Mr. Christensen. Mr. Christensen

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votes 'aye'. Mr. Panayotovich goes from 'no' to 'aye'. Mr. Stephens votes 'no'. Mr. Stephens goes from 'aye' to 'no'. Mr. Piel. Mr. Piel goes from 'no' to 'aye'. Mr. Clerk, what is the count? On this question, there are 58 voting 'aye', 55 voting 'no', and... Postponed Consideration. On the Order of Postponed Consideration. On Special Call - Higher Education, appears Senate Bill 1395. Oh, I'm sorry. Excuse me, Ms. Braun. Wait. For purposes of an introduction, we have with us a gentleman who was, I think, written up today in the Tribune, this morning's Tribune, the Tempo section, Dr. Pat Robertson, who wanted to just come in and say 'hello' to us. Dr. Robertson? Ms. Pullen in the Chair."

Speaker Pullen: "Thank you, Ladies and Gentlemen, it is a great pleasure for me to introduce to you today Dr. Pat Robertson, who is the head of the Christian Broadcasting Network and the host of the 700 Club, which is viewed by many millions of Americans every day on cable and on normal, regular old broadcasting stations in the United States. Dr. Robertson comes to us from a very distinguished background and immediately, now from Virginia Beach, Virginia, and I hope you will welcome him for a few words of greeting. Dr. Pat Robertson."

Dr. Pat Robertson: "Thank you very much. I won't take much time in your race for adjournment, but it is a pleasure to be here, and I bring you greetings from Virginia and the CB and cable network. I think that we probably are on the air in a number of your districts, and we're here to do some news gathering to get better information about a new news show this fall called 'The Perspective', which we hope will give a better view of what's happening in our country, and I'm meeting with a number of people here, so thank you for your courtesies, and Penny, thank you very much."

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Speaker Greiman: "Representative Greiman in the Chair. On the Order of Special Call - Higher Education appears Senate Bill 1385, Ms. Braun. I... Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1385, a Bill for an Act to amend Sections of an Act creating the Board of Higher Education. Third Reading of the Bill."

Speaker Greiman: "Ms. Braun."

Braun: "Hello. Oh, alright. Thank you. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is another recommendation of the Higher Education Committee which allows the Board of Higher Ed to select community colleges in which to operate a pilot program for researching and demonstrating teaching techniques to be used in instructing post-secondary level students with learning disabilities. I would encourage any questions you may... or respond to any questions you may have."

Speaker Greiman: "The Lady from Cook moves for the passage of Senate Bill 1385. And on that, is there any discussion? The Gentleman from McLean, Mr. Ropp."

Ropp: "Mr. Speaker, would the Sponsor yield?"

Braun: "Yes."

Ropp: "Does... Does this deal just with the students with learning disabilities or does this deal with the... the potential teacher who teaches learning disability students?"

Braun: "This... This has to do with a pilot project of... for both, really, for dealing with both the students and the teachers so as to help with the development of teaching techniques for learning disabled students."

Ropp: "How much does this cost, or estimated to cost?"

Braun: "It's a pilot project, and I don't have a... there is no cost on it. I've been advised by staff."

Ropp: "A pilot program with no cost? That sounds like a good

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idea. I think I'll support it."

Braun: "Well, thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'aye', 1 voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Special Call - Public Utilities and Environmental Protection appears Senate Bill 3. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill #3, a Bill for an Act in relation to concentration and storage of radioactive waste and the Civil Administrative Code. Third Reading of the Bill."

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

Mautino: "Thank you... Thank you very much, Mr. Speaker. Yesterday or the day before, I believe, we addressed Senate Bill 3. Senator Joyce, who is the Illinois member on the Illinois-Kentucky Compact for Low-Level Storage and Waste Site Facilities presented this legislation. It is not a new concept. It is not presented in the light of having a... a provision adopted which would curtail the landfilling or disposal of low-level nuclear waste. It is set forth under the same provisions for open hearings, as is Senate Bill 172, now Public Act in this state. What this legislation provides is for a public hearing and an appeals process for the siting of a low-level on site or off site nuclear facility in the State of Illinois. We are part of the compact between Kentucky and our state, and there will be a site within one of those two states, according to the compact provision, and the alternate site

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to be in that state after... the additional state in the compact, or the other state in the compact, after a 20 year period. What Senator Joyce's Bill does is provide for public input and decision making as it pertains to the site selection under hydrological and geological surveys and findings, and to provide for the public health and safety of the citizens of that area. It is not a measure to curtail the site selection. Many years ago, for example, in my legislative district, when the U.S. ecology... or U.S. Ecology Company set a low-level nuclear waste site, they did it under the provisions of a landfill site selection, and there was basically no communication between the industry and the community and the citizens in the surrounding area. What this legislation would do would be up front, allow for the appeals process, the public hearing provisions, and it would provide for notification within 250 feet. In my estimation, it should be broader than that, but by and large, I think it's good legislation. It's done up front, and I think that the provisions at the local level for siting are extremely important and will go a long way in providing harmony for wherever the site is in this state, and I move for its adoption."

Speaker Greiman: "The Gentleman from Bureau has moved for the passage of Senate Bill 3. And on that, the Gentleman from Madison, Majority Leader McPike."

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

Speaker Greiman: "Indicates he will."

McPike: "The State of Illinois signed a nuclear compact with the State of Kentucky. I presume that since the State of Illinois is responsible for producing most of the low-level radioactive waste, that eventually, we will have to find a place to store that waste. Is that correct?"

Mautino: "That's a... yes, a very good assumption."

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McPike: "The current provisions of loss... Could you explain the current provisions of law in regards to how a site is to be selected?"

Mautino: "The current provisions in our statute now under what we passed a Session or two ago on Senate Bill 172, allow for determination by the Department of Nuclear Safety, the determinations by the Illinois Geological Survey, and the Department of... at EPA for site selection and the criteria therewith which allows as well for input by citizens in the area. There's an application process."

McPike: "So, the final decision, under current law, would be made by the Department of Nuclear Safety?"

Mautino: "In accordance with 172, yes."

McPike: "And this would allow a... a veto by the local county or municipality having jurisdiction over the site? This Bill?"

Mautino: "If, in fact, all of the information was not beneficial for public health and safety, I'm not certain that it exactly allows for a veto, but it allows for that hearing process and site determination in consort with the other agencies just mentioned."

McPike: "But in effect, a local municipality or a local county could deny a site application."

Mautino: "As drafted, I believe you're correct if, in fact, it would be against public health and safety, but that is not the intent of legislation."

McPike: "To the Bill, Mr. Speaker. To the Bill."

Speaker Greiman: "Proceed, Sir."

McPike: "I understand the intent of the Bill, and I... and I have a difficult time arguing against the intent, but I also have a difficult time dealing with this issue in the real world. On a... On a country-wide basis, we have to find a place to store high-level nuclear waste, and I believe that

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the Federal Government has tentatively selected two states - Texas was one, and I'm... I'm not sure what the other one was, Arizona or Colorado - it was a western state. I'm not sure. At any rate, as soon as the two states were mentioned, immediately, the nine State Senators from those two states, the Governor, the local mayors, everybody was against it. Well, fortunately, at the federal level, we did not allow that veto power by a state, because everyone recognizes that once we do a country-wide search and find the best geological site available, it is seemingly impossible to move ahead on that site if you allow the local state or the local county to override federal policy. It is my fear that, in practice, the same thing would happen in the State of Illinois. It will be incumbent upon us because of the pact that we've... signed with Kentucky, will be incumbent upon us to come up with a local site. That site will be extremely controversial. Nonetheless, someone in authority, someone in a position of responsibility, and particularly the Department of Nuclear Safety, after searching all over the state, must make a decision. It is my fear that if we allow that decision to be vetoed at the local level, we will, indeed, never have a place to store over... over the long run, low-level nuclear waste. So that in practice, I think we would end up with no site. For those reasons, I intend to vote 'present'."

Speaker Greiman: "Further discussion? The Lady from Marshall, Ms. Koehler. Ms. Koehler, you're on."

Koehler: "Thank you... Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I, too, rise in opposition to this very well-intended Bill. I know that Senator Joyce and Representative Mautino has worked... have worked along these lines on several occasions, so I, too, applaud them for their intent. However, the process that they have

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detailed here in this particular piece of legislation could add to the time frame about one and a half to two years to our ability to site a disposal site for the low-level nuclear waste. Currently, the Department of Nuclear Safety is negotiating with the sites in Washington... the State of Washington and in South Carolina to take care of our needs until such time as we can add our own site with the... within the compact regulations. However, the process embodied in this Bill may push our ability to site beyond the time frame that we can negotiate for temporary disposal of our waste. Therefore, it is important that we allow the Department of Nuclear Safety the ability to initiate those procedures that they have been working very hard to initiate that is going to allow us to dispose of this low-level nuclear waste in the safest, most acceptable position. And of course, we want to make certain that it is geologically safe, that it is in the best possible place in our state, geologically, hydrology... the hydrology would be correct, and all of those things that are important for the siting of this very important low-level nuclear waste site. However, also embodied in this Bill is veto power by the General Assembly. Well now, on the face of it, that sounds very good. However, when you think about it, that might lead to a political siting, rather than the safest possible site that could possibly be here in the state, and I, for one, do not want to have something like this politicized to such a point that it would only guarantee that perhaps the Speaker of the House and the President of the Senate were insulated from having this in their district. So, I think it is important that we concentrate on finding the safest possible site for this very important construction that we will be undergoing.'

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

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Huff: "Yes, thank you, Mr. Speaker. I... I'm not necessarily rising in opposition to this concept, but it's just that the subject matter brings to mind a news item that I saw the other night on television in which it was disclosed that the cooling ponds of all the nuclear plants in North Carolina, I believe, are contaminated thoroughly with nuclear toxic waste, and I just wanted to suggest that maybe what we should do is look and combine the technology that we already have and ship... get all these nuclear toxants together, put in on a space ship and shoot it to the sun, and have all the states and Illinois defray the cost. Just a suggestion."

Speaker Greiman: "Mr. Churchill."

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

Speaker Greiman: "Indicates he will."

Churchill: "Representative, part of this Bill is that there would be a... a decision that can be appealed to the Pollution Control Board. What expertise does the Pollution Control Board have in the area of radioactive waste that would allow it to adjudicate a special siting issue?"

Mautino: "That is one of the existing conditions in... under 172 as well. The Pollution Control Board handles land, air and water pollution, rules, regulations and determinations. That's where the appeals go to."

Churchill: "Does it handle siting approvals?"

Mautino: "No, but the siting proposal will be based upon hydrological and geological information that is provided."

Churchill: "Representative, House Bill 2251, which I believe, was sponsored by Representative Currie, who also sponsored the Low-Level Waste Management Act, has passed both the House and the Senate, and it provides for grants to a county to conduct technical studies relating to a potential site within its borders. Why... Why isn't that a preferable

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approach? I mean, it's... "

Mautino: "I'm sorry, I missed the question. Would you repeat it?
I was talking to Representative Hastert."

Churchill: "Representative Currie passed a Bill this year which
would allow grants to a county to study the issue of siting
and to conduct technical studies relating to potential
siting. It's something that relates to the technicality
of whether or not there should be a site, not the politics
of whether or not there should be a site. Why isn't her
Bill preferable? Why don't we just go with her Bill and
not have this one?"

Mautino: "Well, I support her concept. In fact, I have
legislation doing the identical thing since, let's say,
1975, I believe. This legislation is a Senate Bill
provided after the initial meetings of the compact between
Illinois and Kentucky, and that question would be best
raised with Senator Joyce. I do agree with the concept
that if there is going to be a county for site selection,
that county should have funds available for those outside
independent studies as well as those done by the
departments of government."

Churchill: "Mr. Speaker, to the Bill. I would rise in opposition
to this Bill. I think there are some serious difficulties
with what's being proposed, here. The key problem here is
that we're taking something of a technical nature and we're
going to politicize it. I don't think that anybody sitting
on this floor of the General Assembly wants to have to go
into all of the technical expertise that's required on a
siting, wants to follow the project of a siting, wants to
bring to this floor a siting of low-level nuclear waste.
What's going to happen is that we won't have any sites for
low-level nuclear waste. Well, maybe that's something that
some people would prefer to do. The only problem is that

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if we do that, then we shut down the hospitals that use low-level nuclear radioactive materials. We shut down the companies that use that. This is an area that is of the future, not of the past. It's an area where we have to provide disposal sites to keep those companies going and to make progress in this area. And that is the opposite of what will happen if we pass this Bill. I would rise in opposition."

Speaker Greiman: "Ms. Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I share the reservations of the Majority Leader about the wisdom of passing Senate Bill 3 at this time. When this Assembly decided not to participate in the seven state Midwestern Region Compact for the Disposal of Low-Level Radioactive Waste, and instead joined a compact with our sister state, Kentucky, we assured that we would be a site for the disposal of low-level radioactive wastes. When we adopted the low-level radioactive management waste program, we did, with the help of the House Sponsor and Senate Sponsor of Senate Bill 3, ensure General Assembly veto power over any siting decision by the Department of Nuclear Safety. We established, in that program, substantial public hearings so there would be opportunity for participation in the decision at the local level. We established, too, a program to make sure that geological investigations would be done before any site selection were made so that we could ensure the very safest possible place for the disposal of these hazardous constituents. I'm afraid that the redundant provision in Senate Bill 3, again providing for General Assembly veto power, is not necessary because we already have it in existing legislation already on the statute books. The provisions for local veto power raises the prospect that instead of having the very safest

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site for the disposal of these products, a site that we know we ultimately must have, we will end up with a second best or a third best or a fourteenth best site. That cannot be in the best interests of the people at any local level, and certainly, it isn't in the best interests of all the people of the State of Illinois. The fact that there is General Assembly approval power already on the statute books, I think is adequate safeguard against inappropriate sitings for this kind of disposal facility. The redundancy in this Bill is unnecessary, and the additional provisions it offers, I think are, in terms of public policy, not wise."

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

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

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

Mautino: "Thank you, Mr. Speaker. For the edification of those in the General Assembly who do not know it, I happen to have the only low-level nuclear waste site in the state in my district. That is not a problem. They have that site there, and at this point in time, it handles the low-level nuclear waste. There has been a 'tritium' leak. But if, in fact, the geological and the hydrological studies were done, I think it would have made it a much better transition, as it pertains to the original... the individuals who originally set up the site, which was U.S. Ecology. Now, this legislation is not going to impede that process. It tracks Senate Bill 172 current law, but what it does do is change the philosophy whereby the local community has input and information before the site is provided. There is no doubt that Illinois will... will

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become a site as well as Kentucky, but there is no reason not to have local input. I know of no other area that we address in the General Assembly whereby local input is eliminated. And once again, this does not stop the project. It, at least, gives the information that's necessary on a technological and a scientific basis for site selection. It is not to be politicized, because we have a site now in this state. But the important part is that, if you have the checks and balances from the private sector, the educational community, the manufacturing community and the process for the application and consideration at the local level. It's not done to impede the need for site selection because Illinois will be a site. I ask specifically for your help and your support because this does track 172, our current law. I would hope that the Membership realizes that, on an issue as important as low-level nuclear waste - and we must have those sites - there must be local input, an appeal process, and even the General Assembly having their hand in it as well, and I ask for an 'aye' vote on this question."

Speaker Greiman: "The Gentleman from Bureau... The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Mr. Van Dyne, one minute to explain your vote."

Van Dyne: "Yes, thank you, Mr. Speaker. I rise in support of the Bill for... I don't know what the other speakers were talking about when they... when they opposed the Bill. Evidently, they're sorry they passed Senate Bill 172, which gave the powers to the counties and to the local municipalities that Representative Mautino speaks of. As far as politicizing the thing is concerned, I don't understand why anybody in this world would ever think that giving your own county the right to control atomic waste in

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your county would ever have anything to do with being political. It's just a... It's just a case of trying to protect yourself. I think it's a very good Bill. I think we need it for our state, and I'm supporting it. Thank you."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 74 voting 'aye', 18 voting 'no', 19 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Special Call - Public Utilities, appears Senate Bill 96. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 86, a Bill for an Act to amend the Humane Care for Animals Act. Third Reading of the Bill."

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

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, this would... Senate Bill 86 would make it a Class A misdemeanor to knowingly attach or fasten to any... or can only attach or fasten any live animal to any machine or device for the use of training dogs for dog fights. I move for its passage."

Speaker Greiman: "The Gentleman from Cook, Mr. McAuliffe, moves for the passage of Senate Bill 86. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this will be final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Special Call - Public Utilities, appears Senate Bill 10... 110. Mr. Clerk, read the Bill. 110."

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Clerk Leone: "Senate Bill 110, a Bill for an Act concerning public utilities. Third Reading of the Bill."

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

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senator Bloom asked me to handle this Bill for him. Some of his constituents are interested in forming a natural gas coop in order to buy cheap third party gas. They need a state... for the state to provide a guarantee of performance so as to prevent the natural gas suppliers from the nine coops by questioning its financial responsibility. So, the Bill provides that the state would provide a guarantee for not-for-profit corporations including rural electric coops. The total liability to the state, under the Bill, shall not exceed a million dollars statewide, and the guarantee itself to the coop cannot be for more than three consecutive years. The other provisions in the Bill that came across from the Senate were struck by the Amendments that we offered in Committee. So, what I just explained is the entire Bill. And I move for its passage."

Speaker Greiman: "The Gentleman from Madison moves for the passage of Senate Bill 110. And on that, is there any discussion? The Gentleman from Peoria, Mr. Tuerk."

Tuerk: "Mr. Speaker, Members of the House, the Majority Leader described this Bill quite well. He did strike some of the onerous provisions of the Bill as it was related. I think it's a good idea. There's people in my particular area that are desirous of forming a cooperative. It would provide cheaper natural gas when it's available. In our particular situation back home, the price of gas, natural gas, has risen tremendously. This would give us an opportunity, perhaps, of forming a cooperative, getting some available cheaper gas and, as a result, lower the

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rates in some of our consumer areas. I would ask for your support of the Bill."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This will be final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'aye', none voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Special... Special Call - Public Utilities, appears Senate Bill 112. Mr. Clerk. Mr. Washington? Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 112, a Bill for an Act to create the Environmental Toxicology Act. Second Reading of the Bill."

Speaker Greiman: "Out of the record."

Clerk Leone: "No Committee Amend... No Committee Amendments."

Speaker Greiman: "Out of the record. Easy to get a laugh in this crowd. On the Order of Senate Bills Special Call - Public Utilities, appears Senate Bill 373. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 373, a Bill for an Act to amend the Open Space Lands Acquisition and Development Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Greiman: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 373, a Bill for an Act to amend the Open Space Lands Acquisition and Development Act. Third Reading of the Bill."

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

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 373, this Bill is similar to a Bill that was passed last Session which passed out of the House 108 to 0.

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What it does is it amends the Open Space Lands Acquisition and Development Act and expands the type of projects that would be eligible to receive grants under the assistance of the Act to include the acquisition of development of park and conservation areas. This Bill expands the grant program to include park and conservation areas under the program, and the projects are eligible for funding under the program are defined to include the capital development of park and conservation areas. And I would urge your support."

Speaker Greiman: "Gentleman from Cook, Mr. Terzich, moves for the passage of Senate Bill 373. Is there any discussion? Being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 108 voting 'aye', 1 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Special Call - Public Utilities appears Senate Bill 406. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 406..."

Speaker Greiman: "Excuse me. Mr. Levin."

Levin: "Mr. Speaker, I feel like a conductor. Could I have leave to bring the Bill back to Second Reading for Amendments?"

Speaker Greiman: "Gentleman from Cook, Mr. Levin, asks leave of the House to return this Bill to the Order of Second Reading for the purposes of an Amendment. Gentleman has leave. The Bill is on Second Reading. Mr. Clerk, any Amendments?"

Clerk Leone: "Amendment #2, Huff - et al, amends Senate Bill 406..."

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Speaker Greiman: "Gentleman from Cook, Mr. Huff, on Amendment #2."

Huff: "Yes, Mr. Speaker, Amendment #2 provides that the ICC Commission shall prohibit... I'm sorry, shall prohibit public utilities from using estimated bills for more than once in any two consecutive months. I might point out that this provision is already in the ICC general orders; however, the ICC chooses to wink at this. I want to try and put a little teeth in these provisions to give some relief to my constituents in Chicago who, as a practical matter, get nothing but estimated bills. The Amendment also provides that a public utility shall pay interest on the difference between an estimated bill and the actual amount due where the customer pays the estimated bill and the estimated bill exceeds the actual amount due for the period of time for which the estimated bill applies. I move for the adoption of Amendment 2."

Speaker Greiman: "Gentleman from Cook, Mr. Huff, moves for the adoption of Amendment 2 to Senate Bill 406. Is there any discussion? Mr. Piel, the Gentleman from Cook."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Gentleman yield to a question, please?"

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

Piel: "Representative Huff, my question would be, this is already taken care of in House Bill 1021, am I correct, or Senate Bill 1021?"

Huff: "Well, to the best of my recollection, I think that provision talks about a study that will come back sometime in the future certain with some determinations. But I can assure you this practice has been thoroughly studied by my constituents in Chicago, and we find it abominable, to say the least. Actually, Ladies and Gentlemen, what the utilities are doing with these estimated Bills, in my

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opinion..."

Piel: "You can cover that in your closing, Doug."

Huff: "Alright."

Piel: "I just asked a question whether it was covered in 1021."

Huff: "You're right."

Piel: "What is the potential cost? You know, obviously there must be a problem with estimated bills that you see somewhere down the line or in the past. What is the potential increased cost to the utilities statewide then if this goes into effect?"

Huff: "Well, maybe I... I really believe that cost is nominal because I should point out to you that in Chicago they have only... the People's Gas employ only 80 meter readers in Chicago. Can you believe that? Eighty meter readers for a City that has over a million households. That explains the proliferation, in my opinion, Representative Piel, the necessity, at least on the part of the utility, to employ the estimated bills the way they do. Eighty meter readers."

Piel: "How many more would they have to hire?"

Huff: "Well, the optimum number that they've ever quoted was 110. I think that they would have to have at least ten times that amount."

Piel: "Wait a minute. Maybe I misunderstood. We'll go back two questions ago. You said the cost to the utilities would be minimal, and you're talking about them having to hire ten times 110 and the cost is going to be minimal."

Huff: "Yes. Well, you know... Well, we have over a million consumers. I think the cost prorated to a million consumers would make that cost nominal. It would certainly do one thing in my belief and that is that it will normalize utility bills in Chicago."

Piel: "What percentage of the bills are overcharged right now on

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estimates?"

Huff: "Well, we had 150,000 people whose gas was shut off. I talked... Naturally, I talked to a representative number of people who were in that class..."

Piel: "No, I'm not talking about shut offs. You have a situation where you have to pay interest when the estimate exceeds the amount paid... or when the amount paid exceeds the estimate. What..."

Huff: "Oh, yes. Well, in some instances, the estimated bill is 80 to 100 percent over normal usage."

Piel: "Eighty to 100 percent over normal usage. At what percentage rate would this be covered? Because there's nothing in the Bill... or in the Amendment that says a rate."

Huff: "I don't understand."

Piel: "If you're going to pay them interest on their money, which you're stating here that requires the utilities to pay interest on the difference between the estimated bill and when it exceeds the actual amount due, at what rate?"

Huff: "At the going rate I think is only fair. They're going to use this money that they're not entitled to without paying any interest on it. It's not American. It un-American."

Piel: "Is this... the first part of it dealing with the two month period. Besides in 1021, is this... wasn't this proposed in another Bill earlier?"

Huff: "Not to the extent that's reflected in this Amendment, Representative Piel. That's why I'm offering it."

Piel: "Well, the two month period. The two month period was covered in another Bill, and I was just wondering what happened to it. I mean, if it passed out, why are we being dilatory and, you know, putting it in your Bill."

Huff: "No, no. I don't believe it's dilatory. You may be right about the two month period in 1021, but it doesn't include

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the additional part of this Amendment that talks about the matter of interest for that individual who pays the estimated bill only to find out, when the bill is adjusted, that he didn't owe that amount. And that happens quite often, Mr. Piel, quite often."

Piel: "The... you know, is there any possibility... You know, I'm sitting here trying to get a figure, and I don't mean to, you know, sound like an obstructionist or anything, but I'm trying to get an idea of what this is... what the potential cost ramifications are on this, Doug. Do you have... Can you give us any ball park figure on what we're talking about?"

Huff: "You mean, if they have to pay the interest?"

Piel: "Well, not the interest, because I think the interest is... when you said minimal before, the interest, I think, would possibly be a minimal figure. The figure... You know, I'm sitting here talking... you know, if you're talking about having to hire 100,000 new readers... You know, you were talking about ten times 10,000, wasn't it?"

Huff: "I did overstate that. I really meant an additional thousand meter readers."

Piel: "But..."

Huff: "You're correct. And that..."

Piel: "We have no idea..."

Speaker Greiman: "Gentlemen, bring your remarks to a close... your questions to a close, Mr. Piel."

Piel: "According to my stopwatch, Mr. Speaker, I've just talked for five minutes."

Speaker Greiman: "Mr. Piel."

Piel: "I'm just trying to get some questions answered, Mr. Speaker."

Speaker Greiman: "I know, Mr. Piel, but it's getting to be a little discussion..."

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Piel: "Turn the timer on, Mr. Speaker."

Speaker Greiman: "... and ask questions, make the Sponsors and let's proceed."

Piel: "I'm just trying to get an answer, Mr. Speaker. I'm waiting for an answer."

Huff: "I don't know what that cost would be, but it would certainly be less, I think, than what the consumer is paying, especially those consumers who pay estimated bills. And I think they run in the majority in Chicago."

Piel: "Fine. Thank you very much. Five minutes and 46 seconds, Mr. Speaker."

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

Barger: "Thank you, Mr. Speaker. I have some questions of the Sponsor. Mr. Huff, in... I have to confess ignorance to some of the things that happen in Chicago. But in the suburban areas, they have a system of paying the utility bills wherein they take the previous year's payments, divide it by twelve and budget it out of the year so you pay one-twelfth of your annual bill each month. Is anything like that available in Chicago? Could we have Mr. Huff back, please?"

Huff: "Thank you. In a word, Rep... no."

Barger: "No?"

Huff: "No. It's used very capriciously. I can cite you an example of a personal experience with an acquaintance of mine who paid her monthly bill on the previous month. On that very day, her house burnt down and the subsequent month she received a bill for 600 dollars."

Barger: "They must have left the gas going after the fire went out."

Huff: "No, what it goes to show, Representative Barger, is that we don't have adequate meter readers; because, if we had adequate meter readers, that house would have duly been

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reported destroyed."

Barger: "Alright. I just can't quite figure out all of this, because..."

Huff: "You know, I'm talking about a problem obviously, from talking with my colleagues, it's peculiar only to Chicago. This is a missile that impacts only in Chicago, as far as I can tell, and it impacts with a devastating frequency and devatorious (sic) effect on people who try to conserve, especially our senior citizens, and these estimated bills make absolute mockery out of these old people's attempt to conserve. And then when they get these estimated bills, they very dignifiedly try to pay them. It's a heart rendering situation."

Barger: "Thank you, Mr. Huff."

Huff: "Thank you, Sir."

Speaker Greiman: "Mr. Huff, to close, briefly."

Huff: "I move for the adoption of this Bill. It's also my opinion, Mr. Speaker, if you'll just mind... just a second, that the reason why the utilities persist in issuing these large numbers of estimated bills is because they use that to create a false image of demand which price rises to and causes an additional fictitious cost impact on the people who receive these type of bills. And I move for the adoption of Amendment #2 to Senate Bill 406."

Speaker Greiman: "Question is, 'Shall Amendment #2 be adopted?' Those in favor say 'aye', those opposed 'no'. In the opinion of the... In the opinion of the Chair, we'll have a Roll Call. All those in favor signify by voting 'aye', those opposed voted 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 56 voting 'aye', 46 voting 'no'... excuse me. Mr. Tate votes 'no'. 56 'aye', 47 'no', and the Amendment carries... is adopted."

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Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Mautino, amends Senate Bill 406..."

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

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 simply adds what was in House Bill 2004, the Small Business Utility Advocate to the Illinois Commerce Commission. This was the legislation that got kind of tied up in the Senate after it left the House with no opposing votes. That's 2204. Basically, it sets up the Small Business Advocate within the Commerce Commission. There was no opposition when it left the House. It got tangled up in the Senate. We'd like to amend it on this legislation. I ask for your favorable support."

Speaker Greiman: "Gentleman from Bureau moves for the adoption of Amendment #3 to Senate Bill 406. There being no discussion, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Mautino."

Speaker Greiman: "Gentleman from Bureau, Mr. Mautino, on Amendment 4."

Mautino: "Withdraw #4, please."

Speaker Greiman: "Amendment #4 is withdrawn. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Cook, Mr. Levin, asks leave of the House to waive Rule 37(c) so that... so that this Bill may be heard at this time, using the Attendance Roll Call. Excuse me. Mr. Vinson."

Vinson: "I object."

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Speaker Greiman: "Alright. Mr. Levin moves that the Bill be heard... that Rule 37(c) be waived. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk. The vote should need 71 votes. Have all voted who wish? Mr. Clerk, take the record. On this question there are 61 voting 'aye', 47 voting 'no', none voting 'present'. And the Motion fails. And the Bill is on Third Reading. On the Order of Senate Bills Special Call - Public Utilities, appears Senate Bill 589. Mr. Clerk, read the Bill. Mr. Levin, for what purpose do you seek recognition? For no purpose. Alright."

Clerk Leone: "Senate Bill 589, a Bill for an Act to amend the Wildlife Code. Third Reading of the Bill."

Speaker Greiman: "The Lady from Sangamon, Ms. Oblinger."

Oblinger: "Thank you, Mr. Speaker, Members of the General Assembly. I don't think there's going to be a lot of discussion on this. It allows the deer permit hunters to hunt coyotes during the six days that they have firearm deer permits."

Speaker Greiman: "The Lady from Sangamon moves for the passage of Senate Bill 589. And is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Special Call - Public Utilities, appears Senate Bill 658. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 658, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Mr. Speaker, I have an announcement that is relevant to this Bill. The Chicago Cubs are playing a baseball game today during the day up in Wrigley Field, and they are losing in the sixth inning 3 to 1. Now, a lot of people have said to me during this 13 game losing streak, that the Cubs would win if they had lights. Now, I think that upon reflection, that the opposite is true. Ever since we have had this discussion down here about having night games at Wrigley Field, the Cubs have gone on strike. The baseball team themselves has not won a game. This will going for the record. This will be 14 losses in a row. Now, I think that what's really happening is that the players themselves are very disturbed, just as the community is very disturbed, about this talk about having lights for regular season games. Now, the House has adopted an Amendment on this Bill by a vote of 85 to 25, I believe, that overwhelmingly accepts the proposition that we shall allow the Chicago Cubs to be able to play playoff and world series night games. That's what this Bill does. This Bill changes the state law so as to allow for the Chicago Cubs to play playoff and world series games at night. This is a concession that has been made by the people in the community and, I might add, not unanimously, but a good number of the people in the community have felt that if the Cubs were to be in the world series, they should be allowed to play at their own park. Now, I want to make the record clear that we have done research with regard to the issue of temporary lights. There is a company in Iowa that has provided temporary lights for the Olympics, for numerous football games, and the proposition indicates that it would cost about 60,000 dollars a game,

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which is a drop in the bucket compared to the amount of money that our city and our state would lose by not having the world series played in Chicago. This Bill is necessary if you want to keep the Cubs in Chicago, if they were fortunate enough to get into the world series. So, the Bill does not allow for games to be played... night games to be played during the regular season. The House has consistently rejected that idea and rightfully so. But this Bill is necessary. If you don't vote for this Bill, then you're saying that the Cubs shall not, if they were fortunate enough to get in the world series, shall not even be allowed to play in Wrigley Field. And I think that's wrong. I would ask for you to concur with the majority of my community that's in favor of this exception to the state law and please vote 'aye'."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, has moved for the passage of Senate Bill 658. And on that, the Gentleman from Macon, Mr. Dunn."

Dunn: "Mr. Speaker and Ladies and Gentlemen of the House, we get criticized around here for not thinking very far ahead, and I think this is a wonderful Bill. It shows that we can think far ahead, because this Bill certainly won't have any impact in this century. It will be well into the next century before the provision of this Act become applicable."

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

Levin: "It's hard to top the last statement. I think Representative Cullerton was absolutely correct, you know. I think that at this point, it seems to me, everybody should be voting for this Bill, because it is really the only option. If somehow or another the Cubs turn around their losing streak and have the longest winning streak in history, and I'm told by the person behind me that they're

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going to do that, then we want them to have the opportunity to play those playoff and world series games in Wrigley Field. And that's what this legislation allows. So, you know, this is a compromise but it really is the only opportunity to keep the Cubs playing during the playoff and world series in Wrigley Field. We don't want them to go to St. Louis. And so, I urge everybody, no matter how you voted on the earlier Amendments, to vote for this legislation."

Speaker Greiman: "The Gentleman from Macon, Mr. Tate."

Tate: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Some of the previous speakers haven't been totally serious about this issue, and this is a very serious issue, and I think all of us do appreciate it. Some... Many Members in this chamber at least claim to be a Cub fan, and many of the Members in this chamber claim to appreciate the confines of Wrigley Field. But all of us have supposedly have been following the Cubs and reading along in the sports page, not only the losing streak, but the continuing saga of lights in Wrigley Field. If you would read that sports page in the last 13 days, it seems like many of the Members here confessed... or at least pretend to be baseball managers here and know what's good for baseball and what's good for the Chicago Cubs and what's good for a baseball team. The general manager of the Chicago Cubs, Dallas Green, has consistently said that if the Chicago Cubs really are going to be a viable, not only economically viable, but a viable playoff contender, then the Cubs need to play 15, 20 and possibly even 30 night baseball games a year. Okay - and if you understand the Chicago Cubs, you'll understand that Lee Smith has a 95 mile an hour fastball. How would you like to walk up in the month of October and never play in a baseball stadium before under

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what supposedly is temporary lights and play under those conditions? It's not feasible. It's just not practical at all. And if you really care about the Cubs, you really care about baseball and you care about what I think and what Sport Magazine this... in the last edition of that magazine has said; that Wrigley Field is the finest facility in baseball in the nation today. And if we want to keep baseball in Wrigley Field and we want to do what's right for the Chicago Cubs and do what's right for the state and make the Chicago Cubs really a viable contender in the National League Eastern Division, then you better give the Chicago Cubs an opportunity to play night baseball all season long. And so, therefore, I would oppose this Bill."

Speaker Greiman: "Gentleman from McLean, Mr. Ropp."

Ropp: "Thank you, Mr. Speaker. I just raise one question for the Sponsor. You have always been very concerned about a particular word. And I'm just questioning you whether or not the word 'knowingly' is in here, because, apparently, the Chicago Cubs don't know they're supposed to be winning."

Speaker Greiman: "Yes. Mr. Homer."

Homer: "Will the Sponsor yield?"

Speaker Greiman: "Indicates he'll yield."

Homer: "Representative Cullerton, what is the position of the Chicago Cubs and the Tribune Company on the Bill?"

Cullerton: "Well, my understanding is that, at this point in time, the Cubs baseball team is not inclined to play their playoff games or world series games at night. Now, I just want you to know though that if they were to be in the world series and this Bill passed, and we know that it's okay... Alright. I want... I have another announcement. Keith Morland just hit a three run homer. The Cubs have

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gone ahead 4 to 3. Now, as we debate this Bill, the jinx is being lifted. I... I swear to God. So, as we pass this Bill, the winning streak... The Cubs are supposedly opposed to it, but the pressure will be on them to play their world series games in Chicago. This Bill will allow them to do it."

Homer: "Alright. Representative Cullerton, the accounts I've had from the general manager of the Cubs, the president general manager, Dallas Green, and also have heard him interviewed, was to the extent that even if this Bill passed, that the Chicago Cubs would not play their post-season play in Wrigley Field."

Cullerton: "I'm..."

Homer: "That, in fact, it's my understanding, that the position is that... that rather than play for the first time in Wrigley Field under the lights, in that unfamiliar setting, that they would prefer to play their home field games in either St. Louis or another neighboring state where they have had some experience during the year playing under the lights and that, therefore, they would not take advantage of this legislation. Do you have any... Is there any evidence anywhere that, in fact, they will recant from that position and take advantage of this Bill if, in fact, they make the playoffs?"

Cullerton: "Let me... Let me answer that question. I believe - I'm not positive - but I believe the decision as to where to play the world series games is not within the Cubs baseball team's jurisdiction. I believe that the baseball commissioner's office, and that's Mr. Ueberoth, who I spoke with who specifically said he wants the Cubs to stay in Wrigley Field, and Mr. Ueberoth would be in favor this Bill, because he wants the Cubs to be able to play in their home field - they would, in effect, tell the baseball team

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that they have to play in their home field. And I don't think that... I think the Cubs will reconsider their opposition to this if they were in the world series and they would not want to go and play outside of Chicago, play a world series game outside of Chicago. And this stuff about the not being bright enough, I mean, I know you didn't ask that question, but Representative Tate did. These lights are bright enough for television, for color television, which is even brighter than you need to play night baseball. So, it is bright enough. The Cubs are saying they're opposed to it now in order to pressure us to allow for night... permanent lights. We're opposed to that. This Bill will allow them to play the world series games at home. And Morland really did just hit a three run homer."

Speaker Greiman: "Ms. Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. Question of the Sponsor. Will he yield to a question?"

Speaker Greiman: "He'll yield for a question."

Currie: "Yeah. Are you familiar, Representative Cullerton, with House Resolution 579? My question is whether there's any inconsistency between the Bill that is before us now and House Resolution 579, were that Resolution to pass. In your judgement, is there any inconsistency? Perhaps I should remind you what's in that Resolution."

Cullerton: "No, I know what's in it. It's possible... It's possible that there may be a request by the Cubs to play day games for the world series. And if they do that, and the commissioner's office agrees to it, then they could have day games. But this says..."

Currie: "So, there's nothing inconsistent. I think myself, and I'm sure many fans agree, that baseball, invented in 1839 by Abner Doubleday, was meant to be played outdoors in the

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sunshine. The people in the Cubs community, of course, felt that way too, and so did the Members of this General Assembly when we said no to lights in Wrigley Field. With passage of this Bill, lights, once in a while, will be okay in Wrigley Field, but it seems to me if we... and I believe we should pass this Bill so the team has that option, but a real baseball team, a real baseball team that's always stood for baseball in the sunshine should stand up to the National Baseball League and its commissioner and say, 'When we win the playoffs and the world series, we will play those games only if they may be scheduled in the daytime under sunlight'. And my only concern with passage of Senate Bill 658 is to make sure there's no inconsistency between a Resolution asking the team, its management and the owners to stand up for the rights of the fans and the rights of daytime ball and passage of this good Bill. And I'm pleased, Representative Cullerton, to know that I can vote for your Bill, Senate Bill 658 on Third Reading, and continue to support my own good, strong and faithful Resolution, House Bill 579."

Speaker Greiman: "The Gentleman who brought us Vinson's curse, Mr. Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. It's always interesting to hear lectures about the history of baseball and lectures about the Wrigleyville neighborhood, the Lakeview citizens and the drunks who pour out of Wrigley Field. It's always interesting to watch a group of politicians take a set of actions which have the effect of driving business out of Illinois or driving business out of the City of Chicago. What is interesting is what you're going to read in your papers tomorrow morning, too. In your papers tomorrow morning you're going to find it revealed that the Tribune has just purchased

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land in Schaumburg, Illinois, and you're going to see the dome stadium, where the Chicago Cubs play baseball, in Schaumburg. I think that given the performance of the people who live in Wrigleyville and given the performance of the Chicago City Council, that great deliberative body, and given the resistance to economic reality by the people on the other side of the aisle and the man who is supposed to be in that Chair, Mr. Speaker, I think that it's appropriate, totally appropriate, that politicians drive the Cubs out of Chicago and out to Lincoln County where they'll probably be known as the Lincoln Cubs."

Speaker Greiman: "Mr. DeLeo."

DeLeo: "Thank you, Mr. Speaker and Members of the House. I just wanted to remind Members of this House that Mayor Richard Daley had a problem years ago with the Bears and the Bears were going to move to Arlington Park. And the mayor said they will be known as the Arlington Park Bears. And if the Cubs were to move to Schaumburg, I'm sure they won't be on cable television, as known as the Chicago Cubs. Now, we've been making jokes about this, and we've been voting on this issue for weeks. And Representative Cullerton brought up some fine points. And now we keep coming back and back and back and wasting more time in this Assembly. And I urge a 'no' vote. Thank you. An 'aye' vote. Excuse me."

Speaker Greiman: "Gentleman from Effingham, Mr. Hartke."

Hartke: "Thank you, Mr. Speaker, Members of the House. I've seen the light and I call for the previous question."

Speaker Greiman: "Mr. Hartke, had I known that was the object, I would have called on you long ago. The Gentleman from Effingham moves that the main question be put. Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the main question will be put. Mr. Cullerton, to close."

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Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I know that I have, you know, always asked people to consider this as a serious Bill, and I... I apologize a little bit for, you know, talking about the losing streak and it is ironic though. Morland just hit a home run. They went ahead, as we are lifting this Vinson curse and Vinson jinx. I just want everybody to know what this Bill does. This would allow for an exception to be made to the state law which bans ... has the effect of banning night games at Wrigley Field so that they could play in the playoffs and the world series. It's economically feasible for them to play at home. It's economically feasible for them to have temporary lights, and I would ask for a favorable vote."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Gentleman from Lee, Mr. Olson, one minute to explain your vote."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm very pleased to cast an affirmative vote for this fine measure. As a Milwaukee Brewer fan, former Milwaukee Brave fan and on behalf of those great Cubs of yesteryear, 'Lenny Marillo' and 'Boy Smalley'."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 92 voting 'aye', 21 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Breslin, in the Chair."

Speaker Breslin: "Senate Bill 658, Representative Cullerton. That Bill has already been declared passed. Representative Parke, for what reason do you rise?"

Parke: "Thank you, Madam Speaker. I have in front of me some

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speeches for the Fourth of July from the American Legion. If anybody is interested in getting them, they're available. Come and pick them up."

Speaker Breslin: "Thank you, Representative Parke. With leave of the Body, we will now go back to Senate Bill 406, Representative Levin. I understand that there is an agreement on the Amendment that was put on at that time. That is Senate Bill 406. Clerk, read the Bill."

Clerk Leone: "Senate Bill 406, a Bill for an Act to amend an Act concerning public utilities. Third Reading of the Bill."

Speaker Breslin: "Representative Levin."

Levin: "Madam Speaker, first if we can have leave to take the Bill back to Second Reading."

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

Levin: "And I would yield to Representative Mautino."

Speaker Breslin: "Excuse me. Are there any Amendments or any Motions? Representative Mautino, for a Motion."

Mautino: "Thank you very much, Madam Speaker. With agreement of the other side of the aisle and a special thanks to Representative Jerry Washington and Representative Doug Huff, we'd like to go back to 406 and address the question of the utility advocate for the Illinois Commerce Commission, previously House Bill 2004. We adopted Amendment #1 in Committee, and Representative Huff adopted Amendment #2 on the floor. I adopted Amendment #3. What I would like to do, with the support of the House and the Members that I just mentioned, to table Amendments #1, 2 and 3 and at... and then reconsider Amendment #4, which I previously withdrew."

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Speaker Breslin: "Very good. The Gentleman moves to table Committee Amendment #1, Floor Amendment #2 and 3. All those in favor say... And on that question, is there any discussion? There being no discussion, the question is, 'Shall this House table Committee Amendment #1 and House Amendment 2 and 3?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and those three Amendments are tabled. Representative Mautino."

Mautino: "I would now like to move that we adopt Amendment #4 that was previously withdrawn. Amendment #4..."

Speaker Breslin: "Read Amendment #4, Mr. Clerk."

Clerk Leone: "Amendment #4."

Speaker Breslin: "Representative Mautino, on Amendment #4."

Mautino: "Amendment #4 establishes the small business utility advocate in the Illinois Commerce Commission, previously House Bill 2004. This was the recommendation and the proposal by Phil Calahan to the Small Business Committee. This also provides so that an individual may be able to read and understand into common language their utility bill. Everything else has been stricken. And that's what the legislation does at this time, and I ask for its adoption."

Speaker Breslin: "Representative Mautino has moved for the adoption of Amendment #4 to Senate Bill 406. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #4 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Levin now asks

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leave for immediate consideration of Senate Bill 406 as amended on Third Reading. Are there any objections? Hearing none, the Gentleman has leave. Representative... Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 406, a Bill for an Act concerning public utilities. Third Reading of the Bill."

Speaker Breslin: "Representative Levin."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. As amended, Amendment #4 becomes the Bill. As Representative Mautino indicated, the major part of the Bill is the establishment of the small business advocate. The other provision that's left in the Bill was the underlying Bill that simply requires on gas and electric bills providing heat that the rate classification be listed on the Bill. If there are any questions, I'm sure myself or Representative Mautino will be able to handle them. Otherwise, I ask for your favorable consideration of Senate Bill 406."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 406. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Senate Bill 406 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 798, Representative Stange. Clerk, read the Bill."

Clerk Leone: "Senate Bill 798, a Bill for an Act to amend an Act concerning flood control and water conservation. Third Reading of the Bill."

Speaker Breslin: "Representative Stange. Representative Stange."

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Try the microphone next to you, Sir."

Stange: "Thank you, Madam Chairman. I'd like to... leave to return this Second Reading, if I may."

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

Clerk Leone: "Amendment #1, Stange, amends Senate Bill 798."

Speaker Breslin: "Representative Stange."

Stange: "Thank you, Madam Chairman, Ladies and Gentlemen of the House. Senate Bill 798 amends the Flood Control Act of 1945 to make it policy regarding the location of flood control projects compatible with federal law of the 1970 Constitution. Enactment of this Bill will provide quick yet reasonable authority to the Department of Transportation to carry out the mandates of the General Assembly. This Bill is needed in order that the Department can more effectively carry out the mandates of the Body in regard of constructing flood control projects. This Bill has passed the Senate 56 to 0. I ask for your favorable vote."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 798. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment's adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Stange now asks leave for immediate consideration of Senate Bill 798 as amended. Are there any objections? Hearing none, the Gentleman has leave. Read the Bill, Mr. Clerk."

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Clerk Leone: "Senate Bill 798, a Bill for an Act concerning flood control and water conservation. Third Reading of the Bill."

Speaker Breslin: "Representative Stange."

Stange: "Thank you again, Madam Chairman. Again, this Bill is definitely needed in order that the Department can more effectively carry out the mandates of the Body in regards to construction flood control projects. I ask for your favorable vote. Thank you very much."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 798. And on that question, the Gentleman from Cook, Representative Leverenz."

Leverenz: "The Sponsor yield?"

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

Leverenz: "The Gentleman suggests that this is necessary to carry out whatever work they're doing. But what does the Bill do?"

Stange: "It basically... You know laws today. They get very much involved with a lot of rhetoric and so forth. This..."

Leverenz: "Right. So, that's why I asked the question."

Stange: "Okay. The legality of the state's authority in implementing flood control projects is increasingly being challenged by various departments and so forth. This Bill will definitely clarify the state's authority and clarify the General Assembly's intent."

Leverenz: "But are we giving someone any new authority or..."

Stange: "It's basically going to be clearing up..."

Leverenz: "... does this give them the right of eminent domain? Or... they have that now. So, what is new that this Bill is going to provide?"

Stange: "They already have that, Representative."

Leverenz: "I know they have it already. What will this Bill give them they do not have now? Gene McCormick?"

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Stange: "It basically helps effectively carry out the projects instead of a bill on every project that they're trying to control."

Leverenz: "Perhaps you'll submit a copy of your staff analysis and I can read it myself. Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 798 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no' and none voting 'present'. Representative Berrios wishes to be recorded as voting 'aye'. There are, therefore, 114 voting 'aye', none voting 'no' and none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we are now going to the Special Order of Call dealing with revenue. The first Bill on that Order... Representative Hallock, for what reason do you rise?"

Hallock: "Madam Speaker, that's fairly convenient. As we discussed yesterday, we had a community-right-to-know Bill on the Calendar for a week and you removed it. We talked about it yesterday and you agreed to put it back on the Special Order today. Now we are just one Bill away from that community-right-to-know Bill, which I believe will pass this House unanimously like it did before, and I need your support on that. And now, of course, you're moving it from the record again. It seems to me that this House has the opportunity and should have the chance to vote on community right to know. If we believe in community right to know on a statewide basis, we have to pass this Bill, and now is your chance to do that. You are two Bills away from it. And I would ask that you call that Bill at this time."

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Speaker Breslin: "Representative Hallock, the Chair is operating within the rules. The Chair has the authority and is exercising the authority to change the Order of Business. Representative McCracken, for what reason do you rise? Excuse me. Representative Hallock."

Hallock: "Well then, I'd like the record to reflect that it's very clear to me that the Democrats don't really want a community-right-to-know Bill in this state because; otherwise, we'd call this Bill and pass it."

Speaker Breslin: "Representative McCracken, for what reason... Do you still seek recognition?"

McCracken: "Yes, I do."

Speaker Breslin: "Yes."

McCracken: "And I don't remark my directs (sic - direct my remarks) toward you, Madam Speaker, as you know. But there was an agreement reached yesterday between the leaders to put these two Bills, 833 and 849, on the Special Calendar. Whether expressly agreed or not, the implication of the agreement to all was clear that the Bills were going to be called. Now, you're acting in direct violation of that agreement when you do this. The purpose of putting the Bills back on was to achieve an agreement between the Leaders. We all saw them down there talking about it. They were talking about 833 and 849. They agreed to put it on the Special Call... excuse me. They agreed to put it on the Special Call today. And now, while in compliance with the letter of the law, you violate the spirit of that agreement. Now, let's get to the Bills. My Bill is not even the community-right-to-know Bill, and it's next, 833. Matter of fact, it's a Bill you all would like to support over there. I'm getting a lot of heat for carrying it. So, why don't you live up to the agreement? Let's get with it."

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Speaker Breslin: "Representative McCracken, I am not privy to any such agreement."

McCracken: "I understand, and it's not directed to you personally, Madam Speaker. But the point is it was agreed between the Leaders to put it on the Calendar. The clear implication of that was to call it. So, let's call it."

Speaker Breslin: "The Gentleman from DeWitt, Representative Vinson, for what reason do you rise, Sir?"

Vinson: "Madam Speaker, Ladies and Gentlemen of the Assembly, we are in a situation where the Legislature is winding down. Your side attempted to move a version of community right to know, because your side felt that that was the right Bill. We disagreed with that, but both Bills moved out of the House. Mr. Hallock's Bill, in fact, moved out of the House with a greater number of votes on it than did your Bill. As a matter of fact, Mr. Hallock had just about every vote in the Assembly on his Bill. Now we're in a situation where the Senate has seen fit to kill both of those Bills. We're in a situation where a Bopall could occur in Illinois, and we're not prepared to respond or to deal with that in Illinois at this time. It seems to me tragic that because of pride of authorship, because of Senate enactment and because of partisan differences that we're not prepared to come here today, in the final hours of the Assembly action and do something that's absolutely necessary, that protect the health and the welfare and the safety and the lives of people all over this state. Many people, probably some in your Legislative District, many people all around Cook County and in Cook County and in the city, many people all over Illinois live close to dangerous chemical plants that, if they're not operated properly and if there's not a proper response mechanism and if there's an accident, those people could be seriously injured or killed. Now, why

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can't we move a Bill out of this House that attempts to address that problem? I understand it's not what you think is the right Bill, not what your side thinks is the right Bill, but we have a plan that could deal with that. Why can't we relate to a serious problem for the people of Illinois? Is it simply because you insist on taking orders from Mr. LaPaille, who isn't even elected?"

Speaker Breslin: "Ladies and Gentlemen, fellow Members, it should be reminded that it is a quarter after five. We are going to try to adjourn at 8:00. We have many Bills left to be considered. I have had several requests from Members who have Bills on this Order of Call - revenue Bills, from both... sponsored both by Democrats and Republicans. We have never gone to this Order of Call. We must move as quickly as possible and perhaps allow time for discussion on this other issue that you Gentlemen wish to discuss. Representative Hallock, for what reason do you rise again?"

Hallock: "I would now move that we go to Senate Bills Second Reading, page 19, and move to Senate Bill 849."

Speaker Breslin: "The Gentleman has moved that we go to... what is it? Senate Bill 78..."

Hallock: "Senate Bills Second Reading, page 19 of the Calendar, Senate Bill 849."

Speaker Breslin: "Representative Hallock, what was the number of the Bill you wished to move to?"

Hallock: "849, and, Madam Speaker, I'd like to do it now. The rules provide for that. I've made that Motion, and I so move. And I'd like to take a vote on that, please. I'm ready to vote."

Speaker Breslin: "The Gentleman has made a Motion to change the Order of Business. You are not at this time supported by five additional Members as is required by the law... the rule. And now I see that there are enough Members having

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raised their hands. And, therefore, your Motion is properly put. Represent... On this Motion, Representative Matijevich."

Matijevich: "I make the point of order. Under the rules, I don't know, under Rule 11, where a Member can make a Motion to go to a specific Bill. A Member can move to change the Order of Business, and we... as I understand his Motion, he is doing more than changing the Order of Business. He is changing the Order of Business and going to a specific Bill, which I don't feel is within his purview. And I think if we allow that type of Motion, we're going to have a circus in the General Assembly from now on forward. I think it's not a good policy to institute."

Speaker Breslin: "Representative Matijevich, your point is well taken. It is not appropriate to move to a specific Bill. You can move to a particular Order of Business. If you choose to amend your Motion, Representative Hallock. Representative Hallock."

Hallock: "Yes. I think my Motion was fairly clear. I moved to the Order of Senate Bills Second Reading, Senate Bill 949. That's very clear and that's a specific Order of Business."

Speaker Breslin: "I really disagree, Representative Hallock. I think that what you need to do is amend your Motion to move to the Order of Public Utilities since that is the Order of Business that we were on, that Special Order of Business - Public Utilities."

Hallock: "Well then, I will move to the Order of Public Utilities and ask that we go to Senate Bills Second Reading, Senate Bill 949."

Speaker Breslin: "Okay. The Gentleman, being joined by five additional Members, has moved that this House change its Order of Business and go to the Special Order of Business dealing with public utilities. Under Rule 11, that

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requires... the Motion must be adopted by an affirmative vote of 60 Members. Is there any discussion on the Motion? Representative Giorgi, on the Motion."

Giorgi: "Madam Speaker, I don't... in all the years that I've been here, I generally don't get up and disagree with a colleague from my district. But, Representative Hallock, there are many Members of the House on the Democratic side who want their Bills called, but the Speaker is going down an Order of Call that calls the Bills from the Republicans and the Democrats. If you're going to do this, I'm going to follow this with a Motion to call two of my Bills, and I think my number is greater than your number and we're going to end up just calling Democratic Bills. I think it's a very dangerous precedent, and I urge you to resist from this, or else I'd like to be recognized, if he's successful, for my Bills that I want called, because I think my colleagues will support me."

Speaker Breslin: "The Gentleman... Representative Hallock, for what reason do you rise?"

Hallock: "Well, Madam Speaker, I respect the advise of my colleague from Rockford, but I would say this. In my seven years down here, I've never seen such a cavalieric, capricious movement of the Chair, and that's why I've made this Motion."

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

Ewing: "Yes, Madam Speaker, I, of course, support this Motion, and I... I don't usually rise either, as some of your colleagues have on the other side mentioned they don't rise on these issues, but, you know, if we'd have come... if we'd have continued on the Order of Business, we'd have had the Bills Called. We'd have gone onto your Members' Bills. You have the right to do this. We have the right to put

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this Motion. Now, don't feel that you should be afraid of this issue. We all know that everyone who supports this important issue can go home and take their credit for voting for it. It isn't going to make Representative Hallock. Why are you afraid of it? You bring this problem on yourselves. I resent it, because I have Bills that I want called. Your Members probably resent it. Had you continued to work, we'd have been on with it, and we wouldn't have this problem. I am surprised at Speaker Madigan orchestrating this type of arrangement. He normally does a very fair and even-handed way. Let's go back. Let's approve this Motion. Let's let the Bill be heard. It's an important issue. And let's quit playing politics. You always point the finger to us, the Majority Party does. It's not us that causes these slowdowns."

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

Vinson: "Yes, Madam Speaker, I rise in support of the Motion for two reasons; number one, because we do have an obligation to do something to protect people on this issue. This gives us a chance to exercise that obligation, and we ought to do it. And I think there's one more good reason to support the Motion and that is that we finally got the real Speaker up on the podium."

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

Davis: "Well, I'll try not to be redundant, Madam Speaker, on the issue of moving to that Order of Business. It's perfectly clear you're only two Bills away or four from finishing that Order of Business. We've been all over that Order of Business two or three times. We can get to others and things can happen later on tonight that will protect the integrity of those Orders on Special Call. We all know that. So, it's a hollow issue. This one is just too

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important to obviate by a rule change, to obviate by a capricious whim of the Chair. We're talking about the safety and response to accidents of every... every human being and child in the State of Illinois. I live in a county that's highly industrialized, that has all kinds of toxic and hazardous waste materials in it. We don't even know what in the hell they are. Our fire departments and our ESDAs don't know what in the hell they are. Let's get this issue out of the way. You know it's going to pass if it gets called. Let's call this issue and protect the citizens of Illinois from the ravages of a chemical spill or a nuclear holocaust right in our own backyards or whatever could happen that we could... Order? Somebody wants order? Whatever might happen that would adversely affect all of our constituents."

Speaker Breslin: "Ladies and Gentlemen, I would remind you, it is the intent of the Chair to adjourn this House at 8:00 o'clock this evening. So, let us be as expeditious as we can. The next Gentleman to be recognized on the Motion is the Gentleman from Lake, Representative Matijevich."

Matijevich: "Yes, Madam Speaker and Ladies and Gentlemen of the House, the issue isn't these two Bills that Representative Hallock is attempting to have heard at this time. The issue is whether the Speaker can follow the rules. That is the issue here. And for anybody here to say that this is the first time in their seven or whatever years that this has happened is just poppycock, because it's happened all the time. And it happens because it should happen. The Speaker should have that power and authority. That is the real issue. The Speaker, in fact, the Madam Speaker who is here now has been overly fair to the Gentleman who made the Motion. The fact of the matter is that the Motion was out of order, and she even told him how to properly address the

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Motion, and he still addressed it out of order. I didn't make the point of order the second time, but that's how fair the Speaker has been. And she has even allowed all of you to go beyond what you should in addressing this issue, addressing the issue of whether we should change the Order of Business, and you've spoken to the heart of the legislation. If you will, and if I can go to the heart of the legislation, the truth of the matter is you aren't worried about the communities right to know. You're worried about protecting the State Chamber of Commerce. You go goofy. You go crazy when it goes to the State Chamber issues. You never go that goofy when you're protecting the..."

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

Hallock: "I don't believe he's speaking to the Motion, Madam Speaker."

Speaker Breslin: "Your point is well taken. Conclude your remarks, Representative ..."

Matijevich: "You're absolutely right, Representative Hallock. I am not addressing the Motion because none of you were. And I'll conclude. I'll stick with my vote... the Speaker's community right to know. That was the only vote that protected a community. I wouldn't want to go to this either. It would be a joke on the communities right to know. You've done the right thing, madam Speaker. Continue your good job."

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

O'Connell: "Madam Speaker, I'd like to make a substitute Motion at this time to have Senate Bill 24 heard immediately."

Speaker Breslin: "Pursuant to Rule 11(b) you must be joined by five additional Members. I am reminded by the

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Parliamentarian, Representative O'Connell, that your Motion is out of order for the same reason that Representative Hallock's first Motion was out of order and that is that you can't move to go to a particular Bill on the Calendar. You must move to go to a Subject Matter Order of Business. The Gentleman from DuPage, Representative McCracken."

McCracken: "Well, if it's out of order, I guess there's nothing to do. Let's address the Motion that is in order, and I think that even though you were not a party to the agreement, Madam Speaker, that, as the representative of the Speaker, you also are obligated, and I would ask you to honor that obligation and call 833 and 849."

Speaker Breslin: "The Gentleman from Macon, Representative Tate, for what reason do you rise?"

Tate: "Thank you, Madam Speaker. I'd like to move to the previous question on this Motion."

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

Hallock: "Thank you, Mad... Thank you, Madam Speaker. I would just say that because of the attitude of the Majority Party, this may be the only chance you get this Session to vote for community right to know, and I ask for an 'aye' vote."

Speaker Breslin: "The question is, 'Shall this House change its Order of Business to go to the Order of Environmental Protection?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This Motion requires 60 votes for adoption. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 54 voting 'aye', 56 voting 'no' and none

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voting 'present'. Representative Hallock."

Hallock: "I would like to poll the absentees, please."

Speaker Breslin: "Poll the absentees, Mr. Clerk."

Clerk Leone: "Poll of the Absentees. Berrios. Christensen.
Cullerton. McNamara. McPike. Satterthwaite. Sutker.
And Van Dyne. No further."

Speaker Breslin: "Representative Van Dyne indicates he wishes to
vote 'no'. On this question there are 54 voting 'aye', 57
voting 'no' and none voting 'present', and the Motion
fails. The Order of Business, Ladies and Gentlemen, is the
business of revenue. The first Bill on that Order is
Senate Bill 89, Representative Woodyard. Clerk, read the
Bill."

Clerk Leone: "Senate Bill 89, a Bill for an Act to amend the
Revenue Act. Third Reading of the Bill."

Speaker Breslin: "Representative Woodyard."

Woodyard: "Thank you, Madam Speaker and Members of the House. I
can guarantee you that there is nothing in this Bill that
has anything to do with community right to know. But,
frankly, this Bill... the underlying Bill, Senate Bill 89,
deals with a definition of mortgage lender in context of
mortgage bankers and their requirement to mail assessment
and tax notices to borrowers. Then the House Amendment to
Senate Bill 89 is the Department of Revenue's omnibus
property tax Bill. It is certainly a good taxpayers Bill,
and I'll run through some of the salient points of what is
in that Amendment. They are primarily administrative
changes with no revenue loss or cost. Number one, it
removes the people who were to receive the heart medication
from Public Aid and are not eligible to receive that
assistance from the Pharmaceutical Assistance Program. It
increases the maximum benefit level from 10 to 12,000 on
the Circuit Breaker eligibility. It simplifies the

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assessment official's testing program. It also puts into context the required number of hours for the CIAOs. It also deals with the computation of the farmland assessment formula. And that basically is what the Bill does. I'd be glad to answer any questions on it."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 89. And on that question, the Gentleman from Cook, Representative Keane."

Keane: "Thank you, Madam Speaker. I would only rise in support of Senate Bill 89. It's a cleanup for Revenue."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Senate Bill 89 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 209, Representative Cullerton. Clerk, read the Bill".

Clerk Leone: "Senate Bill 209, a Bill for an Act to amend an Act to award income tax deductions to businesses which contribute money or resources to community groups. It's been read a second time previously. Amendment #1 was adopted previously."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Braun, amends..."

Speaker Breslin: "Representative Braun. Is the Lady in the chamber? Representative Braun. The Lady appears not to be in the chamber. Representative Cullerton, what is your preference?"

Cullerton: "I'm not real wild about the Amendment. I think I'd

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try to find another vehicle for her to have that issue debated and ask to... Is the Bill on Third Reading, Madam Speaker?"

Speaker Breslin: "The Gentleman has moved to table Amendment #2 to Senate Bill 209. And on that question, is there any discussion? The Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Madam Speaker, I just want to make sure I understand what's happening. Mr. Cullerton is moving to table Representative Braun's Amendment. Is that correct?"

Speaker Breslin: "He is."

Vinson: "Thank you."

Speaker Breslin: "Representative Alexander, for what reason do you rise at Representative Braun's chair?"

Alexander: "Thank you, Madam Chairman. Representative Braun is coming up from downstairs in a moment. If you could just take this Bill out of the record for a second, she should be here."

Speaker Breslin: "I would... Representative Cullerton."

Cullerton: "I'd be happy to take the Bill out of the record, and I also wanted to announce that the Cubs are now winning 8 to 3 in the eighth inning."

Speaker Breslin: "Representative... Out of the record. Senate Bill 214, Representative Terzich. Clerk, read the Bill."

Clerk Leone: "Senate Bill 214, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Breslin: "Representative Terzich."

Terzich: "Yes, Madam Speaker, Members of the House, Senate Bill 214 amends the Revenue Act and expands the permissive authori..."

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

Keane: "Yes, we have a clarifying Amendment that we talked to you

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about on this Bill. Would you be willing to bring it back to Second to put the Amendment on?"

Terzich: "Certainly."

Keane: "Thank you."

Speaker Breslin: "Representative Terzich asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does the Gentleman have leave? Hearing no objection, he has leave. Would you read the Amendment, Mr. Clerk?"

Clerk Leone: "Amendment #2, Keane, amends Senate Bill 214."

Speaker Breslin: "Representative Keane."

Keane: "I would move to table Amendment... withdraw Amendment #1 to Senate Bill 214. Amendment #1 was my Amendment."

Speaker Breslin: "Excuse me. Was Amendment #1 adopted previously, Mr. Clerk?"

Clerk Leone: "Amendment #1 was adopted previously."

Speaker Breslin: "Representative Keane now moves to table Amendment #1 to Senate Bill 214. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #1 to Senate Bill 214 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is tabled. Are there any further Amendments?"

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

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. Amendment #2 does the same thing that Amendment #1 tried. It's just technically correct. I'd ask for adoption."

Speaker Breslin: "The question is, 'Shall Amendment #2 to Senate Bill 214 be adopted?' Is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the

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Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Read the Bill. Representative Terzich now asks leave for immediate consideration of Senate Bill 214 on Third Reading. Are there any objections? Hearing no... Representative Churchill objects. Representative Terzich now moves for immediate consideration of Senate Bill 214 on Third Reading. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This Motion requires 71 votes for immediate consideration of a Bill that has been amended. Have all voted who wish? The Clerk will take the record. On this question there are 72 voting 'aye', 41 voting 'no' and none voting 'present'. And the Motion carries. Read the Bill on Third."

Clerk Leone: "Senate Bill 214, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Breslin: "Representative Terzich."

Terzich: "Yes, with regard to this objectionable Bill, Senate Bill 214 amends the Revenue Act, and it expands the permissive authorization for industrial development property tax abatement to include commercial development, as well. The Bill proposes that the abatement cannot exceed a period of ten years, nor can the aggregate amount of the abated tax exceed one million dollars. And it should also be mentioned that this Bill in no way changes the permissive aspects of the statute. No taxing district is or will be required to abate property taxes for either industrial or commercial developments without proper authorization. And I would move for its passage."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 214. On that question, the Gentleman from Lake, Representative Churchill."

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

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

Churchill: "Representative Terzich, earlier this morning Representative Braun passed a Bill out that expanded the abatement powers in such areas. What does this do differently from what that Bill did?"

Terzich: "I really couldn't tell you. Under the current statute, the industrial developments eligible for such tax abatement must meet the criteria. They must locate within the taxing district during the prior calendar year from another state or territory or country, or as a newly created within the state during the prior calendar year or, (c) expands previously existing facilities."

Churchill: "And how is that different from Representative Braun's Bill?"

Terzich: "Braun's Bill, I understand, was restricted to enterprise zones. This is state... statewide. Her Bill only dealt with enterprise zones."

Churchill: "Okay. So, this would be any area not necessarily in an enterprise zone."

Terzich: "Correct. It's throughout the state."

Churchill: "And do you have any idea what the cost to the local governments would be of this Bill?"

Terzich: "That's... I mentioned to you the Bill is permissive, and I said that the Bill no way changes the permissive aspects of the statute and no taxing district is or would be required to abate property taxes for either industrial or chemical commercial development. So, it's simply permissive legislation."

Churchill: "So, this really just expands it to commercial firms, rather than industrial."

Terzich: "That's correct."

Churchill: "And what types of firms are considered under the

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commercial firm?"

Terzich: "Well, it could be recreation parks, residential shopping centers, any commercial property."

Churchill: "No further questions. Thank you."

Terzich: "You're welcome."

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

Terzich: "I appreciate your support."

Speaker Breslin: "The question is, 'Shall Senate Bill 214 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 116 voting 'aye', none voting 'no' and none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill... With leave of the Body, we'll go back to Senate Bill 209, Representative Cullerton. Clerk, read the Bill. It's on Second Reading. Page 14 on your Calendar."

Clerk Leone: "Senate Bill 209, which amends an Act to award income deductions to businesses who contribute money or resources to community groups. It's been read a second time previously. Amendment #1 was adopted previously."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Braun, amends..."

Speaker Breslin: "Representative Braun. Representative Alexander, for what reason do you rise?"

Alexander: "Thank you, Madam Speaker. By leave of the Body, I will withdraw Representative Braun's Amendment at her request."

Speaker Breslin: "The Lady withdraws Amendment #2. Are there any

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further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Cullerton...
Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 209, a Bill for an Act to amend an Act
to reward income tax deductions to businesses which
contribute money or resources to community groups. Third
Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of
the House. Before I present this Bill, I'd like to make an
announcement. As Harry Carey says, Cubs win. Cubs win.
The Vinson jinx is over. Now, this Bill allows an income
tax deduction for contributions by certified business
organizations to community organizations approved by the
Department of Commerce and Community Affairs. The Bill, in
the past, has been controversial. It has passed both
Houses and the Governor has vetoed it. That is when it was
a ten million dollar tax credit. That was on another Bill
back in, I think, 1981 the Governor vetoed, and we did not
override that veto. But this has been changed. It is a
five million dollar deduction, which is not a five million
dollar loss in revenue, but a five million dollar
deduction, and the community organizations must be approved
by the Department of Commerce and Community Affairs who, of
course, is also appointed by the Governor. So, I believe
this time this particular Bill is something that the
Governor could sign, and I'd be happy to... appreciate
your..."

Speaker Breslin: "The Gentleman has moved for the passage of
Senate Bill 209. And on that question, the Gentleman from
DuPage, Representative McCracken."

McCracken: "Is this part of the gang crime legislation?"

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Cullerton: "Oh, I'm sorry. Representative Bowman also adopted Amendment #1 which I'll explain that, if you'll allow me to. It creates the office of the coordinator of gang prevention. Its duties are to assist local government in school districts in gang control activities and to administer a grant system to such entities. The grants shall not include personnel costs or exceed 75 percent of the total request of an applicant. And DCCA sets the rules on that as well. And, as you know, this Amendment does not cost any money. The thing that cost money would be the appropriation if we decided to fund the system. All the Amendment would do is to set up the... this apparatus if we decided at a later date to appropriate the money."

McCracken: "Is it a 200 percent deduction?"

Cullerton: "Which... Are you talking about the original Bill or Amendment #1?"

McCracken: "Well, wherever the 200 percent deduction appears."

Cullerton: "Well, you asked me if there was one, and I assume you're talking about the deduction itself. That's in the original Bill as passed the Senate. It allows for an income tax deduction for business entities. The purpose of the Bill, of course, is to stimulate the neighborhood cohesiveness and the economic development. The deduction would equal the business's contribution up to 250,000 dollars per year. And the total amount of deductions statewide cannot exceed five million dollars annually."

McCracken: "Alright. So, in other words, there's not a 200 percent cap? Is it the greater or lesser of 250,000 or 200 percent of the deduction... or of the contribution taken as a deduction?"

Cullerton: "My understanding is the contribution... the deduction of the contribution... the deduction will equal the business contribution up to 250,000 dollars per year."

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McCracken: "Okay. I'm sorry. Alright. Thank you."

Speaker Breslin: "The Gentleman from Edgar, Representative
Woodyard."

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

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

Woodyard: "Representative, I'm satisfied... Our analysis is
wrong, but... You're saying yes already. But.."

Cullerton: "The 200 percent thing is removed, or it's not... it's
not accurate..."

Woodyard: "Is it possible that their figure could be anywhere
near correct of 300 million dollars loss?"

Cullerton: "No, the Bill says the total... the total amount of
deductions... the cap. There's a cap on the deductions
statewide of five million dollars. Okay? That's not a
five million dollar loss."

Woodyard: "That's a five million dollar deduction."

Cullerton: "Right."

Woodyard: "Okay."

Cullerton: "That lowers the amount of income that's taxable."

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

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

Speaker Breslin: "He will"

Cullerton: "Yes."

Satterthwaite: "Representative, do I understand that this Bill
applies only to business contributions?"

Cullerton: "Yes, business entities, and it would be administered
by DCCA."

Satterthwaite: "And we would be approving contributions on the
part of businesses; but, at the same time, if an individual
made a contribution to the same organization, they would
not qualify for this kind of a tax benefit."

Cullerton: "That's right. And the rationale for that is, I think,

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obvious. The individuals don't contribute the amount of money that we're hoping to encourage big corporations to contribute under this Bill."

Satterthwaite: "Well, except that many individuals collectively might contribute more than the business contributes singly."

Cullerton: "And they..."

Satterthwaite: "And, yet, those individuals would not qualify for any kind of a credit or deduction for this."

Cullerton: "Well, okay. They're making those contributions now, without any tax incentive."

Satterthwaite: "Uh huh."

Cullerton: "It's obvious that the businesses and partnerships are not making the contributions that are needed."

Satterthwaite: "Many of them are, but I would realize that this might give them some additional incentive to contribute."

Cullerton: "Fine. All those individuals would have to do, by the way, is form a partnership, and if they formed a partnership and made the contributions, they would get the deduction."

Satterthwaite: "Would you... Uh huh. Would you explain to me what would happen if the business contributions exceeded the limit... you know, were about to exceed the limit placed in the law, how would DCCA determine whose contribution was qualified for a deduction and whose contribution was not?"

Cullerton: "That would be determined by DCCA. I don't think the language in the statute specifically spells it out, but I... my understanding would be that it would be a first come, first served basis."

Satterthwaite: "But DCCA could presumably also decide that the largest contributors got the benefit and the smaller contributors would not?"

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Cullerton: "No, as I indicated, it would be a first come, first served basis. In other words, when the application was made, it has a \$250,000 limit for anyone in a business enterprise, and it would be a time. In other words, if someone on January 1st made the application, they would get it. If, by May 24th, there were no more... the five million was used up, they couldn't get it."

Satterthwaite: "The business entity has to apply for approval previous to knowing whether they are going to make the contribution or not."

Cullerton: "DCCA is authorized to make the grants to community organizations which are certified by DCCA."

Satterthwaite: "Well, that's another issue. I'm asking whether the business enterprise seeking to make a contribution has to have clearance from DCCA first to be assured that that particular contribution will qualify for this income tax deduction."

Cullerton: "Yes, they absolutely would, because that's the only way we'd know that we got to the five million dollar cap."

Satterthwaite: "Um hum. Okay. What kinds of standards are given to DCCA on the basis of how they would determine which agencies would qualify to receive funding?"

Cullerton: "Okay, I'll read this for you. The median income of area is not more than 75 percent of the state's main income. It has a high percentage of public assistance dependency. It has a deteriorated fiscal environment. Constituency to be in... That's for DCCA to consider in... in certifying. They also must... the organization must have a constituency of residents from the area, an elected board of directors must be federally tax exempt. It must be a not-for-profit corporation. It's really not that bad, Helen."

Satterthwaite: "Well, I'm... I'm concerned, however, that DCCA

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may approve some agencies and not approve others, even though they might qualify with all of these restrictions that you've mentioned, because there is also a limitation on the total amount of money that can be distributed."

Cullerton: "I think that the... You're concerned about the politics of it. I think that the politics would come in the actual certification process, and I think it would be very difficult for DCCA if someone qualified, you know, to say that you're not qualified. I mean, if they meet the criteria in the statutes, it would be very difficult for me to see how DCCA could say you're not going to be certified. And then, as far as picking and choosing who gets the deduction, who gets, then, the money, you know, they... "

Satterthwaite: "Even... Even if there were, say, 500 agencies certified, however, if DCCA still has the ability to decide which businesses making contributions are going to be approved, that, in fact, is another method by which the funds could be directed to some agencies and not to others."

Cullerton: "Alright. Let me clarify something. Both entities - the business entity and the community organization - has to be certified by DCCA. Okay? Then, the business entity makes a contribution to, say, the Lakeview Citizens' Council. Okay? If the business is certified, if the Lakeview Citizens' Council is certified and the... the request is made prior to the five million dollar cap being exceeded, then the money would go to them."

Satterthwaite: "You seem to have a lot more faith than I do, that this will all work out on an impartial basis and that there will not be favoritism shown, either on the basis of the agency that is approved or on the basis of the contribution which is approved to a given agency."

Cullerton: "I know... I know what you're saying, but I mean, we

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have to have somebody administer it, and DCCA is the logical entity, and I think that the politics of the thing are really... are minimized because of the criteria that we set out in the Bill."

Satterthwaite: "What... Is there some legitimate reason that I don't seem to understand about what we are trying to accomplish? I know you said that we are trying to encourage these business entities to provide funds to community agencies, but what is the ultimate purpose? Are we talking about these being agencies in enterprise zones, in order to renovate a new part of the community or, you know, what is the goal? Are we able to... to give business dollars through this process to the Eagle forum if that can be qualified as a community agency under this Act?"

Cullerton: "Well, I... I can once again, I can give you the general philosophy that we use the tax laws to encourage economic behavior. We do that in the state, and we do it in the Federal Government. That's why we have checkoffs, okay? We facilitate voluntary contributions. This is another example of how to do it. Now we specify, in the Bill, certain qualifying activities that these community groups must meet. They must contribute to self-help efforts. They must involve the residents in planning an implementation of the project. They must lack sufficient local resources. That is not the... some... you know... some foundation which is financing the thing. They must show... fiscal responsibility. They could do things like providing alternatives to gang activity, creating jobs and et cetera. That's all specified in the Bill."

Satterthwaite: "Well, okay."

Cullerton: "I don't see where you're suspicious... "

Satterthwaite: "Well, okay. Thank you for answering my questions. Madam Speaker and Members of the House, to the

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Bill. It appears to me that what we may set up under this Bill, regardless of whatever laudable purposes may have been envisioned, may also have so many loopholes that we can, in fact, provide a mechanism for businesses in the state to fund groups that they currently are free to fund if they choose to, and we would excuse them from paying income tax on that portion that they have donated to this agency. Regardless of whatever laudable goals there may be, it appears to me that there not sufficient safeguards to guarantee that these funds would not end up in the hands of groups that have political projects or... or goals that might be countered to what any of us would see as constructive goals for our state dollars ending up in those agencies' hands. And so, I reluctantly rise in opposition to one of my own colleague's Bills because I think we have, for years, been effective in keeping our income tax system fairly streamlined without so many complications of contributions and deductions, and that has been the blessing to us in the state. This is far different than a checkoff system where an individual is providing his or her own money to make a contribution to a cause, this is something where we are, in fact, providing an additional benefit without, as I see it, very good control over who would be the recipient of those funds, and we would be doing it at taxpayers' expense. I urge a 'no' vote."

Speaker Breslin: "The Gentleman from Effingham, Representative Hartke."

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

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

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Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. I suggest to you that this Bill is the Bill that the House has passed and the Senate has passed about three years ago. The Governor vetoed the Bill. We've changed the Bill, so I think it's much more responsible than what it was when the Governor vetoed it. I... I don't know how I can respond to Representative Satterthwaite's suspicions about DCCA. I... I don't know how else to respond to it other than to say that the Bill specifies criteria, not only for the business organization that's going to make the deduction, but also the community group that's going to receive the benefit of the contribution. The... The Bill is consistent with our tax philosophy of using the tax system to encourage contributions. This is really consistent with President Reagan's concept of increasing voluntary... volunteer programs. So I'd be very appreciative of an 'aye' vote."

Speaker Breslin: "The question is, 'Shall Senate Bill 209 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Representative Barger, one minute to explain your vote."

Barger: "Thank you, Madam Speaker. There were a couple of questions that I wanted to ask and I wasn't allowed to, but are privately owned proprietorships considered as businesses for this particular Bill? Alright. And the other question was, would a person who wanted to give the gift make an application to DCCA to do it and then have the application cleared before they made the gift so that if it weren't eligible, they would know it. And the answer to both of those questions would have been 'yes', if I'd been allowed to ask it in time, so I will vote 'yes'. Thank you."

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CL: "Supplemental #1 to the House Calendar is now being distributed."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 64 voting 'aye', 51 voting 'no', and none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, you will see right now being distributed, Supplemental #1, Special Consent Calendar on Criminal Law and Education. When you have time, please peruse this Calendar, and there will be an explanation of how the voting will proceed on this at a future time. You'll get a printout also, very shortly. Ladies and Gentlemen, I remind you, it is 6:00 o'clock. It is the intention of this Chair to adjourn at 8:00. Please, we must move more rapidly. The next Bill is Senate Bill 218, Representative Bullock. Representative Bullock. Is the Gentleman in the chamber? Out of the record. Senate Bill 249, Representative Giorgi. Clerk, read the Bill."

Clerk Leone: "Senate Bill 249, a Bill for an Act to amend the Illinois Income Tax Act. It's been read a second time previously. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Representative Giorgi's Bill can be heard immediately. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 249, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker, this is not a complicated Bill. I'd like to just explain that Senate Bill 296 provides that the investment tax credit currently applied against the corporate personal property replacement tax be applied

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instead against the state income tax. It's just... we're giving credits to different funds. There's no loss of dollars. It remains the same. In this case, we're helping local governments because the... the investment tax credit would come out of the state income rather than the corporate replacement tax. Very simple Bill."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 249. Does anyone stand in opposition? Does anyone stand in opposition? The Gentleman from Kendall, Representative Hastert."

Hastert: "Would the Sponsor yield?"

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

Hastert: "Representative Giorgi, basically, what you're doing here is changing the responsibility for the investment tax credit from local governments to state government. Is that correct?"

Giorgi: "It's reverse. From the state... We're taking it off the backs of the local governments and putting it against the state. Same amount of dollars."

Hastert: "Right. So, we're moving what I said... what I meant... maybe I misunderstood. What we're saying, that local governments no longer bear that burden of investment tax credit, and now that money will come out of the state revenue. Is that correct?"

Giorgi: "Correct."

Hastert: "Do you have an idea or an estimate of what the revenue impact for the State of Illinois would be?"

Giorgi: "Twenty-five... Twenty to twenty-five million lost to us, but twenty - twenty-five million accrued to the local governments."

Hastert: "So, you said the state will bear, probably, general revenue or whatever, twenty-five million dollars, and this savings or money would flow through to local governments in

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a twenty-five million dollar accrual to them."

Giorgi: "Exactly correct."

Hastert: "To the Bill, Madam Chairman (sic - Speaker)."

Speaker Breslin: "Proceed."

Hastert: "Ladies and Gentlemen of the House, this is a simple Bill, as Representative Giorgi stated. However, what you should... you know, you have a choice to make a decision, here. The decision is on the investment tax credit, if it's going to be a local burden or a state burden. If the state and we are prepared to pick up the twenty-five million or plus dollars that this will cost, certainly, you know, that's a revenue loss to the State of Illinois. It's an expenditure to the State of Illinois, and if we're going to replace that with another tax down the road or if we're going to cut programs, fine, but if we do expend that revenue here, it's a cost to the state of twenty-five million dollars. We need to be prepared to make an economic choice tomorrow or the next day when we deal with the appropriation Bills, and where we're going to cut that twenty-five million dollars or on what tax we're going to raise to make up the twenty-five million dollars."

Speaker Breslin: "The Gentleman from Edgar, Representative Woodyard. Please be brief."

Woodyard: "Thank you, Madam Speaker. I, too, rise in opposition against this Bill. The previous speaker was exactly right. It will create a revenue loss to the State of Illinois of twenty-five million, but then it will rise to at least fifty million dollars revenue loss to the state in Fiscal 1987. Local government presently budgets for this kind of tax credit. The State of Illinois has not. Understand, be prepared to pass some tax increases to replace this fifty million dollar loss if you vote for legislation of this type."

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Speaker Breslin: "The Gentleman from Effingham, Representative Hartke."

Hartke: "I move the previous question."

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

Keane: "Thank you, Madam Speaker. I rise in support of this Bill. What it is is it's a... The previous speakers correctly described what happened. It is a wash. We're donating state... We're giving state funds to local units of government which are sorely in need of it. It depends on your view of local government. This will result in twenty-five million dollars going into local government, and it'll make up for some of the losses they're sustaining from the feds, and it will also, more importantly, mean that we will not have to increase taxes. We're sitting on about 700 million dollars in the checkbook. This is very, very affordable. There will be no needed tax increase to fund this, and therefore, I ask for your support."

Speaker Breslin: "The question is, 'Shall Senate Bill 249 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Representative O'Connell, one minute to explain your vote."

O'Connell: "I think, perhaps, many Members of this General Assembly don't realize that the corporate personnel replacement tax for personal property has been earmarked to municipalities, and the investment tax credit was taken out of that portion of state revenues. And as a result, it's the municipalities that have been the primary source of investment tax credits that rightfully belongs to the

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state. And that this matter came up a number of years ago in this General Assembly, and even though this issue was argued, we ignored that fact, and we continued to take money away from municipalities. If you are aware of the Reagan program, we aren't getting those federal monies to the states... to the municipalities, and the state hasn't contributed or replaced that amount of money, I think this is... and the school districts as well. This is one time that we can make some kind of replacement for the monies that they're losing in the federal... recent federal program."

Speaker Breslin: "Your time is up, Representative. The Gentleman from Lake, Representative Churchill, one minute to explain your vote."

Churchill: "Thank you, Madam Speaker. I just rise to request a verification, should this receive the requisite number of votes to pass."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 66 voting 'aye', 51 voting 'no', and none voting 'present'. Representative Churchill has requested a verification. Mr. Clerk, read the affirmative vote. Representative Churchill, Representative Stern asks leave to be verified. That is granted. Representative Flowers also asks leave, Representative Churchill. That is granted. Are you ready, Mr. Clerk? Read the affirmative."

Clerk O'Brien: "Alexander. Berrios. Bowman. Braun. Brookins. Bullock. Capparelli. Christensen. Cullerton. Curran. Currie. DeJaegher. DeLeo. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Greiman. Hannig. Hartke. Hicks. Homer. Huff. Keane. Krska. Kulas. Laurino. LeFlore. Leverenz. Levin. Matijevich. Mautino. McGann. McNamara. McPike. Mulcahey. Nash. O'Connell."

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Panayotovich. Pangle. Phelps. Preston. Rea. Rice.
Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Soliz.
Steczo. Stern. Terzich. Turner. Van Duyne. Vitek.
Wait. Washington. White. Wojcik. Wolf. Anthony Young.
Yvetter Younge and Mr. Speaker."

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

Churchill: "Yes, I do, Madam Speaker."

Speaker Breslin: "Excuse me. Representative Bullock asks leave to be verified? May he have leave?"

Churchill: "Yes."

Speaker Breslin: "Excuse me. Representative Brookins. Excuse me. Representative Brookins, you have leave to be verified. Proceed."

Churchill: "Representative Bowman."

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

Churchill: "Representative Curran."

Speaker Breslin: "Representative Curran. Representative Curran. Is the Gentleman in the Chamber? Remove him."

Churchill: "Representative... "

Speaker Breslin: "Excuse me. Representative Curran has returned to the chamber. Add him to the Roll Call."

Churchill: "Representative Currie."

Speaker Breslin: "Representative Currie. Representative Currie. Is the Lady in the chamber? Remove her from the Roll Call."

Churchill: "Representative DeJaegher."

Speaker Breslin: "What was the name, Sir?"

Churchill: "Representative DeJaegher."

Speaker Breslin: "Representative DeJaegher is in his seat. Representative Brunsvold changes his vote from 'no' to 'aye'. Proceed."

Churchill: "Representative DeLeo."

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Speaker Breslin: "Representative DeLeo. Representative DeLeo. Is the Gentleman in the chamber? He is not. Remove him. Representative Wojcik, for what reason do you rise?"

Wojcik: "I'm rising to state that since the Cubs are going to come to Schaumburg, I've been told we don't need this type of revenue, so I'm changing my vote from 'aye' to 'nay'."

Speaker Breslin: "The Lady changes her vote from 'aye' to 'nay'. Proceed, Representative Churchill."

Churchill: "Representative Greiman."

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

Churchill: "Representative Krska."

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

Churchill: "Representative Kulas."

Speaker Breslin: "Representative Kulas is in his seat."

Churchill: "Representative Laurino."

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

Churchill: "Representative Matijevich."

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

Churchill: "Representative Nash."

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

Churchill: "Representative Ronan."

Speaker Breslin: "Representative Ronan is in his seat."

Churchill: "I'm sorry. I see him. Representative Steczko."

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

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Churchill: "Representative Mautino."

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

Churchill: "Representative Washington."

Speaker Breslin: "Representative Washington. Representative Washington. Is the Gentleman in the chamber? Remove him. Representative Wait, for what reason do you rise?"

Wait: "How am I recorded?"

Speaker Breslin: "You're recorded as voting 'aye'."

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

Speaker Breslin: "Change Representative Wait's vote from 'aye' to 'no'."

Churchill: "No further questions."

Speaker Breslin: "What's the count, Mr. Clerk? Representative Laurino has returned to the chamber. Add him to the Roll Call. Representative Mulcahey, for what reason do you rise?"

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

Speaker Breslin: "You're recorded as voting 'aye'. Representative Braun has returned to the chamber. Add her to the Roll Call. Representative Braun. Add her to the Roll Call. You have been verified. Oh, she wasn't taken off? Excuse me. She was not taken off. She does ask leave to be verified, though, Representative Churchill, although you've ended your verification. Proceed. Mr. Clerk, what's the count? On this question, there are 58 voting 'aye', and 52 voting 'no', and none voting 'present'. Change Representative Breslin's vote from 'no' to 'aye'. There are, therefore, 59 voting 'aye', and 52 voting 'no'. Representative Wolf, for what reason do you rise?"

Wolf: "How am I voted, Madam Speaker?"

Speaker Breslin: "You are recorded as voting 'aye'."

Wolf: "That's fine."

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Speaker Breslin: "Representative Dunn, for what reason do you seek recognition?"

Wolf: "How am I recorded?"

Speaker Breslin: "You're recorded as voting 'aye'."

Wolf: "Thank you."

Speaker Breslin: "Representative Panayotovich, you are recorded as voting 'aye'. Representative Younge, for what reason do you seek recognition?"

Younge: "... recorded."

Speaker Breslin: "You're recorded as voting 'aye'. Representative Vitek, for what reason do you rise?"

Vitek: "Yes, my eyes are getting a little old. I can't see that board up there. How am I voting? What color is that?"

Speaker Breslin: "You're... You're voting green, Sir."

Vitek: "I didn't hear you."

Speaker Breslin: "You're voting green."

Vitek: "Thank you, Madam Speaker."

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

Ewing: "Yes, Madam Speaker, you said a long while ago, we were in a big hurry. You wanted to get on. Would you mind just taking the record, and we'll move on to the next Bill?"

Speaker Breslin: "We're moving as fast as we can, Representative Ewing. Representative Preston, for what reason do you rise?"

Preston: "Madam Speaker, can you tell me how Representative Slater is recorded as voting?"

Speaker Breslin: "I'm sorry. That's not appropriate, Representative Preston. Representative Preston."

Preston: "I... I'm sure if he were here, he'd be wise enough to vote 'aye', so if you could record him as 'aye', I'd appreciate it."

Speaker Breslin: "I... I would not do that, Sir. Representative

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Steczo has returned to the chamber. Add him to the Roll Call. On this question there are, therefore, 60 voting 'aye', 52 voting 'no', and none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 415, Representative McGann. Representative McGann. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 415, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Breslin: "Representative McGann."

McGann: "Madam Speaker, I would ask leave of the House to place Senate Bill 415 in Interim Study."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Are there any objections? Hearing none, the... Oh, excuse me. I see. The Gentleman has requested that the Bill be placed on the Order of Interim Study. Very good. The Gentleman is acting within his rights, since the Bill is already on the Order of Third Reading. This Bill will be reported to the Order of Interim Study. Senate Bill 429, Representative Richmond. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 429, a Bill for an Act concerning state occupation and use tax exemptions of farm machinery and equipment. This Bill has been read a second time previously. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Read the Bill on Third."

Clerk O'Brien: "Senate Bill 429, a Bill for an Act concerning state occupation and use tax exemptions of farm machinery and equipment. Third Reading of the Bill."

Speaker Breslin: "Representative Richmond."

Richmond: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill... or Senate Bill 429 broadens the

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scope of the sales... of the sales tax exemption for agricultural machinery and equipment. Under the present law, the exemption applies to agricultural machinery, equipment and replacement parts which cost a minimum of \$1,000. Senate Bill 429 would remove that thousand dollar limit. This is a Bill that is a part of House Bill 1317 that we passed out of here with a vote of 95 to 20... or 92 to 25. This is not necessarily a vote for the farmer. Certainly, they would appreciate not paying any sales tax on the thousand dollar limit that's presently in the current law, but a lot of them are not paying it, because they go across the state line to buy this same machinery at a promo dealer who does not have this... where that state does not have this limitation. We are rather unique in this manner, and certainly, it's costing our implement dealers and farm communities, agribusinesses, a lot of money. So therefore, I would ask that we make this... "

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 429. And on that question, does anyone stand in opposition? Seeing none, the question is, 'Shall Senate Bill 429 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 114 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 521, Representative Terzich. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 521, a Bill for an Act in relation to manufacturing machinery and equipment exemptions from state occupation and use taxes. This Bill has been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

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Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Terzich."

Terzich: "Yes, Amendment #2 is at the request of the Department of Revenue, and it changes the effective date. The Act takes effect on the first day of the second month after becoming law, and I would move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 521. Is there any discussion? Hearing none, the question is, 'Shall Amendment #2 to Senate Bill 521 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Leverenz. Representative Terzich, what's your pleasure?"

Terzich: "Madam Speaker, I understand that there's another Amendment. Could I hold this until that Amendment is distributed, with the right of return?"

Speaker Breslin: "Excuse me, Representative Terzich. Do you want to take this Bill out of the record?"

Terzich: "Temporarily."

Speaker Breslin: "Very good. We'll get back to it. Out of the record. Senate Bill 623, Representative Peterson. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 623, a Bill for an Act to amend Sections of the Revenue Act. This Bill has been read a second time previously."

Speaker Breslin: "Representative Peterson."

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

Speaker Breslin: "Excuse me. Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Peterson."

Peterson: "Thank you, Madam Speaker and Members of the House. Amendment 2 to Senate Bill 623 deletes unneeded language from the Bill. I move for adoption of Amendment 2."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 623. Is there any discussion? Seeing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Piel and Giglio."

Speaker Breslin: "Representative Piel or Giglio. The Gentlemen are not in the Chamber, Representative Peterson. What is your pleasure? Representative Piel or Giglio."

Peterson: "Madam Speaker, I move to table Amendment 3."

Speaker Breslin: "The Gentleman moves to table Amendment #3. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #3 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and Amendment #3 is tabled. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Peterson now asks leave for immediate consideration of Senate Bill 623 as amended on Third Reading. Are there any objections?"

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Hearing none, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 623, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Breslin: "Representative Peterson."

Peterson: "Thank you, Madam Speaker, Members of the House. Senate Bill 623 as amended provides that in downstate counties, the county may bill a township for expenses incurred by the supervisor of assessments for uncompleted assessment work of township or multi-township assessors. It also permits townships or multi-townships to enter into a contract with a qualified individual to perform assessment work when a vacancy in that assessor's office occurs. I ask for your support of Senate Bill 623."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 623. And on that question, does anyone stand in opposition? Seeing none, the question is, 'Shall Senate Bill 623 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? The Clerk will take the record. On this question, there are 114 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 660, Representative Bullock. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 660, a Bill for an Act to amend Sections of the Revenue Act. This Bill has been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

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Keane."

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. This was the same problem we had on the previous Bill. I would move to table Amendment #1 to Senate Bill 660."

Speaker Breslin: "The Gentleman moves to table Amendment #1 to Senate... to Senate Bill 660. Is there any discussion? Hearing none, the question is, 'Shall Amendment #1 to Senate Bill 660 be adopted?' All those in favor say... be tabled. 'Shall Amendment #1 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is tabled. Are there any further Amendments?"

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

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. This is the same Amendment we put on the previous Bill. It cleans up and makes the... Amendment #1 was wrong. This clarifies the language, and I would ask for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 660. Is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Bullock now asks leave for immediate consideration of Senate Bill 660 as amended on Third Reading. Are there any objections? Hearing none, the Gentleman has leave. Read the Bill, Mr. Clerk."

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Clerk O'Brien: "Senate Bill 660, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Breslin: "Representative Bullock."

Bullock: "Thank you, Madam Speaker and Ladies of the House. As was indicated, Subject Matter in this Bill has, in fact, passed this Assembly before. Senate Bill 660 deals with expanding the permissive authorization for industrial and commercial property tax abatement to include commercial development as well. The fact of the matter is, the Bill, as amended, proposes to extend existing and ... conditions for commercial firms to develop. The desirability of expanding this and the language in this Bill arose out of a recent Attorney General opinion in Logan County. Primarily, it is intended that this legislation would spur commercial development in construction. It is permissive in its nature. Representative Keane has amended the Bill, and I defer to him to explain the Amendment that went on the Bill. Representative Keane."

Speaker Breslin: "Representative Keane, to explain the Amendment on the Bill."

Keane: "Thank you, Madam Speaker. The Amendment does nothing more than limit total... the total abatement for any one commercial property to a million dollars. And the way the Bill originally was, there could be a million dollars per taxing district, so that if you had the park district could levy a million, the city could levy a million, the school board could levy a million. My Amendment limits it to a total, on the parcel, of an abatement of one million."

Speaker Breslin: "The Gentlemen have moved for the passage of Senate Bill 660. And on that question, does anyone stand in opposition? Seeing none, the question is, 'Shall Senate Bill 660 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage."

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Have all voted who wish? The Clerk will take the record. On this question, there are 114 voting 'aye', 1 voting 'no', and none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. With leave of the House, we will now go back to Representative Terzich's Bill, Senate Bill 520. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 520... "

Speaker Breslin: "Excuse me. 521."

Clerk O'Brien: "Senate Bill 521, a Bill for an Act in relation to manufacturing machinery and equipment exemptions from state occupation and use taxes. This Bill has been read a second time previously. We were on Floor Amendment #3, offered by Representative Leverenz."

Speaker Breslin: "Representative Leverenz."

Leverenz: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #3 would provide that the Department of Commerce and Community Affairs would administer a loan program known as the Enterprise Zone Loan Program, targeted toward companies in the enterprise zone that intend to expand. They would have to have a leverage of three to one, and the proceeds, very similar to an SBA loan, could not be used for work... working capital, but will be used for construction of the building, purchase of equipment and working capital, or to the companies or localities for the purchases of land, site preparation and construction. I would move for the adoption of Amendment #3."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 521. Does anyone stand in opposition? The Gentleman from Lake, Representative Churchill. Briefly, please."

Churchill: "I'm sorry, Madam Speaker, Representative Leverenz was talking very low, and I didn't exactly hear what he said on

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this Bill."

Speaker Breslin: "Representative Leverenz, could you briefly describe the Amendment again?"

Leverenz: "Provides that DCCA would operate a small... a low interest loan program specific to enterprise zones. That would be the only application of the loan program."

Churchill: "And does DCCA want this?"

Leverenz: "We want them to have it."

Churchill: "Oh, but DCCA... DCCA has not signed off on this. They don't want this."

Leverenz: "I haven't asked them."

Churchill: "I see. And so, this puts DCCA in a position of being a bank."

Leverenz: "That's correct. They have... That's all their field people do is go around and advise people on how to make loans, and the packaging people already are there at DCCA."

Churchill: "But this gives them the ability to take tax dollars and loan it out themselves."

Leverenz: "That's true."

Churchill: "So, in other words, instead of the advice that they give at this point, now you're taking them and making a bank out of them where they actually have cash that they loan out, and they get interest paid back, and it's in competition... "

Leverenz: "They make... Are you aware that they make loans, now, with federal funds?"

Churchill: "I understand, but not DCCA. DCCA arranges for the 503's and those other programs."

Leverenz: "They participate in the loan. Well, we have the same thing under the Illinois Development Authority."

Churchill: "I see."

Leverenz: "They loan out federal ... monies now."

Churchill: "Okay, no further questions. Thank you."

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Leverenz: "Thank you."

Speaker Breslin: "The Gentleman from Edgar, Representative
Woodyard, briefly."

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

Speaker Breslin: "He will."

Woodyard: "Representative, what would the interest rate be on
those low interest loans?"

Leverenz: "It would be determined, first of all, by DCCA, but I
suggest it might be one, two, three, four points under
prime. It may be two... "

Woodyard: "One, two, three, four?"

Leverenz: "They determine that. DCCA would determine the rate of
interest."

Woodyard: "Is there an appropriation Bill that... floating around
out there someplace that... to fund this bank?"

Leverenz: "There are appropriation Bills that we can plug the
money into, but first, we have to have... "

Woodyard: "No. Is there a specific appropriation out there?"

Leverenz: "No, there is not."

Woodyard: "Okay."

Leverenz: "First, we always ask, is there a substantive Bill?
Then, we'll plug in the dollars. That's correct."

Woodyard: "Alright. Thank you."

Speaker Breslin: "There being no further discussion, the question
is, 'Shall Amendment #3 to Senate Bill 521 be adopted?'
All those in favor vote 'aye', all those opposed vote 'no'.
Voting is open. Have all voted who wish? The Clerk will
take the record. On this question, there are 75 voting...
74 voting 'aye', 41 voting 'no', and none voting 'present',
and the Amendment is adopted? Are there any further
Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "There are no further Amendments? No. Third

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Reading."

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Very good. Third Reading. Representative Terzich now asks leave for immediate consideration of Senate Bill 521 on Third Reading as amended. Are there any objections? Hearing none, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 521, a Bill for an Act in relation to manufacturing machinery and equipment exemptions from state occupation and use taxes. Third Reading of the Bill."

Speaker Breslin: "Representative Terzich."

Terzich: "Yes, Madam Chairman, Members of the House. In addition to Amendment the #3, Senate Bill 521 expands the sales tax exemption for manufacturing machinery and equipment to include computers used primarily in the operating exempt machinery and equipment in a computer assisted design, computer assisted manufacturing system. Under the Bill, the exemption also includes machinery and equipment used in the general maintenance or repair of such exempt machinery and equipment for use in in-house manufacture of exempt machinery and equipment, and I would urge your support."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 521. And on that question, does anyone stand in opposition? Seeing none, the question is, 'Shall Senate Bill 521 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 112 voting 'aye', none voting 'no', and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 662, Representative Sutker. Are there any hyphenated Sponsors? There are. Representative Klemm. Clerk, read the Bill."

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Clerk O'Brien: "Senate Bill 662, a Bill for an Act to amend Sections of the Comprehensive Solar Energy Act. Third Reading of the Bill."

Speaker Breslin: "Representative.. Representative Klemm."

Klemm: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 662 establishes a solar energy system refund program in the Department of Energy and Natural Resources. It authorizes the Department to certify systems that would qualify for refunds. Systems must be located in Illinois, and the program is only established for two years to find out how it will develop. I might add that there are no general revenue funds that are being appropriated either now or in the future, because the Department of Energy and Natural Resources and the Sponsors of the Bill feel that if we have the overcharge refund to the State of Illinois, that those monies could possibly be used for this Bill. I know of no opposition to the concept of the Bill. There are 29 states, I understand, in the United States, that have a program similar to this, and so therefore, I do... I ask for your support."

Speaker Breslin: "The Gentleman... The Gentleman has moved for the passage of Senate Bill 662. Does anyone stand in opposition? Representative Churchill."

Churchill: "Will the Gentleman yield?"

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

Churchill: "Representative Klemm, do you have any idea what the fiscal impact of this is?"

Klemm: "Yes, I do. There is none."

Churchill: "How much is it? There isn't any?"

Klemm: "There is none, because there's no money appropriated."

Churchill: "But if the money were appropriated, what would the fiscal impact of it be?"

Klemm: "I don't... Well that... Since there's no money

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appropriated, and since there's intent to be... intent to have money appropriated at this time, there's no financial impact. So, how can I tell you what you want to appropriate?"

Churchill: "No further questions."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Senate Bill 662 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 109 voting 'aye', 5 voting 'no', and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 690, Representative Harris. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 690, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Breslin: "Representative Harris."

Harris: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, Senate Bill 690 provides that the Department of Revenue will process an income tax, an individual income tax, return within 120 days or roughly four months. I think that's a reasonable amount of time, and I think we've all had experiences where income tax returns have been extraordinarily delayed. This simply puts a little bit of fire underneath the Department of Revenue to ensure that within 120 days, the return is processed, and I would ask for your favorable... "

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 690. Does anyone stand in opposition? Hearing none, the question is, 'Shall Senate Bill 690 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who

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wish? Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 741, Representative Richmond. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 741, a Bill for an Act to amend Sections of the Illinois Municipal Code. This Bill has been read a second time previously. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Read the Bill on Third."

Clerk O'Brien: "Senate Bill 741, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Richmond."

Richmond: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Senate Bill 741 is a very simple Bill, and it is... it's a Bill that was brought into play here by the Municipal League. What it does is to reduce the amount of sales tax collection fees that the state charges municipals... municipalities from 2 percent to 1.6 percent, the reason being that, after a survey and a great deal of study, it was determined that 2 percent is overcharging the municipalities for this service. In fact, it's quite likely it's even lower than 1.6. But it is felt that this 1.6 is a lot fairer to our municipalities, and certainly, it will make your municipal officials happy by supporting this Bill, and I do solicit your support."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 741. And on that question, does anyone stand in opposition? The Gentleman from Edgar, Representative

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Woodyard."

Woodyard: "Thank you, Madam Speaker. Just a word to the Body.

This will mean a loss to the General Revenue Fund of two and a half million dollars, and again, if we continue that kind depletion of General Revenue Funds, I think we're really looking at a tax increase on down the road."

Speaker Breslin: "The question is, 'Shall Senate Bill 741 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Representative Homer. Have all voted who wish? The Clerk will take the record. On this question, there are 111 voting 'aye', 2 voting 'no', and 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 743, Representative DeJaegher. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 743, a Bill for an Act to amend the Illinois Horse Racing Act of 1975. This Bill has been read a second time previously. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Representative DeJaegher. Excuse me. Read the Bill."

Clerk O'Brien: "Senate Bill 743, a Bill for an Act to amend the Illinois Horse Racing Act. Third Reading of the Bill."

Speaker Breslin: "Now, Representative DeJaegher."

DeJaegher: "Now, huh? Thank you, Madam Chairwoman (sic - Speaker), for your patience. Madam Chairwoman (sic - Speaker), General... Members of the General Assembly, I'm going to make this rather brief, and I do want you to recognize the honorable colleague from the other side of the aisle, Jack Davis, to close. Senate Bill 743 passed the Senate 51 to 3. The major tracks, which are the Chicago tracks, are not in opposition to this particular

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Bill, and with respect to the other Members, I will... rather brief... be brief with this Bill. If there are any questions that someone wishes to ask me, I'm receptive to those. What the Bill does, the Bill reduces the privilege tax for race tracks at Balmoral, the Quad City Downs, Fairmont, that are outside Cook County. These new tax reductions would be repealed after a three year period of time, and I ask for an affirmative vote. Thank you."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 743. And on that question, does anyone stand in opposition? The Gentleman from Lake, Representative Peterson, in opposition? No. There being no discussion, the question is, 'Shall Senate Bill 743 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Gentleman from Livingston, Representative Ewing. He indicate he does not wish to speak. Have all voted who wish? The Clerk will take the record. On this question, there are 111 voting 'aye', 2 voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 893, Representative Hastert. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 893, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Breslin: "Representative Hastert."

Hastert: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 893 is basically a cleanup of the Revenue Act. There's a lot of the cleanup language came out of the experience the Department had after the tax amnesty. The primary emphasis in this Bill is, there's a provision here to raise the threshold for estimated taxes. Be happy to answer any questions."

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Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 893. Does anyone stand in opposition? Seeing none, the question is, 'Shall Senate Bill 893 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 108 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 894, Representative Hastert. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 894, a Bill for an Act relating to certain debts owed to the state amending certain Acts herein named. Third Reading of the Bill."

Speaker Breslin: "Representative Hastert."

Hastert: "Thank you, Madam Chairman... Speaker, Ladies and Gentlemen of the House. Senate Bill 894 is a companion Bill to Senate Bill 893. It also... Its provisions came out of the cleanup from after the tax amnesty. What this Bill... the primary emphasis of this Bill is, it gives discretion to the Department to write off small claims and small debts, which is... would be uneconomical to try to collect. There's also an Amendment on this Bill put on by Representative Vinson that concentrates the collection of bad debts in the Office of the Comptroller. Be happy to answer any questions."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 894. And on that question, does anyone stand in opposition? Seeing none, the question is, 'Shall Senate Bill 894 pass?' The Gentleman from Bureau, Representative Mautino, on the question."

Mautino: "Yes, I stand in opposition to the legislation, because I think it's literally impossible to have the collection

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agency be the Comptroller of the State of Illinois. If I remember the Amendment correctly, it provides that all those indebted provisions, whether they be state... scholarship provisions from years ago, where they were supposed to... they got a grant, with the revenue provisions, I just don't think there's any... any avenue available for the Comptroller to track those and to retain them. I stand in opposition to the legislation."

Speaker Breslin: "The Gentleman from Cook, Representative Leverenz, do you wish to speak in opposition?"

Leverenz: "I do."

Speaker Breslin: "Proceed."

Leverenz: "I just want to re-emphasize what Representative Mautino has said. To put the collection efforts from the Scholarship Commission, the Department of Revenue and the other state agencies into the Comptroller's Office, I think, is the wrong thing to do, to take those duties away from those various agencies, especially with regard to the Department of Revenue and the confidentiality of state income tax returns, et cetera. We tried to defeat the Amendment. It's apparent that we will have to defeat the Bill. Vote red."

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

Hastert: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. It looked like the controversial part of this Bill is not the Bill, but the Amendment. The Amendment was passed on. It was passed on with a fairly large and significant vote by this House. I ask for passage of this Bill."

Speaker Breslin: "The question is, 'Shall Senate Bill 894 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who

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wish? Representative Keane, one minute to explain your vote."

Keane: "Thank you, Madam Speaker. Something has been pointed out to me, and I think you... before you vote on this, you should look at it, and I would ask the Sponsor to look at the Amendment, it looks like this Bill, that Amendment #2 would give the Comptroller the power and the duties to collect all payments, debts, taxes or anything else. So we would actually be emasculating the Department of Revenue and... and I think this is a major change in the structure of State Government. And I think you ought to look at Amendment... House Amendment #2."

Speaker Breslin: "Is there any further discussion? The Gentleman from DeWitt, Representative Vinson, one minute to explain your vote."

Vinson: "Yes, Madam Speaker, a little bit earlier in the afternoon, I had conversed with Mr. Cullerton on this particular Bill, and he told me that he intended to vote for it. Under the circumstances, because it's my Amendment, which is a problem, and I don't believe there's any controversy regarding the underlying Bill, I would like to ask leave of the House to let the Sponsor take the Bill back to Second and take my Amendment off of it, so that he can pass his Bill and do that."

Speaker Breslin: "Representative Hastert, do you wish to return this Bill?"

Hastert: "Yes, Ma'am."

Speaker Breslin: "Therefore, we will dump this Roll Call. Representative Hastert asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does the Gentleman have leave? The Gentleman has leave. Representative Hastert now moves to table Amendment #2 to Senate Bill 894. And on that question, is

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there any discussion? Hearing none, the question is, 'Shall Amendment #2 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is tabled. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Hastert. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 894, a Bill for an Act relating to certain debts owed to the state and amending certain Acts herein named. Third Reading of the Bill."

Speaker Breslin: "Representative Hastert."

Hastert: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The Bill now does simply what the... I said it did. It's a cleanup Bill for the Department of Revenue. The... The main point of this Bill is, it gives the discretion to the Department to write off small debts... debts and claims that are uncollectable, and other... some other technical language."

Speaker Breslin: "The question is, 'Shall Senate Bill 894 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. This is final action. Have all voted who wish? The Clerk will take the record. On this question, there are 116 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1037, Representative Keane. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1037, a Bill for an Act in relation to property tax levy collection and payments in all counties. Third Reading of the Bill."

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. Senate Bill 1037 is a vehicle

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Bill for the previous year's EAV. The Bill, as it now exists, has had a House Amendment on it so that we can get it back to the Senate. They will nonconcur, and we'll put it into Conference Committee. I don't know whether we'll come out with the previous year's EAV Bill. We're still working on it, but if we do, this would be the vehicle, and I would ask for an 'aye' vote."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1037. And on that question, does anyone stand in opposition? There being none, the question is, 'Shall Senate Bill 1037 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action at the moment. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 109 voting 'aye', 3 voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority... Representative Younge... asks leave to be recorded as voting 'aye'. There are, therefore, 100 and... Representative Hastert, for what reason do you rise?"

Hastert: "... recorded 'no', please."

Speaker Breslin: "Do you wish to be recorded as voting 'no'? Okay. Representative Hastert would like to change his vote from 'aye' to 'no'. Representative Younge wishes to be recorded as voting 'aye'. There are, therefore, 109 voting 'aye', 4 voting 'no', and none voting 'present'. Representative Wojcik, for what reason do you rise? Representative Wojcik votes 'no'. There are, therefore, 108 voting 'aye', 5 voting 'no', and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1063. Ladies and Gentlemen, we are going to go to a vote on the Special Consent Calendar. Remember, the procedure is that the

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Clerk will read the Bills. We will then take a vote on all of the Bills at one time. You will be afforded an opportunity to change your vote individually at a later time. Mr. Clerk, read the Bills, on Special Consent Calendar #1."

Clerk O'Brien: "Special Consent Calendar - Criminal Law. Senate Bill 17, a Bill for an Act to amend an Act in relation to criminal identification. Third Reading of the Bill. Senate Bill 24, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. Senate Bill 97, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. Senate Bill 190, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. Senate Bill 206, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. Senate Bill 207, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. Senate Bill 290, a Bill for an Act to amend the Crime Victims' Compensation Act. Third Reading of the Bill. Senate Bill 341, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. Senate Bill 537, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill. Senate Bill 551, a Bill for an Act to amend the County Jail Good Behavior Allowance Act. Third Reading of the Bill. Senate Bill 563, a Bill for an Act to amend the Bill of Rights for Victims and Witnesses of Violent Crimes. Third Reading of the Bill. Senate Bill 825, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. Senate Bill 843, a Bill for an Act in relation to criminal records. Third Reading of the Bill. Senate Bill 844, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. Senate Bill 970, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. Of the Bills I've read, strike Senate Bill 206,

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which is held on Second Reading. Strike 537, which is held on Second Reading. Strike 551, which is held on Second Reading."

Speaker Breslin: "Are there anymore, Mr. Clerk?"

Clerk O'Brien: "Strike 970, which is held on Second Reading. Senate Bill 1202, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. Senate Bill 1262, a Bill for an Act creating the Sexual Abusers of Children Treatment Act. Third Reading of the Bill. Skip 1289, which is held on Second Reading. Senate Bill 1348, a Bill for an Act to amend the Criminal Victims' Escrow Account Act. Third Reading of the Bill. Senate Bill 1357, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. And Senate Bill 993, a Bill for an Act to amend the Uniform Code of Corrections and the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative, or rather, Mr. Clerk, would you read those Bills on the Special Consent Calendar under Criminal Law that are on Second Reading?"

Clerk O'Brien: "Senate Bill 206, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 537."

Clerk O'Brien: "Senate Bill 537, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading... This Bill has been read a second time previously. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

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Cullerton."

Speaker Breslin: "Representative Cullerton, on Amendment #1."

Cullerton: "Yes, thank you, Madam Speaker, Ladies and Gentlemen of the House. This Amendment is agreed to by the Sponsor. This would bring the Bill into conformity with a House Bill which we passed out. This deals... The Bill deals with permitting the court to apply bail deposited pursuant to proceeding on one criminal case towards satisfying the obligations incurred in another case. The Amendment allows for the bond to be used to pay the attorneys. This was, as I indicated, identical to a House Bill with this Amendment on it. I move for the adoption of Amendment #1."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 537. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Ladies and Gentlemen, lest you be confused, please be advised that what we are doing is getting your Special Consent Calendar on Criminal Law in order so that all the Bills on Third Reading will be ready... or rather, all the Bills on this Special Consent Calendar will be in... ready for final passage. We found several that had Amendments still needed to be filed, so we have just moved Senate Bill 537 to Third Reading. The next Bill is Senate Bill 551. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 551, a Bill for an Act to amend the County Jail Good Behavior Allowance Act. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

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Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative McCracken or Homer. Representative McCracken. Are there any hyphenated Sponsors, Mr. Clerk? Excuse me, Representative McCracken."

McCracken: "I have no idea what this Amendment does, Madam Speaker. I move its adoption."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment #2 to Senate Bill 551. Does anyone stand in opposition? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Oh, wait. Wait. I don't object to it, but I think... Representative McCracken, do you remember what it does now?"

Speaker Breslin: "Representative McCracken on the Amendment."

McCracken: "This removes the county as the primary agent for reimbursement of medical expenses of arrestees by enabling other units of government to cover the medical expenses of the arrestees. I talked this over with Representative O'Connell. He was kind enough to agree to allow my attempt to amend, and in response to our questions raised by that, this is a Bill which allows municipalities to recover back. It's in their favor, and now I do know what this Amendment does, and it's a good Amendment, and I move its adoption."

Speaker Breslin: "The question is, 'Shall Amendment #2 to Senate Bill 551 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 970. Clerk, read

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the Bill."

Clerk O'Brien: "Senate Bill 970, a Bill for an Act to amend Sections of the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Pangle. You are the Sponsor of Amendment #1 to Senate Bill 970. You are also the Sponsor of Senate Bill 970. Representative Cullerton, would you like to present the Amendment? Proceed, Sir."

Cullerton: "Yes, I'd be happy to. The Bill amends the Criminal Code, creates a new offense of contributing to the criminal delinquency of a minor. The person also allows for... The Bill also allows that if a person is convicted of this new offense, the court's required to order the defendant to pay all rehabilitation costs to the minor, and if he fails to, there would be a lien against the defendant. The Criminal Law Committee felt that that portion should be taken away, so this removes the lien. This Amendment removes the lien and deletes the responsibility for rehabilitation costs from the defendant, but it does keep the new offense of contributing to the criminal delinquency of a minor."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 970. Does anyone stand in opposition? The Gentleman from Champaign, Representative Johnson, in opposition."

Johnson: "Well, not really in opposition. Representative Cullerton, do you want to create a new offense?"

Speaker Breslin: "Representative Cullerton."

Cullerton: "I agreed to allow this Bill on the agreed list if this Amendment would go on. I thought that we had outlawed every form of human behavior. Representative Pangle seems

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to have discovered a form of human behavior which we may not have outlawed. And I'm willing to... And if it's already against the law, as most of these are, I'm willing to make it against the law twice, because I think if we make it against the law twice, we're sending a real signal to the criminal element in our state."

Speaker Breslin: "The question is, 'Shall Amendment #1 to Senate Bill 970 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1289. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1289, a Bill for an Act to amend Sections of the Criminal Code. This Bill has been read a second time previously. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative McCracken, again."

Clerk O'Brien: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This was an Amendment... "

Speaker Breslin: "Excuse me. Mr. Clerk, the Senate Bill number is 1289. Proceed, Mr. McCracken."

McCracken: "This was an Amendment suggested by the Chairman of the Judiciary II Committee, which I agreed to in order to get the Bill on the Agreed Bill List, and it limits the scope of the seizure of vehicles to cases of sex offense that are of a more serious nature, and I move its adoption."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment #1 to Senate Bill 1289. And on that question,

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does anyone stand in opposition? Representative Ronan."

Ronan: "I'm not in opposition. I want to ask a question when you're done with this Bill. My light's on to ask a question... "

Speaker Breslin: "Very good... "

Ronan: "... about some other Bills on this Order that we have to amend."

Speaker Breslin: "Very good. But you do not wish to speak on this question."

Ronan: "No, I'm ecstatic about this Amendment."

Speaker Breslin: "Very good. The question is, 'Shall Amendment #1 to Senate Bill 1289 pass... be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Now, we are going to that Order of Business. Representative Ronan, for what reason do you rise?"

Ronan: "Thank you, Madam Speaker. On Senate Bill 204 and 205 and 207, which are on this Order of Business, they're on Second Reading, and I thought that's what the purpose was now, to move Bills that need Amendments to Third Reading. And all those Bills need Amendments, especially 207, which is on the Agreed Bill List. I've agreed to an Amendment, so I want to get an agreed Bill with an agreed Amendment. I agree."

Speaker Breslin: "Well, what we are going to do is go to those Bills right now on Third Reading that need to be brought back for an Amendment. The only one that you have mentioned that is on this list is Senate Bill 206, and we intend to get to that."

Ronan: "What about 20... 207?"

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Speaker Breslin: "Excuse me. I meant 207. So we will get to that."

Ronan: "Okay."

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

McCracken: "Madam... Madam Speaker, I don't know if the Calendar reflects Second or Third Reading on 207, but it is on the Special Consent. It does need an Amendment. Representative Ronan has agreed to the Amendment. I wonder if we might here it now."

Speaker Breslin: "Representative McCracken, we have a number of Bills on this Order in the same situation, and we're going to take them from the top."

McCracken: "Oh, alright. Okay. I'm sorry."

Speaker Breslin: "The first one is Senate Bill 17. It is on Third... Third Reading. Representative DeLeo asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does he have leave? He has leave. Read the Bill, Mr. Clerk. Or, what is the Amendment?"

Clerk O'Brien: "Amendment #3, offered by Representative DeLeo and Nash."

Speaker Breslin: "Representative DeLeo."

DeLeo: "I'd like to withdraw Amendment #3."

Speaker Breslin: "Withdraw Amendment #3. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

DeLeo: "Madam Speaker, I'd like to have leave of the Body to bring back to Third Reading."

Speaker Breslin: "Excuse me. I understood that Amendment #2 had not been acted on yet, or that you wanted to table the Amendment? Okay. Representative DeLeo moves to table Committee Amendment #2. All those in... Excuse me."

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Amendment 2 was withdrawn, I understand, previously. Very good. So Amendment 2 and 3 have been withdrawn. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 24, Representative McNamara. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 24, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does the Gentleman have leave? He does. Read the Amendment, Mr. Clerk."

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

Speaker Breslin: "Representative O'Connell."

O'Connell: "Thank you, Madam Speaker. This Amendment deletes the words 'attempting to lure'. It makes it consistent with the Bill that we passed out of here, 522. It also acknowledges the fact that there is a all-purpose attempt statute provision already in the Criminal Code Statutes, and I ask for its favorable adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 24. Does anyone stand in opposition? Seeing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 190, Representative Barnes. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 190, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

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Speaker Breslin: "The Lady asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Is that right, Representative Barnes? Does the Lady have leave? The Lady has leave. Read the Amendment, Mr. Clerk."

Clerk O'Brien: "Amendment #2, offered by Representative Homer and Barnes."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker. The Bill itself amends the Criminal Code to provide for the unlawful use of anti-theft detection shielding devices in shoplifting cases. The Bill was amended in the House Judiciary II Committee. Originally, the Bill included manufacture, use and possession of the devices in one Section. At the time of the adoption of Amendment #1 in Committee, the use provision was separated out. However, inadvertently, the language of possession remained in the Section. Therefore, Amendment #2 just simply cleans up that Bill and removes possession from Section B."

Speaker Breslin: "The question is, 'Shall Amendment #2 to Senate Bill 130 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 207, Representative Ronan. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 207, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does he have leave? He has leave. Read the Amendment, Mr. Clerk."

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Clerk O'Brien: "Amendment #2, offered by Representative Ronan and
Hawkinson."

Speaker Breslin: "Representative Ronan. Representative
Hawkinson."

Hawkinson: "Thank you, Madam Speaker. This Bill relates to
forcing gang membership. I suggested to Representative
Ronan in Committee that we might want to have some language
more narrowly defining what kinds of organizations that...
you force someone to join might regard... might result in
this kind of penalty. It formerly read, 'regardless of the
nature of such organization.' I was concerned about Sunday
schools and boy scouts and girl scouts, and he's agreed to
language limiting this to organizations engaged in the
commission of criminal acts... "

Speaker Breslin: "The Gentleman has moved the adoption of
Amendment #2 to Senate Bill 207. And on that question,
does anyone stand in opposition? Representative Kulas, are
you in opposition?"

Kulas: "No, Madam Speaker. I was a hyphenated Cosponsor. We
accept this Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #2 be
adopted?' All those in favor say 'aye'... Excuse me.
Representative Cullerton, for what reason do you rise?"

Cullerton: "Representative Hawkinson, on Amendment #2, page 2 of
the Amendment, you added paragraph #9. What does that
paragraph do? Allows for... Alright, let me... let me back
up. Is there a division of criminal investigation within
the Department of Law Enforcement?"

Hawkinson: "That's correct, and I was about to explain that
when... "

Cullerton: "Okay. And that's... I don't think I like that. What
does this paragraph #9 do?"

Hawkinson: "It allows the division to investigate gangs and

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organized groups engaged in the violation of criminal laws of this state and under guidelines established by the director, to collect and maintain for dissemination to law enforcement agencies, information concerning gangs and organized groups engaged in the violation of the criminal laws of this state."

Cullerton: "Well, this is... this is the Bill... this Amendment was the same as a Bill... similar to a Bill which we passed last year. Senator Nash was the Sponsor. The Governor filed an amendatory veto, and this is his amendatory veto. And... "

Hawkinson: "I understand that it's very close to it."

Cullerton: "Right. And I think that we... I'm trying to remember why we were opposed to it. I think it was because we felt that Director 'Zagle' and soon to be Director Margolis could use this as a opportunity to... well, act as a super prosecutor throughout the state or an FBI within the state, and I really think it... it's not a good idea. So, I would... I would rise in opposition to the Amendment, and I would knock the Bill off the Consent Calendar if the Amendment gets on."

Speaker Breslin: "Representative Hawkinson. Representative Hawkinson, what is your decision?"

Hawkinson: "Madam Speaker, I would withdraw Amendment #2."

Speaker Breslin: "Withdraw Amendment #2. Are there any further Amendments?"

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

Speaker Breslin: "Representative who?"

Clerk O'Brien: "Deuchler and Countryman."

Speaker Breslin: "Representative Deuchler."

Deuchler: "Table."

Speaker Breslin: "Withdraw Amendment #3. Are there any further

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Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 843. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 843, a Bill for an Act in relation to criminal records. Third Reading of the Bill."

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

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

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker. This is an Amendment that's been proposed by the Department of Law Enforcement... make the State of Illinois comply with the national uniform criteria for the definition of gambling devices. It's something that's supported by the FBI, and puts us in line with the rest of the nation. Thank you."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment #2 to Senate Bill 843. And on that question, does anyone rise in opposition? Seeing none, the question is, 'Shall Amendment #2 be adopted?' Representative Leverenz, for what reason do you rise? Do you rise in opposition?"

Leverenz: "I'd like... forget it."

Speaker Breslin: "The question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1357. Mr. Clerk,

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read the Bill."

Clerk O'Brien: "Senate Bill 1357, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "The question... the Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does he have leave? The Gentleman has leave. Read the Amendment, Mr. Clerk."

Clerk O'Brien: "Amendment #... Amendment #1 was withdrawn. There's no further Amendments."

Speaker Breslin: "Third Reading. Now, Mr. Clerk, would you read all those Bills on the Order of... that are now on the Order of Second Reading that have been amended. Read them a third time."

Clerk O'Brien: "Consent Calendar, Special Consent Calendar - Criminal Law. Senate Bill 24, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. Senate Bill 190, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. Senate Bill 206, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. Senate Bill 537, a Bill for an Act to amend the criminal procedure. Third Reading of the Bill. Senate Bill 551, a Bill for an Act to amend the County Jail and Good Behavior Allowance Act. Third Reading of the Bill. Senate Bill 943, a Bill for an Act in relation to criminal records. Third Reading of the Bill. Senate Bill 970, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. Senate Bill 1289, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "Ladies and Gentlemen, all Bills now on the Special Consent Calendar - Criminal Law, are on Third Reading and ready for final passage. So, that is what we will be voting on right now. Representative Homer, for what reason do you rise?"

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Homer: "Madam Speaker, point of order. I believe it will be necessary in order to move that we suspend Rule 37(c) with respect to those Bills which have been amended and return to the Order of Third Reading so that they may be considered immediately. And I would so move with respect to those Bills which the Clerk just read."

Speaker Breslin: "Representative Homer, you are quite correct. The Motion is, 'Shall we suspend Rule 37(c) so that those Bills that were amended today can be heard today and voted on today on Third Reading?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Rule is suspended. Representative Klemm, for what reason do you rise?"

Klemm: "Thank you, Madam Speaker. If we're going to be voting on Third Reading of the Special Consent Calendar, how long would it be while the well is open to receive these... those list of dissenting votes, if we have any?"

Speaker Breslin: "Well, we only have 40 more minutes that we plan to be in Session. So, it will be sometime within that 40 minute period."

Klemm: "Fine. Alright, we will have time after we vote, though."

Speaker Breslin: "Yes."

Klemm: "Thank you very much."

Speaker Breslin: "There have been objections raised to Senate Bill 843 being on the Consent Calendar. Therefore, Senate Bill 843 will be removed from the Consent Calendar, and it will be returned to the Order of Special Order of Criminal Law and will be heard later on this evening. Mr. Clerk. Ladies and Gentlemen, all of the Bills have been read a third time. The question before this House is, 'Shall all of the Bills on the Special Consent Calendar for Criminal Law pass?' All those in favor vote 'aye', all those opposed vote 'no'. Of course, this does not include Senate

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Bill 843. This is final passage. Have all voted who wish? The Clerk will take the record. On this question, there are 116 voting 'aye', none voting 'no', and none voting 'present'. These Bills, having received the Constitutional Majority, are hereby declared passed. Now, Ladies and Gentlemen, we are going to... excuse me, you are quite correct, Representative Pullen. I improperly declared these Bills passed. We have just taken the Roll Call and announced the vote. There are 116 voting 'aye', none voting 'no', and none voting 'present'. There, of course, is still an opportunity for people to change their votes still operating at this time. The next Order is the Special Consent Calendar on Education. I am going to ask the Clerk first to read those Bills that appear on that Order on Second Reading. We will then go through all of those Bills, take their Amendments, and move them to Third. We will then come back to those Bills that are on Third Reading that need to be brought back to Second for the purposes of an Amendment. Mr. Clerk, read the first Bill."

Clerk O'Brien: "Senate Bill 611, a Bill for an Act to amend the School Code. This Bill has been read a second time previously. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Read the next Bill."

Clerk O'Brien: "Senate Bill 1218, a Bill for an Act to create the Educational Partnership Act. This Bill has been read a second time previously. Amendment #1 was adopted previously."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

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

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Berrios."

Speaker Breslin: "Representative Berrios, on Amendment #2 to Senate Bill 1218."

Berrios: "Okay. Amendment #2 on... we... with an agreement with the Committee what we did, was, we dropped the penalty down to a Class A Misdemeanor rather than a Class 3 Felony. It was an Amendment that I had agreed to put on."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 1218. Does anyone rise in opposition? Seeing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Madigan. Representative Cullerton. Representative Cullerton. Representative Cullerton, are you ready to present this Amendment on behalf of Speaker Madigan?"

Cullerton: "I can withdraw this Amendment..."

Speaker Breslin: "Withdraw Amendment #3. Are there any further Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "I would like to withdraw 4, 5, 6, 7, and 8."

Speaker Breslin: "The Gentleman withdraws 4, 5, 6, 7, and 8. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #9, offered by Representative Berrios."

Speaker Breslin: "Representative Berrios."

Berrios: "Amendment #9 merely corrects an error that we thought

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we had taken care of, and it deletes 12 through 29 which mandated a part of the Bill, and we just took it out."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #9 to Senate Bill 1218. And on that question, does anyone stand in opposition? Representative Cowlshaw, in opposition?"

Cowlshaw: "No, Madam Speaker. Has the Amendment been printed and distributed?"

Speaker Breslin: "Mr. Clerk. Yes, it has been printed and distributed."

Cowlshaw: "Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Amendment #9 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Next Bill, Mr. Clerk."

Clerk O'Brien: "There's no further Bills on Second Reading."

Speaker Breslin: "We will, therefore, go back to the Bills that are on the Order of Third Reading that need Amendment. The first Bill is Senate Bill 48. Clerk, read the Bill. Representative Van Duyne. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 48, a Bill for an Act to amend an Act relating to posting and publication of certain notices in school districts. Third Reading of the Bill."

Speaker Breslin: "Representative Van Duyne asks leave to return this Bill to the Order of Second Reading. The Gentleman objects?"

Van Duyne: "I have filed a form to put this Bill on the Interim Study, Madam Speaker."

Speaker Breslin: "Very good. The Gentleman has requested Interim Study on this Bill, and that is the Gentleman's right."

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This Bill, Senate Bill 48, will be on the Order of Interim Study. The next Bill is Senate Bill 1055, Representative Hoffman. Clerk, read the Bill. Excuse me, Representative Hoffman asks leave to return this Bill from the Order of Third Reading to Second Reading. Does the Gentleman have leave? The Gentleman has leave. Read the Amendment, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1055, a Bill for an Act to amend the School Code. Amendment #1, offered by Representative Hoffman."

Speaker Breslin: "Representative Hoffman."

Hoffman: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. House Amendment #1 to Senate Bill 1055 addresses the problem that we have recently experienced firsthand in DuPage County, and it has to do with regional superintendents and funds that they have control of for which there has been no audit required. What this Bill does, it requires that they be audited by the auditors of the State Board of Education. This has been worked out in conjunction with the State Board of Education, and I would move for the adoption of Amendment #1 to Senate Bill 1055."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #1 to Senate Bill 1055. Does anyone stand in opposition? Seeing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1212, Representative Berrios. Clerk, read the Bill. Yes. The Gentleman wishes to return this Bill to the Order of Second

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Reading for the purposes of an Amendment. Does the Gentleman have leave? He has leave. Read the Amendment, Mr. Clerk."

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

Speaker Breslin: "Representative Berrios."

Berrios: "Amendment #2 merely creates an advisory council on bilingual education assisting of seventeen members appointed by the State Superintendent of Education. The council is... shall advise the State Superintendent on policies and rules pertaining to bilingual education."

Speaker Breslin: "The question is, 'Shall Amendment #2 to Senate Bill #212 be adopted?' Does anyone rise in opposition? The Lady from Cook, Representative Didrickson."

Didrickson: "Just a question of the Sponsor, please."

Speaker Breslin: "Proceed."

Didrickson: "Representative Berrios, is this just for the City of Chicago, or is this statewide?"

Berrios: "No, this is just an advisory council that the State Superintendent gets to appoint."

Didrickson: "Okay, for the whole state?"

Berrios: "Yes, just to..."

Didrickson: "Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #2... Representative Cowlshaw, for what reason do you rise?"

Cowlshaw: "I would like to ask a question, Madam Speaker."

Speaker Breslin: "Proceed."

Cowlshaw: "Was Amendment #1 to this Bill adopted?"

Speaker Breslin: "Mr. Clerk, can you answer that question? Was Amendment #1 to this Bill adopted?"

Clerk O'Brien: "Amendment #1 was adopted on the House floor, June 19."

Cowlshaw: "Thank you."

Speaker Breslin: "Is there any further discussion? There being

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none, the question is, 'Shall Amendment #2 be adopted?'
All those in favor say 'aye', all those opposed say 'nay'.
In the opinion of the Chair, the 'ayes' have it, and the
Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1215,
Representative Young. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1215, a Bill for an Act to amend the
Illinois School Student Record Act. Third Reading of the
Bill."

Speaker Breslin: "Representative Young asks leave to return this
Bill to the Order of Second Reading for the purposes of an
Amendment. Does the Gentleman have leave? Hearing no
objection, he has leave. Read the Amendment, Mr. Clerk."

Clerk O'Brien: "Amendment #1, Shaw."

Speaker Breslin: "Representative Shaw."

Shaw: "Yes, Madam Speaker, Amendment #1 is an Act requiring a
checkoff... to the Illinois income tax for the purpose of
school districts."

Speaker Breslin: "The Gentleman has moved for the adoption of
Amendment #1 to Senate Bill 1215. Does anyone stand in
opposition? The Gentleman from Knox, Representative
Hawkinson."

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

Speaker Breslin: "He will yield."

Hawkinson: "Representative, I couldn't hear your explanation of
what the Amendment did. Could you tell us again, please?"

Speaker Breslin: "Representative Shaw."

Shaw: "It's a checkoff on the state income tax, and it goes into
the School District Assistance Fund."

Hawkinson: "Into the Common School Fund?"

Shaw: "Yes, Common School Fund."

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Hawkinson: "For the entire state?"

Shaw: "For the entire state."

Speaker Breslin: "The Gentleman from Edgar, Representative
Woodyard. Representative Woodyard."

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

Speaker Breslin: "He will."

Woodyard: "Representative Shaw."

Shaw: "Yes."

Woodyard: "Has this been a Bill at some other point in the
General Assembly that you know of?"

Shaw: "I beg your pardon?"

Woodyard: "Has this been a Bill?"

Shaw: "No, not that I know of."

Woodyard: "This is adding another one of those boxes on the state
income tax return for a checkoff on tax refunds, is that
what it's doing?"

Shaw: "That's all. That's right. The tax refund."

Woodyard: "Does it contain also... the Amendment contain also the
capping as some of the other checkoff Bills have done in
saying that if you don't raise so many dollars, that the
next year that box will not be on the income tax form?"

Shaw: "No, it doesn't."

Woodyard: "No caps."

Shaw: "No."

Woodyard: "Alright, Madam Speaker, to the Amendment."

Speaker Breslin: "Proceed."

Woodyard: "It seems this has been the year of the checkoffs on
the income tax forms. We already presently have four
checkoffs. Now, let me tell you what else we have in this
Session of the General Assembly: House Bills 1020 on
elections; 1206, state scholarship; 2247, Nursing Home Care
Fund. Senate Bill 62, Alzheimer's flew right out of here.
Again, Senate Bill 171 on elections; 510, crime prevention;

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1243, mental health. I am at the point where I feel like we either ought to just put all of these refund deductions on that form or start limiting. Take them all off. At this time we had the four. We had seven more Bills pending. We're getting to the point where we're gonna someday just eliminate the income tax form and send people nothing but a checkoff form. I'm definitely in opposition to this Amendment."

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

Cowlshaw: "Thank you, Madam Speaker. I'm in accord with the remarks of the prior speaker. I think that one of the advantages of the income tax form in our state has been that it was simple, very easy to understand. I realize that we already have some forms of checkoffs on the income tax forms. Actually, I think we ought to do away with all of them, and I would ask for a Roll Call vote on this Amendment."

Speaker Breslin: "Representative Shaw, to close."

Shaw: "Yes, Madam Speaker and Ladies and Gentlemen of the House, we have, as a previous speaker said, four additional checkoffs already on the income tax. Now, this is a volunteer program. That's all it is, and we... all of us here talk about how important education is to all of us here in this state..."

Speaker Breslin: "The question is, 'Shall Amendment #1 to Senate Bill 1215 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 50 voting 'aye', 56 voting 'no', and none voting 'present'. And the Amendment fails. Are there any further Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "One moment please, Madam Speaker. Yes, I... Madam Speaker, the Amendment is a technical correction. I don't know if it's a technical correction to the Bill, or technical correction to the Amendment that didn't get on. So, I'm trying to figure out whether we need the Amendment or not. Just give me one second. Yes, I'm told by the staff that we do need this as a technical correction. It just renumbers some Sections."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 1215. Does anyone stand in opposition? The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker. Amendment #2 begins with the words, 'amend Senate Bill 1215 as amended with reference to page and line numbers of House Amendment #1', which just failed. I would ask the Chair to rule on whether this Amendment is out of order."

Speaker Breslin: "Representative Cowlshaw, your point is well taken. The Amendment is out of order. Are there any further Amendments?"

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

Speaker Breslin: "Representative Shaw, on Amendment #3. Withdraw Amendment #3? The Gentleman withdraws Amendment #3. Are there any further Amendments?"

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

Speaker Breslin: "Representative Cullerton. Excuse me. Mr. Clerk. Representative Cullerton, I understand this Amendment corrects Amendment #3 which was withdrawn."

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Cullerton: "Alright. So, I would withdraw Amendment #4."

Speaker Breslin: "Withdraw Amendment #4. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. The next Bill is Senate Bill 1321, Representative Braun. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1321, a Bill for an Act to improve urban schools to amend Acts herein named. Third Reading of the Bill."

Speaker Breslin: "Are there any... The Gentleman... the Lady asks leave to return the Bill to the Order of Second Reading for the purposes of an Amendment. Does the Lady have leave? She has leave. Read the Amendment, Mr. Clerk."

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

Speaker Breslin: "Representative Cullerton for Representative Madigan. Representative Cullerton, on Amendment #1."

Cullerton: "Yes, I believe that... I would ask to withdraw Amendment #1, please. And 2, and 3, and 4, and 5."

Speaker Breslin: "The Gentleman withdraws 1, 2, 3, 4, and 5. Are there any further Amendments?"

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

Speaker Breslin: "Representative Farley."

Farley: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #6 is, in fact, House Bill 212 which we passed out of this chamber on the Consent Calendar, 106 to 0. What it does is allow retired school teachers over the age of 70 to substitute teach in the Chicago school system. There was no opposition at that time, and I would move for the adoption, Madam Speaker, Ladies and Gentlemen of the House."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #6 to Senate Bill 1321. Is there any opposition?"

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Hearing none, the question is, 'Shall Amendment #6 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Okay. Ladies and Gentlemen, we now have read all of the Bills, and they are on... no. Mr. Clerk, I would like you to go back and read all of the Bills that were on Second and... okay. Read all of the Bills on Third, then."

Clerk O'Brien: "Special Consent Calendar - Education. Senate Bill 77, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 215, a Bill for an Act to establish high impact training service programs. Third Reading of the Bill. Senate Bill 302, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 586, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 611, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 668, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 708, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 745, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 983, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 1052, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 1055, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 1056, a Bill for an Act to create the residential services authority for behavioral disturbed and severely emotional students. Third Reading of the Bill. Senate Bill 1210, a Bill for an Act to amend

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the School Code. Third Reading of the Bill. Senate Bill 1212, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 1215, a Bill for an Act to amend the Illinois School Students' Record Act. Third Reading of the Bill. Senate Bill 1218, a Bill for an Act to amend an Act to create the Educational Partnership Act. Third Reading of the Bill. Senate Bill 1278, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 1321, a Bill for an Act to improve urban schools. Third Reading of the Bill. Senate Bill 1345, a Bill for an Act to amend the School Code. Third Reading of the Bill."

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

Cowlshaw: "Madam Chairman, I would ask leave of the House to suspend Rule 37(c) in order that all of those Bills may now be heard on... voted upon on Third Reading."

Speaker Breslin: "The Lady asks leave to suspend Rule 37(c) so that those Bills that have been amended today can be heard and passed on Third Reading. Does the Lady have leave? The Lady has leave by the use of the Attendance Roll Call. Ladies and Gentlemen, the question before this House is, 'Shall all Bills appearing on the Special Consent Calendar on Education pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? The Clerk will take the record. On this question, there are 117 voting 'aye', none voting 'no', and none voting 'present'. We will not announce the Roll Call until later. We will... If any Bill fails to get 60 votes, it will be placed on the Order of Consideration Postponed, Special Order of Education. In addition to that, Ladies and Gentlemen, we would like you to get your change of votes into the Clerk's well by the

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hour of 8:00 o'clock. I am advised that that is not enough time, Ladies and Gentlemen. If you could get your change of votes into the Clerk's well within 5 minutes. By 10 minutes to 8:00, the Clerk will make every attempt to tally all the votes as quickly as possible, so that we can adjourn at a reasonable hour. So, if all Members would return their votes on Criminal Law and Education as quickly as possible, we will... we will start the vote."

Speaker Madigan: "Ladies and Gentlemen, the Chair has announced continuously throughout the day... If I could have your attention, please. The Chair has announced continuously throughout the day that it was the intent of the Chair to adjourn tonight at 8:00 o'clock. We have spent several days considering Senate Bills. We have four days left in this Session. For very important matters, there are other avenues by which matters can be brought before the House and the Senate, as we all know. I don't think it serves any useful purpose to wear ourselves down physically and mentally tonight, because we still have four grueling days ahead of us. So, I propose that we now proceed to take a few more Bills that, in the judgement of myself and the Minority Leader, should be considered tonight. And then we will move toward an orderly and reasonably early adjournment. So, along those lines the first Bill would be Senate Bill 834, sponsored by Representative Zwick. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 834, a Bill for an Act in relationship to trust corporations and companies of foreign corporations. Third Reading of the Bill."

Speaker Madigan: "Representative Zwick."

Zwick: "Thank you, Mr. Speaker. I would, at this time, ask leave to move the... the Bill back to Second Reading."

Speaker Madigan: "Leave is granted. Mr. Clerk, are there any

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Amendments?"

Clerk O'Brien: "Amendment #1, Zwick, amends Senate Bill..."

Speaker Madigan: "Representative Zwick."

Zwick: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment is a rather technical one. It simply adds an effective date, as we forgot to put an effective date in the Bill."

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: "No further Amendments."

Speaker Madigan: "Third Reading. The Lady requests leave to hear the Bill on Third Reading. Leave is granted. Representative Zwick on the Bill."

Clerk Leone: "Senate Bill 834, a Bill for an Act in relationship to trust corporations. Third Reading of the Bill."

Speaker Madigan: "Representative Zwick."

Zwick: "Thank you, Mr. Speaker. The Bill is a Senate Bill which deals with recommendations that were made by the Commissioner of Banks and Trusts for certain technical changes and provisions that needed to be addressed within the purview of his discretion. It makes a few substantive changes which are very technical in nature on the activities of fiduciaries. And I would ask for the support of the House."

Speaker Madigan: "The question is, 'Shall the Bill pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 113 'ayes', no one voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. The next Bill is Senate Bill 965, Representative Saltsman. Mr. Saltsman."

Saltsman: "Yes, Mr. Speaker, that's Mr. Olson's Bill. I have the

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Amendment. Representative Olson's Bill. I have the Amendment for it."

Speaker Madigan: "Okay. Mr. Olson, on the Bill. Mr. Olson."

Olson: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. 865 is a conveyance Bill. We have the original offering in the Senate and an Amendment in the House. And I would defer to Representative Saltsman for Amendment #2."

Speaker Madigan: "Mr. Saltsman, on the Amendment."

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

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

Clerk Leone: "Floor Amendment #3, Saltsman, amends Senate Bill..."

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

Saltsman: "Yes, Amendment #3 just allows Central Management to deal with ridding ourselves of a huge debt at the Peoria State... former Peoria State Hospital in Bartonville, Illinois."

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 #4, Pangle - et al."

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

Pangle: "Thank you, Mr. Speaker. Amends the... adds Section to the Bill... Section provides to the Department of Mental Health and Developmental Disabilities to purvey a quitclaim deed described property commonly known as Galesburg Mental Health Center. And Section 7 authorizes the Department of Central Management Services to pro..."

Speaker Madigan: "Mr. Olson. Mr. Olson seeks recognition. Mr. Olson, do you support this Amendment?"

Olson: "Yes, we accept the Amendment."

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Speaker Madigan: "Fine. 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: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Olson, on the Bill. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 835 (sic - 865), a Bill for an Act in relationship to conveyance of public lands. Third Reading of the Bill. Senate Bill 865."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a conveyance Bill. It involves moving property from the Department of Conservation to Flag Park District in Rochelle - a portage conveyance from the Department of Conservation at 'Zwego'. Representative Saltsman's Amendment which you've just heard and Representative Pangle's. I move the adoption of this Bill."

Speaker Madigan: "There is a request for leave to hear this Bill on Third Reading. Leave is granted. Mr. Olson has explained the Bill. Those in favor of the passage of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 116 'ayes', no one voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 77, Mr. Ewing. Senate Bill 77, Mr. Ewing. Mr. Ewing."

Ewing: "That was on the agreed list."

Speaker Madigan: "Has that Bill passed?"

Ewing: "It was on the agreed list, yes."

Speaker Madigan: "Thank you, Mr. Ewing."

Ewing: "Thank you."

Speaker Madigan: "Senate Bill 487. Senate Bill 497. Mr. Hawkinson. Alright. Senate Bill 487 shall be taken out of

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the record. The next Bill shall be Senate Bill 96, Mr. Hawkinson. Senate Bill 96."

Hawkinson: "Mr. Speaker, the correct number of the Bill is 896. I would ask leave to bring Senate Bill 896 back to Second Reading for purposes of an Amendment."

Speaker Madigan: "Leave is granted. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Amendment #2, Pullen, amends Senate Bill 896."

Speaker Madigan: "Mr. Hawkinson. Representative Pullen."

Pullen: "Withdraw Amendment #2, please, and go to 3."

Speaker Madigan: "Amendment #2 is withdrawn. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Pullen."

Speaker Madigan: "Representative Pullen on Amendment #3."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 adds a conveyance in this Bill for fair market value for approximately four acres of land at Chicago Reed Mental Hospital to the Zion Latvian Church in Chicago which is currently renting it."

Speaker Madigan: "Is there any opposition to this Amendment? There being no opposition, the question is, 'Shall the Amendment be adopted?' Those in favor signify by saying 'aye', those opposed by saying 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Hawkinson."

Hawkinson: "Thank you, Mr. Speaker. This is a land conveyance in Warren County from the Department of Transportation to the Warren County Conservation District with a reserved easement for highway purposes. I would ask for the passage of Senate Bill 896 as amended."

Clerk Leone: "Senate Bill 896, a Bill for an Act in relationship

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to the conveyance of public lands. Third Reading of the Bill."

Speaker Madigan: "Leave is granted to hear the Bill on the Order of Third Reading. Those in favor of the passage of the Bill 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 114 'ayes', no one voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Clerk shall now close the voting on the agreed list. We stated that there would be an opportunity to vote against any of the Bills on the agreed list. That opportunity having been given, the opportunity shall now be closed. The next Bill shall be Senate Bill 800, Representative Breslin. Senate Bill 800. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 800, a Bill for an Act to protect against unauthorized use, duplication and distribution of computer software. Has been read a second time previously. Amendment #1 was adopted. Amendment #2 was tabled. And Amendment #3 was withdrawn. Next Amendment is Amendment #4, Breslin - Hicks."

Speaker Madigan: "Mr. Clerk, is the Bill on the Order of Second Reading?"

Clerk Leone: "On the Order of Second Reading."

Speaker Madigan: "Representative Breslin."

Breslin: "Withdraw... withdraw Amendment #3."

Speaker Madigan: "Amendment #3 is withdrawn. Are there any further Amendments?"

Clerk Leone: "Amendment #4, Breslin - Hicks."

Speaker Madigan: "Representative Breslin."

Breslin: "Representative Hicks."

Speaker Madigan: "Mr. Hicks."

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Hicks: "Yes, Mr. Speaker, I'd move to... Mr. Speaker, I'd..."

Speaker Madigan: "Mr. Hicks. Would Mr. Hicks be turned on? Thank you."

Hicks: "Yes, Mr. Speaker. Thank you very much. I would move to withdraw Amendment #4 and #5."

Speaker Madigan: "Amendment #4 and Amendment #5 are withdrawn. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #6, Hicks - Levin - Breslin."

Hicks: "Yes, Mr. Speaker, Amendment #6 simply tries to clarify the language in Senate Bill 800. It also adds an effective date to the Bill of July 1, 1986. I'd ask for the adoption."

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: "No further Amendments."

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

Clerk Leone: "Senate Bill 800, a Bill for an Act to protect against the unauthorized use, duplication, distribution of computer software. Third Reading of the Bill."

Speaker Madigan: "There is leave granted to hear the Bill on Third Reading. Representative Breslin, on the Bill."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Your synopsis is correct. This Bill... this Bill creates a new Act, that of licensure of software. It is called the Software Licensing Enforcement Act. It requires that, should a manufacturer decide to license their software, the language must be clear, visible and conspicuous with a proper notice and then the Bill deleviates (sic - deletes) what provisions can be included, including retention of title, prohibition and limitations on copying, rights to modify, use of the copies, etcetera. This Bill has had some substantial work in the past. I

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believe that we have put on an effective date until July 1, 1986. So, that those people who still have concerns that have not been addressed will have an opportunity in the next Legislative Session to have them addressed. I move for its adoption... passage rather."

Speaker Madigan: "On the Bill, Mr. Mays."

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

Speaker Madigan: "The Lady indicates she will yield."

Mays: "Did this Amendment reduce some opposition that was raised in Committee by some of the... the Retail Merchants' Association?"

Breslin: "Yes. The Amendment eliminates all the opposition from the Retail Merchants' Association. It is now... they are neutral on the Bill. It is supported by the software industry, the Chamber of Commerce, and I am told by DCCA."

Mays: "If I were to sell my computer in my office, could I sell my software also, or do I have to hang onto that regardless of what other type of a computer I get?"

Breslin: "You could unless you have entered into a licensing agreement that specified otherwise."

Mays: "And if I buy a computer and I buy the software, the software will be licensed, so I wouldn't be able to sell it then, bottom line. Is that not correct?"

Breslin: "Only if the equipment has been licensed as opposed to sold to you."

Mays: "Well... okay. I still have some serious reservations about this Bill with the effective date moved off until July 1 of '86. I think that will give us time to work out some more problems on this thing. I'm planning to support this Bill at this point, but I do think this is going to take a lot more work."

Speaker Madigan: "Representative Friedrich. Dwight Friedrich.

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Representative Friedrich. The Gentleman withdraws his request. Representative Countryman."

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

Speaker Madigan: "The Sponsor indicates she will yield."

Countryman: "Does this Bill provide that if they send out a form, if you accept the package, open the package, that the license goes into effect?"

Breslin: "Traditionally, how it is done, Representative Countryman, is that there is a license agreement covered by shrink wrap and once the package is opened and the product is used, it is assumed that the terms of the license agreement have been accepted. They are called shrink wrap agreements."

Countryman: "But that license agreement, then, can contain a prohibition of resale. Is that correct?"

Breslin: "It can."

Countryman: "Thank you."

Speaker Madigan: "Representative Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, I was one of those who had concerns about this Bill. And with Amendment #6, I think the... the most significant concerns people have, have been dealt with. There are two provisions in particular which I would call to the attention of the Body, which are in Amendment #6. The first is Amendment 6 makes clear that there's nothing in the Bill that's intended to take away any rights that are now provided under the federal patent laws and copyright laws. And that, in fact, for purposes of the copyright laws, the licensee under this Bill is to be treated as if he were a purchaser. So, all of the rights under the Federal Copyright Act that a purchaser of software has, which includes the right to make archival copies and resale and so on, are protected now by this Amendment. In

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addition, we've taken out the language prohibiting reverse engineering so there can't be patching. There is still some problems with the Bill, but I think given the fact we got an extra year, we can take care of them. And I think with Amendment 6, this Bill deserves the support of this Body."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 84 'ayes', 28 'nos'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Chair said that we intended to take Bills that we felt should be called. Now, that Bill received 84 votes, but required 10 minutes of debate. So, if our objective is to leave at an early hour, we cannot proceed in that manner. The next Bill will be Senate Bill 487, Representative Wojcik. Senate Bill 487. Mr. Clerk."

Clerk Leone: "Senate Bill 487, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Wojcik, amends Senate Bill..."

Speaker Madigan: "Representative Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House, the present statute exempts all property of charitable organizations used for charitable or beneficent purposes and not leased or otherwise used with a view to profit from property taxation. This Amendment ensures that certain specific forms of charitable organization's property receives the same property tax exemption. I move its passage."

Speaker Madigan: "There are three people seeking recognition on this Amendment. Mr. McPike."

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

Speaker Madigan: "The Sponsor indicates she will yield."

McPike: "Was a similar Bill like this passed out of Committee and passed out of the House?"

Wojcik: "No."

McPike: "This is a tax exemption or a tax credit? Is this a local property tax exemption or a tax credit?"

Wojcik: "No."

McPike: "It's got to be one of the... What is it, then?"

Wojcik: "Tax exemption."

McPike: "A tax exemption that..."

Wojcik: "Charitable tax exemption."

McPike: "Against the state income tax?"

Wojcik: "Against property tax."

McPike: "At the local option?"

Wojcik: "No, it has to be exempted."

McPike: "By who? The local... the local city would have... city council would have to exempt them."

Wojcik: "By the local assessor."

McPike: "The assessor would have to exempt the property?"

Wojcik: "Yes."

McPike: "We're giving authority to the assessor to exempt certain property from the tax roll?"

Wojcik: "He has to exempt property anyway, and this is charitable property that he will be exempting."

McPike: "So, we're not giving him any option."

Wojcik: "No."

McPike: "So, we're taking the option away from... we're taking tax revenues away from cities, then, on this... from local bodies."

Wojcik: "Charitable property is already exempt. We're talking about charitable property."

McPike: "Sure. If it's already exempted, what is this needed

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for, then?"

Wojcik: "This simply ensures that property..."

Speaker Madigan: "Representative, the Chair would... Representative, the Chair would suggest this appears to be a controversial Bill with not much chance of success of passage. Maybe you'd like to study this a little longer. At least overnight. Could we take this out of the record? Okay. Thank you very much. The Bill shall be taken out of the record. The next Bill will be Senate Bill 499, Mr. Nash."

Clerk Leone: "Senate Bill 499, a Bill for an Act to amend the Boat Registration and Safety Act. Third Reading of the Bill."

Speaker Madigan: "Mr. Nash."

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill provides that a person convicted of operating a motorcraft while under the influence of alcohol or other drugs should be subject to a Class A Misdemeanor. That's just like driving a car while being under the influence. I ask for a favorable Roll Call."

Speaker Madigan: "Mr. McCracken."

McCracken: "Will the Sponsor yield briefly?"

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

McCracken: "What's the penalty now? Is it a felony, or is it a misdemeanor?"

Nash: "A misdemeanor."

McCracken: "Class A?"

Nash: "Just like driving the car under... the same as driving a motor vehicle while being intoxicated."

McCracken: "Okay. To the Bill. I'm sure someone will disagree with me when I say this is not a problem. But maybe we've had 2,500 deaths on the highways and half of those are attributable to alcohol, and that's appropriate to make

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that situation a Class A Misdemeanor. But I question whether this is a solution to an actual problem. I think we should all consider whether, in fact, the Sponsor has demonstrated that this is something which needs the radical intervention of the criminal laws. And I think if you look at the Amendment, there are some situations under which, and I might be mistaken, but I think the Amendment refers to certain situations under which felonies are created by this Bill. And I refer you to page 1, line 12 and 13 of the Amendment adopted in Committee. And I just don't think this is the type of Bill that we have to be acting on at the last minute."

Speaker Madigan: "Mr. Nash, did you have anything to say? This Bill will be opposed."

Nash: "I move for a favorable Roll Call."

Speaker Madigan: "Okay. Mr. Piel."

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

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

Piel: "What... Mr. Nash, what Amendments have been added to the Bill presently?"

Nash: "The Amendment made this Bill... has the same language as driving a motor vehicle under the influence. If there's... death occurs, then it becomes a criminal charge."

Piel: "No, I'm sorry. How many... is it just Amendment #1? Am I correct? Okay. Can you explain to us... you know, I didn't catch the exact thing... now what exactly is the offense that is covered in the Bill?"

Nash: "Anybody driving a boat while being intoxicated will be dealt the same way as a drunken driver driving a motor vehicle."

Piel: "And the sentence is classified as what, please?"

Nash: "Class A Misdemeanor. If a death occurs, if they kill

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someone in the water, then it's a felony."

Piel: "Is it a Class A Misdemeanor, or a Class 3 Felony, now?"

Nash: "Class A Misdemeanor."

Piel: "Okay, the... would you explain what the... the area as far as the Amendment covered as far as the implied consent, please?"

Nash: "You get a hearing if you refuse a breathalyzer."

Piel: "I'm sorry. What? I'm sorry, Mr. Speaker. I can hardly hear the man."

Nash: "You're permitted a hearing if you refuse a breathalyzer test."

Piel: "What are the ramifications if a person does refuse a breathalyzer?"

Nash: "You cannot operate a boat for one year."

Piel: "In other words, I could be classified as innocent and refusing a breathalyzer, I could not operate my boat for one year."

Nash: "Six months... six months if you refuse a breathalyzer."

Piel: "So, in other words, I'm automatically classified as guilty until I'm proven innocent."

Nash: "It's just like drunken driving, Representative Piel. The same thing applies to driving a boat while being intoxicated as you're driving a vehicle while being intoxicated."

Piel: "What about the hearing process in the Bill?"

Nash: "The same hearing process as driving a vehicle while being intoxicated."

Piel: "Would you explain it to me, please?"

Speake; Madigan: "Mr. Nash, there are now two more people seeking recognition on this Bill. Mr. Nash."

Nash: "Can we have a Roll Call, Mr. Speaker?"

Speaker Madigan: "Representative Cowlshaw is seeking recognition. Representative Cowlshaw. Mr. Piel."

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Piel: "I'm sorry, Mr. Speaker. I was in the middle of asking questions. The Gentleman asked for a Roll Call. I'm sorry. I wasn't finished."

Speaker Madigan: "I don't think you have to be... I don't think you have to be sorry if I failed to realize that you were still engaged in debate. I apologize. Mr. Piel."

Piel: "I asked the Gentleman if he would explain the hearing process in the Bill."

Nash: "You apply for a hearing, and you go in front of a judge."

Piel: "Under what circumstances does the hearing apply, though? That's what I'm trying to ask you."

Nash: "Whenever you refuse a breathalyzer test."

Piel: "So, in other words, basically, what you're saying, then..."

Nash: "Representative Piel, I explained it's the same conditions that apply if you're driving a motor vehicle. It's very simple."

Piel: "What I'm saying, though, is, in other words, if I refuse a breathalyzer test, they automatically revoke my license for six months, even though you know I haven't been drinking. But then after the fact, then I can get a hearing after I have been given the... the suspension of license after the fact, correct?"

Nash: "I explained to you, Representative Piel, it's the same as driving a motor vehicle. The same thing applies."

Piel: "What... what horsepower limitations are we talking about?"

Speaker Madigan: "Mr. Piel, have you finished?"

Piel: "No, Sir, I have not. I'm still asking questions."

Speaker Madigan: "The Gentleman indicates he refuses to answer any... answer any further questions."

Piel: "He refuses to answer any questions. Well, according to my stop watch right here, I still have five minutes and 35 seconds so... Basically, you know, the Gentleman refuses to

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answer any questions. I'm asking, you know, some questions which I feel are pertinent. You're sitting here... and our analysis is a four page analysis. It's not just a one liner. The Gentleman's sitting here talking about things that could affect sporting, sportsmen. I mean, a man has got a two horsepower motor, and he's out putting around, and somebody pulls him over... or the shore patrol pulls him over, says he's been drinking, doesn't give him a due process of law, suspends his license, turns right around, and the man is presumed guilty until six months later, or a hearing whichever comes first. But automatically, he can't even go out in the boat. I asked him a horsepower figure. That was the reason I asked the horsepower figure. Are we talking about a 1 or 2 horsepower figure, or are we talking about a row boat? I mean, I figure, you know... I mean, sail boat... you know, I mean, I've seen some pretty, you know... you know, shady characters out on sail boats. They, you know, could almost run a water skier over. But seeing there are other questions, Mr. Speaker, I'll yield the rest of my time."

Speaker Madigan: "Mr. Piel, are you finished?"

Piel: "Yes I am, Mr. Speaker."

Speaker Madigan: "Thank you. Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. In respect to my husband, who was a fisherman and a man of gravity, I move the previous question."

Speaker Madigan: "I think there is no need for that. We can simply proceed to Roll Call. Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 73 'ayes', 34 'nos'. This Bill, having received a Constitutional Majority, is

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hereby declared passed. Senate Bill 1272, Representative Didrickson. Representative Didrickson."

Didrickson: "Yes, Mr. Speaker, I'd like to offer Amendment #... I'd like to withdraw from a couple Amendments."

Speaker Madigan: "Excuse me, Representative. What did you say?"

Didrickson: "I would like to withdraw from a couple Amendments that have been filed and go to Amendment #4."

Speaker Madigan: "Mr. Clerk, what order of business is the Bill on?"

Clerk Leone: "Senate Bill 1272 is on the Order of Second Reading."

Speaker Madigan: "Are there any Amendments?"

Clerk Leone: "Amendment #1 was adopted in Committee. Floor Amendment #2, Didrickson."

Didrickson: "I'd like to withdraw."

Speaker Madigan: "Amendment #2 is withdrawn. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Didrickson."

Didrickson: "Move to withdraw."

Speaker Madigan: "Amendment #3 is withdrawn. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, Currie."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. The underlying Bill establishes a permissive full-day kindergarten program. Amendment #4 establishes that school districts must also offer the half-day variety. I'd be happy to answer questions, and I'd appreciate your support."

Speaker Madigan: "Mr. Vinson."

Vinson: "Yes, Mr. Speaker, will the Sponsor yield for questions?"

Speaker Madigan: "Representative Currie?"

Vinson: "Yes."

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Speaker Madigan: "Indicates she will yield."

Vinson: "Representative, the function of the Amendment is to say that if you offer a full-day kindergarten, you also have to offer a half-day kindergarten?"

Currie: "School districts should offer half-day alternatives for parents who chose a half-day alternative."

Vinson: "What is the purpose for that?"

Currie: "The purpose of the Bill is to say that school districts that offer a full-day kindergarten will be eligible for, at the usual rate, state reimbursement for the second half-day. The purpose of the Amendment is to clarify that it was not the intent. The parents would not continue to have a half day option."

Vinson: "Isn't this just an attempt to make full-day kindergarten more palatable to people that understand why it should be opposed?"

Currie: "I wouldn't put it that way at all, Representative Vinson. I think it just clarifies that it was not the intent to say that school districts must offer only full-day kindergarten programs. That was never the intent of the Bill, and this Amendment clarifies that intent."

Vinson: "As... if the Bill were passed with the Amendment on, with the full-day option and the half-day option, what would the cost to the State of Illinois be?"

Currie: "There is no direct cost of this program, Representative."

Vinson: "You... by increasing the number of students in a school district, there would not be a greater weighted average daily attendance?"

Currie: "There... in the next fiscal year costs for those districts that provide a second half-day of the kindergarten program would be reimbursable at the usual state rates. It is impossible to tell how many school

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districts will avail themselves of the option of offering a full-day program, and impossible to tell how many families would chose that particular option."

Vinson: "Well, am I right in believing that the general figure that's been bandied about for full-day kindergarten is about 80 or 90 million dollars?"

Currie: "That figure is, I think, a pie in the sky. That assumes..."

Speaker Madigan: "Representative Currie. Representative Currie, based upon good information, there will be an effort to oppose this Bill on the Order of Third Reading. The Chair said that we wanted to move certain important Bills, and regretfully, I don't see that we're going to get cooperation on that. So, this Bill shall be taken from the record. Mr. McPike, relative to Senate Bill 216, requests leave that that Bill be taken from the table. Is there leave? Leave is granted. Mr. Vinson."

Vinson: "Mr. Speaker, will the Sponsor yield for a question?"

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

Vinson: "Representative, would you tell me what that Bill might deal with?"

Speaker Madigan: "Mr. Vinson, the Chair can answer your question by telling you that this Bill would provide that if a company donates equipment to a community college, the community college would then get a deduction from the Illinois income tax. Excuse me, the company."

Vinson: "That's a little... If I might, inquiry of the Chair. Is that a little bit like a tax exemption for a charitable trust?"

Speaker Madigan: "Some people might develop that analogy if they want to."

Vinson: "Then, Mr. Speaker, I would object to the Gentleman's request."

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Speaker Madigan: "You object. Fine. Thank you. Objection is raised, and the request for leave is withdrawn. In light of the lack of cooperation, the Speaker will now fulfill his end of a commitment made earlier today and suggest that the Third Reading deadline be extended for one day relative to the following Bills: Senate Bill 1454, which deals with the question of McCormick Place. This is at the request of the Minority Leader. Senate Bill 849, which deals with the question of community-right-to-know. This is sponsored by the Minority Leader. Senate Bill 847. Is there leave? Leave is granted. Minority Leader wins, 2 to 1. Further, there is request for leave to extend the deadline to consider Appropriation Bills one more day. Is there leave? Leave is granted. The Chair is prepared to adjourn. Are there any announcements? Are there any announcements? There shall be a Perfunctory Session to announce the Consent Calendar. Are there any further announcements? There being no further announcements, the Chair recognizes, Mr. McPike, for the Adjournment Motion. Mr. McPike, 9:00 a.m."

McPike: "Thank you, Mr. Speaker. I move the House now stands adjourned until tomorrow at the hour of 9:00 a.m."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. We stand adjourned until 9:00 a.m. tomorrow morning."

Clerk Leone: "Messages from the Senate. A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred in the House in the passage of the following Bills together with Amendments, and the adoption of which I am instructed to ask concurrence of the House of Representatives, to wit; House Bills 1528, 1547, 1552, 1567, 1641, 1688, 1763, 1800, 1801, 1814, 1847, 1850, 1857,

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and 1971, passed the Senate as amended June 26, 1985. Kenneth Wright, Secretary.' A further message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred in the House in the passage of the following Bills together with Amendments, and the adoption of which I am instructed to ask concurrence of the House of Representatives, to wit; House Bills 1902, 1914, 1922, 1924, 1928, 1933, 1934, 1947, 1949, 1952, 1953, 1958, 1961, 1966, 1970, 1974, 1977, 2022, 2023, 2061, 2103, 2108, 2115, 2165, 2189, 2199, 2220, 2232, and 2259, passed the House as amended June 27... passed the Senate as amended June 27, 1985. Kenneth Wright, Secretary.' On the Order of Special Consent Calendar - Education, Senate Bill 77 received 104 'aye', 11 'no', and 2 voting 'present'. Senate Bill 215 received 101 'aye', 15 'no', and 1 voting 'present'. Senate Bill 302 received 113 'aye', 3 voting 'no', 1 voting 'present'. Senate Bill 586 received 115 'aye', 2 voting 'no', none voting 'present'. Senate Bill 611 received 170... 117 voting 'aye', none voting 'no', and none voting 'present'. Senate Bill 668 received 108 'aye', 9 voting 'no', and none voting 'present'. Senate Bill 708 received 109 voting 'aye', 7 voting 'no', 1 voting 'present'. Senate Bill 745 received 86 voting 'aye', 29 'no', 2 voting 'present'. Senate Bill 893 received 74 voting 'aye', 40 'no', 3 voting 'present'. Senate Bill 1052 received 115 'aye', 2 voting 'no', none voting 'present'. Senate Bill 1055 received 107 voting 'aye', 7 voting 'no', and 3 voting 'present'. Senate Bill 1056 received 108 voting 'aye', 6 voting 'no', and 3 voting 'present'. Senate Bill 1210 received 116 voting 'aye', 1 voting 'no', and none voting 'present'. Senate Bill 1212 received 114 voting 'aye', 3 voting 'no', and none voting 'present'. Senate Bill 1215

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received 116 voting 'aye', 1 voting 'no', and none voting 'present'. Senate Bill 1218 received 97 voting 'aye', 19 voting 'no', and 1 voting 'present'. Senate Bill 1278 received 111 voting 'aye', 6 voting 'no', and none voting 'present'. Senate Bill 1321 received 112 voting 'aye', 4 voting 'no', and 1 voting 'present'. And Senate Bill 1345 received 111 voting 'no'... 111 voting 'aye', 6 voting 'no', and none voting 'present'. On the Special Consent Calendar - Education, all Bills have received the Constitutional Majority for passage. Special Consent Calendar - Criminal Law. Senate Bill 17 has 100 'ayes', 16 voting 'no', 1 voting 'present'. Senate Bill 24 has 117 voting 'aye', none voting 'no', none voting 'present'. Senate Bill 97 has 117 voting 'aye', none voting 'no', none voting 'present'. Senate Bill 190 has 117 voting 'aye', none voting 'no', none voting 'present'. Senate Bill 206 has 101 voting 'aye', 6 voting 'no', and none voting 'present'. Senate Bill 207 has 113 voting 'aye', 4 voting 'no', none voting 'present'. Senate Bill 290 has 117 voting 'aye', none voting 'no', none voting 'present'. Senate Bill 341 has 112 voting 'aye', 4 voting 'no', 1 voting 'present'. Senate Bill 537 has 99 voting 'aye', 16 voting 'no', 2 voting 'present'. Senate Bill 551 has 101 voting 'aye', 16 voting 'no', none voting 'present'. Senate Bill 563 has 111 voting 'aye', 5 voting 'no', 1 voting 'present'. Senate Bill 825 has 108 voting 'aye', 8 voting 'no', and 1 voting 'present'. Senate Bill 844 has 115 voting 'aye', 1 voting 'no', and 1 voting 'present'. Senate Bill 970 has 106 voting 'aye', 9 voting 'no', and 1 voting 'present'. Senate Bill 993 has 110 voting 'aye', 5 voting 'no', and 2 voting 'present'. Senate Bill 1202 has 115 voting 'aye', 1 voting 'no', and 1 voting 'present'. Senate Bill 1289 has 116 voting 'aye', 1 voting 'no', and

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none voting 'present'. Senate Bill 1348 has 107 voting 'aye', 10 voting 'no', and none voting 'present'. Senate Bill 1357 has 97 voting 'aye', 20 voting 'no', and none voting 'present'. These Bills have received the Constitutional Majority for passage. Senate Bill 1262 has 45 voting 'aye', 63 voting 'no', 9 voting 'present'. This Bill has not received the Constitutional Majority for passage. No further business, the House will now stand adjourned until 9:00 o'clock June 27, 1985."

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