

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Greiman: "The hour of 9:00 having arrived the House is in Session. Members will be at their seats. The Chaplain for today will be the Reverend Howard Milkman, Pastor, First Presbyterian Church of Springfield. Reverend Milkman is a guest of Representative Michael Curran and the guests in the gallery may wish to rise to join us for the invocation. Reverend Milkman."

Reverend Howard Milkman: "Let us pray. The sun comes up in the morning on the bright wings of the morning and goes down quietly in the evening in life's gentle rhythm. And we pick up the tasks of living in the morning and lay them down again and entrust them to Your hands in the evening. We thank You, Lord God, that we don't do all of this alone. We thank You that we may allow ourselves at times to be carried by grace and supported by love and refreshed by laughter, inspired by eloquence, enriched by friendship, enthused by all that's possible and rested because of the night. Help us to know the rhythms of the day and of Your grace and allow us times to be refreshed and carried, for too often we become serious and we allow ourselves too many burdens to be borne. We thank you for the gladness of this day, for this Assembly, that we might be wise in our legislation and leadership, and that we might also be wise in the rhythms and the meters and the cadences of living. What will remain long after are only the things of Your will, and life is much too important to be taken that seriously. Let us this day handle it with grace and love, dignity and great thanksgiving. We give You thanks for the wings of the morning and the keeping of Your spirit. Amen."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp, to lead us in the Pledge to the Flag."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

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

Speaker Greiman: "Roll Call for Attendance. Mr. Matijevich, are there any excused absences on the Democratic side?"

Matijevich: "None today, Mr. Speaker."

Speaker Greiman: "Mr. Piel, are there any excused absences on the Republican side."

Piel: "Yes, Mr. Speaker. Would the record show that Representative Cowlshaw and Representative Tuerk are excused for medical reasons."

Speaker Greiman: "Yes. I wonder, Mr. Piel, could you... is there any sense of how Mr. Tuerk is coming along?"

Piel: "All I can tell you is that they are both still in the hospital."

Speaker Greiman: "Okay. Thank you very much. Let the record show the absences of Representatives Cowlshaw and Tuerk for reasons of illness. Mr. Clerk, take the record. 116 Members having... yes, Mr. Piel, for what purpose do you seek recognition?"

Piel: "Representative Sieben told me that he is scheduled for triple bypass surgery today."

Speaker Greiman: "I see. Well, our prayers go with him, certainly, with Fred Tuerk. Let the record show that 116 Members having answered the call of the quorum, a quorum is present. Page 63 of the Calendar, on the Order of Consent Calendar Second Reading, Second Day. Mr. Clerk, read the Bills."

Clerk O'Brien: "Consent Calendar Second Reading, Second Day. House Bill 848, a Bill for an Act to amend the Department of Mental Health and Developmental Disabilities, together with Committee Amendment #1. Second Reading of the Bill.

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

House Bill 887, a Bill for an Act to transfer the administration of the Illinois Mental Health Institutes, together with Committee Amendment #1. Second Reading of the Bill. House Bill 919, a Bill for an Act to amend the Illinois Vehicle Code, together with Committee Amendment #1. Second Reading of the Bill. House Bill 978, a Bill for an Act to amend the Minority and Female Business Enterprise Act, together with Committee Amendment #1. Second Reading of the Bill. House Bill 1031, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 1194, a Bill for an Act to amend the Minority and Female Business Enterprise Act, together with Committee Amendment #1. Second Reading of the Bill. House Bill 1317, a Bill for an Act to amend an Act in relation to creating an identifying number system for documentation of Federal funds. Second Reading of the Bill. House Bill 1485, a Bill for an Act to amend an Act enabling the University of Illinois to qualify for Federal funds. Second Reading of the Bill. House Bill 1516, a Bill for an Act to amend the Illinois Administrative Procedure Act, together with Committee Amendment #1. Second Reading of the Bill. House Bill 1832, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of the Bill. House Bill 1869, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 1918, a Bill for an Act to amend an Act in relation to powers and duties of the Comptroller. Second Reading of the Bill. House Bill 1956, a Bill for an Act to amend the Illinois State Collection Act. Second Reading of the Bill. House Bill 2027, a Bill for an Act to amend the School Code. First (sic - Second) Reading of the Bill. House Bill 2151, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 2256, a Bill

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

for an Act to amend an Act to repeal various provisions relating to inactive committees and boards, together with Committee Amendment #1. Second Reading of the Bill. House Bill 2258, a Bill for an Act to amend the Mental Health and Developmental Disabilities Confidentiality Act, together with Committee Amendment #1. Second Reading of the Bill. House Bill 2470, a Bill for an Act to amend the Illinois Emergency Services and Disaster Agency Act. Second Reading of the Bill. House Bill 2670, a Bill for an Act to amend the Minority and Female Business Enterprise Act. Second Reading of the Bill. House Bill 2800, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. Second Reading of the Bill. House Bill 2808, a Bill for an Act in relation to the Department of Mental Health, together with Committee Amendment #1. Second Reading of the Bill. House Bill 2834, a Bill for an Act in relation to State employees' group insurance, together with Committee Amendment #1. Second Reading of the Bill."

Speaker Greiman: "Third Reading. Now, on the Order of... on page 64 of the Calendar appears Consent Calendar Third Reading, Second Day. Mr. Clerk, read the Bills. Ladies and Gentlemen, we are about to do the Consent Calendar Third Reading. Mr. Clerk, read the Bills. Mr. Clerk. Mr. Clerk. Perhaps we'll take that out of the record and come back to it. On page 3 of the Calendar, Special Order of Business House Bills Second Reading Government Administration, appears House Bill 308. Out of the record. On that Special Order appears House Bill 320. Ms. Satterthwaite, do you wish that called at this time? Out of the record. On that Order, Special Order, appears House Bill 497. Out of the record. On that Special Order appears House Bill 805. Mr. Hannig, did you wish that called at this time? Mr. Clerk... Alright, returning now

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

to page 3, Special Order of Business House Bills Second Reading Government Administration. On that Order of Business we were at House Bill 805. Mr. Hannig, are you... alright, we'll take that Bill out of the record. On that Special Order appears House Bill 815. Out of the record. On that Special Order appears House Bill 840. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 840, a Bill for an Act to amend the State Records Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On that Special Order appears House Bill 844. Mr. Cullerton? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 844, a Bill for an Act to revise the law in relation to counties. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

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

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

McCracken: "Thank you, Mr. Speaker. The Bill would raise the liquor tax in DuPage County only, and it is sponsored by Representative Cullerton, who is no longer a resident of that county. I thought that since he felt that he should be the one carrying the tax load for DuPage County, maybe he would be interested in carrying the tax load for the state. So I make the provisions of the Bill applicable to all counties in the state, and I assume he would be in

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

support of it, given the fact that he is interested in this 'sin' tax and imposing it upon the residents of DuPage County, that the state should qualify as well, so I move the adoption of Amendment #2."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, moves the adoption of Amendment #2 to House Bill 844, and on that the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House, and good morning, everybody. The... morning... okay children, how are you today? Now, many of the things that Representative McCracken has stated are true. I no longer am a resident of DuPage County; however, my family still is, my parents, and my children, and they... they have expressed their concern. They have expressed their concern about this liquor tax to me, as a matter of fact. My father is particularly upset about it. But, nonetheless, the reason why the Bill has been introduced, believe it or not, is as a result of a vote that was taken by the DuPage County Board. The DuPage County Board asked for the ability to impose a liquor tax on the people of DuPage County for, I think, a very worthwhile project. They wish to build an annex on the DuPage County Jail and to also, at the same time, fund a DUI offender program. I think it's very innovative, and I think they should be commended for taking that stand. I think the vote at the County Board was something like 15 to 4 in favor of imposing the tax. Of course, the tax that they wanted was slightly less than what this tax would provide, but that's something we can debate on Third Reading. The point of the Amendment, though, and the reason why I'm opposed to the Amendment is that no other county that I know of has come forward to the Legislature and asked for the ability to impose a liquor tax, so the reason for the Bill was in

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

response to a specific request from one county asking for the ability to impose it. So, for those of you who are opposed to increasing any liquor taxes, you certainly don't want to vote for this Amendment because that would impose a liquor tax throughout the entire state. So, for that reason, I would ask for a 'no' vote on the Gentleman's Amendment."

Speaker Greiman: "Further discussion? The Lady... Ms. Pullen."

Pullen: "Thank you, Mr. Speaker. As a matter of fact it wouldn't impose a liquor tax on the whole state. It would give the counties of the whole state the option of imposing a liquor tax so that, perhaps, they wouldn't have to be constantly coming to us for relief in one form or another, and I would support the Gentleman's Amendment."

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

Churchill: "Will the Gentleman yield?"

Speaker Greiman: "Pardon, Mr.... "

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

Speaker Greiman: "The Gentleman indicates he will yield for a question, yes."

Churchill: "Do you happen to know... does Cook County have a similar tax?"

McCracken: "Yes. It does."

Churchill: "And that's also imposed by the County Board?"

McCracken: "Yes."

Churchill: "And is it in the same amount as the tax that's requested in the original Bill, here?"

McCracken: "If this Bill passed, both counties would be at the same level."

Churchill: "I see. So, in other words, what's good for Cook County, then, should be good for DuPage County, is what the Bill says, but not good enough for the rest of the state?"

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

McCracken: "Apparently that's the gentleman's position."

Churchill: "Well, I think this is a proper Amendment, then. If it's good enough for Cook County and it's good enough for DuPage County, it ought to be good enough for the whole state. We ought to vote for that."

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

McCracken: "Ladies and Gentlemen. The Sponsor of the Amendment purports to be interested in our county... "

Speaker Greiman: "Oh, I'm... excuse me, Mr. McCracken, aren't you the Sponsor of the Amendment? Alright."

McCracken: "Yes. I'm closing."

Speaker Greiman: "Oh, yes. Proceed, Sir."

McCracken: "And, in fact, I think, it's... it is not the case.

The county board action he referred to was a request for approximately half of what this Bill would authorize and certainly is not done in the interest of DuPage County. It's done so that there is no discrepancy between Cook and DuPage County in its liquor tax, and it isn't... it is done so that DuPage County loses it's relative advantage to Cook County. So not only does it make DuPage County more expensive, but it doesn't help Cook County at all, and I think the Bill is not brought for the proper reasons, and I think if he thinks it's good enough for DuPage County and Cook County, then it should be good enough for the remainder of the state, and I ask for an 'aye' vote."

Speaker Greiman: "The question is, 'Shall Amendment #2 be adopted?' All those in favor signify by saying 'aye', those opposed... 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? Have all voted who wish? Mr. Clerk, take the record. On this question there are 47 voting 'aye', 62 voting 'no', 1 voting 'present', and the Amendment fails. Further

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On this Special Order appears House Bill 851, Mr. Leverenz. Out of the record. On this Order of Business appears House Bill 941. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 941, a Bill for an Act to amend an Act in relation to compensation of county officials. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order... on this Order of Business appears House Bill 989. Out of the record. And on this Order of Business appears House Bill 1063. Mr. Cullerton? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1063, a Bill for an Act in relation to the Appellate Court. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from DeKalb, Mr. Countryman on Amendment #1."

Countryman: "I think I have to withdraw this one."

Speaker Greiman: "Mr. Countryman?"

Countryman: "I want to withdraw this Amendment."

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

Clerk O'Brien: "Floor Amendment #2 offered by Representatives Parke and McCracken."

Speaker Greiman: "The Gentleman from Cook, Mr. Parke, on Amendment #1... on 2, I'm sorry. Yes, Mr. Cullerton, for what purpose do you seek recognition?"

Cullerton: "Yes, on a point of order, Mr. Speaker. Mr. Speaker,

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

I would ask the Parliamentarian to look at the Amendments #2 through 18 and I would question the germaneness of those Amendments to this Bill which deals with the office of the Appellate Court."

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

McCracken: "To give you the benefit of my wisdom on the issue of germaneness."

Speaker Greiman: "Well, let me... "

McCracken: "The Bill... "

Speaker Greiman: "Let me make a ruling first, and then..."

McCracken: "Well, yes, that's right."

Speaker Greiman: "... Maybe we can save some time. Go ahead, Mr. McCracken, proceed."

McCracken: "The original Bill purports to amend an Act in relation to the Appellate Court. You'll notice that Amendment #2 and subsequent Amendments, that the Act which is to be created is an Act in relation to courts and procedures therein. The subject matter clearly is related and under that standard of germaneness should satisfy the requirement. Absolutely no question. One talks about procedure and the other one talks about also procedure. One in relation to the Circuit Courts and one in relation to the Appellate Courts."

Speaker Greiman: "After conferring with the Parliamentarian, Mr. Cullerton, I find that your point of order is well taken and that Amendments 2 through 18 are, indeed, out of order and lack germaneness in accordance with our rules. I rule them out of order. Mr. Parke, for what purpose do you seek recognition?"

Parke: "Thank you. For an inquiry of the Chair. You've just decided that these Amendments are not germane to this Bill. We're going to be going through this procedure a lot

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

because I have had the opportunity to have a lot of Amendments filed to a lot of Bills, and when it... are we going to have to... are you going to rule every one of these Amendments nongermane because you arbitrarily think that, based on the Parliamentarian, that you can make that decision as the Chair?"

Speaker Greiman: "Mr. Parke... "

Parke: "I just... I just want to know to save myself some trouble."

Speaker Greiman: "Well, you asked me a question. Was it a rhetorical question?"

Parke: "I believe it will probably end up being that way."

Speaker Greiman: "Well, if it was rhetorical, then the Chair won't respond. If it was a serious question, I will respond. Alright, Mr. Clerk, further Amendments?"

Clerk O'Brien: "Floor Amendment #19, offered by Representative Countryman."

Speaker Greiman: "The Gentleman from DeKalb, Mr. Countryman on Amendment #19."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #19 changes the wording of the Bill, which would say, 'In the Second Judicial District six Appellate Court Judges shall be elected.' At the present time there are six sitting, four are elected and two are appointed, and it's my feeling that these people should be elected, so this would just do that. I move for its adoption."

Speaker Greiman: "The Gentleman from DeKalb, Mr. Countryman, has moved for the adoption of Amendment #19 to House Bill 1063. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, I accept the Amendment."

Speaker Greiman: "Thank you. The question is, 'Shall this

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Amendment be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On this... on page 4 of the Calendar, on this Special Order, appears House Bill 1064. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1064, a Bill for an Act in relation to Circuit Courts. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representatives Frederick and Klemm."

Speaker Greiman: "The Lady from Lake, Ms. Frederick, on Amendment #1 to House Bill 1064. Mr. Klemm, were you going to take that, Sir?... or Ms. Frederick... Ms. Frederick, proceed."

Frederick: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 provides for two Circuit Court Judges for Lake County and one Circuit Court judge for McHenry. I move the adoption of this Amendment."

Speaker Greiman: "The Lady from Lake, Ms. Frederick, moves the adoption of Amendment #1 to House Bill 1064, and on that the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I concur with the Amendment. I did have a conversation with the Chief Judge in that circuit who indicated to me, in fact, I was very surprised that they had so few Judges in such a burgeoning collar county, and there's a tremendous need up there for... because of the work load, and so I fully agree with the... "

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

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representatives Frederick and Klemm."

Speaker Greiman: "The Lady from Lake, Ms. Frederick, on Amendment #2."

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

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

Clerk O'Brien: "Floor Amendment #3, offered by Representative Black and Johnson."

Speaker Greiman: "The Gentleman from Vermilion, Mr. Black, on Amendment #3."

Black: "Table Amendment #3."

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

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

Speaker Greiman: "The Gentleman from Champaign, Mr. Johnson, Amendment #4."

Johnson: "This Bill deals with the Sixth Judicial Circuit and adds a judge for that county... for Champaign County in the Sixth Judicial Circuit. I move for its adoption."

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

Cullerton: "Yes, Mr. Speaker, I believe that Amendment #4 is technically incorrect and Amendment #5 is the one that the Gentleman should move for the adoption."

Speaker Greiman: "Mr. Johnson?"

Johnson: "We're conferring here."

Cullerton: "Oh, I'm sorry. That was only if Amendment #3 was adopted, so since Amendment #3 was tabled, perhaps it is in order."

Speaker Greiman: "Alright, did you wish to address Amendment #4, Mr. Cullerton?"

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Cullerton: "I support the Amendment."

Speaker Greiman: "Alright, Mr. Johnson, further discussion? None? The question is, 'Should Amendment #4 be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Greiman: "The Gentleman from Champaign, Mr. Johnson, on Amendment #5."

Johnson: "Move to withdraw Amendment #5."

Speaker Greiman: "Leave to withdraw is granted with... #5 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representatives Parke and McCracken."

Speaker Greiman: "The Gentleman from Cook, Mr. Parke, on Amendment #6. Mr. Cullerton, for what purpose do you seek recognition?"

Cullerton: "Yes. Thank you, Mr. Speaker. On a point of order, Mr. Speaker. Amendments #6 through 22, I believe, are identical to the Amendments that were offered on the previous Bill, which were ruled nongermane."

Speaker Greiman: "Well, they might be germane to this one, though, Mr. Cullerton."

Cullerton: "Yes."

Speaker Greiman: "We'll examine them at this time. Excuse me, Mr. Parke, we'll examine them. Yes, Mr. Cullerton, with respect to the point of order which you raised, this Bill deals with circuit court judges and the Amendments... Amendments 6 through 22 are accordingly ungermane. Mr. Parke."

Parke: "Under what ruling is that found?"

Speaker Greiman: "They are ungermane. That is a Parliamentary

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Procedure... Parliamentary rule."

Parke: "Well, these Amendments have to do... "

Speaker Greiman: "As well as the rules... as well as the rules of this Body."

Parke: "Well, this Amendment has to do with tort reform which, I think, the citizens of Illinois deserve. This is the second time that the Democratic Chair has ruled that these Amendments are nongermane, and they look like they're germane to me."

Speaker Greiman: "That, Mr. Parke, is the Majesty and wonderment of being in the Chair. However, under 36(d), Mr. Parke, they are not germane. They do not fall... touch the same subject. I have ruled on that subject, Sir. Further Amendments?"

Clerk O'Brien: "Floor Amendment #23, offered by Representative Countryman."

Speaker Greiman: "Yes. The Gentleman from DeKalb, Mr. Countryman, on Amendment #23."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #23 adds a Resident Circuit Judge in the County of Kendall and a Resident Circuit Judge in the County of DeKalb. What's happened over the years is, because of the increased work in Kane, a part of the Sixteenth Judicial Circuit, the Circuit Judges, which one of whom was each elected from Kane, DeKalb and Kendall, all have been, really, transferred into Kane County to carry the work load there, leaving shortages in the counties of Kendall and DeKalb, both of which have been growth communities, both of which have been in need of additional Judgeships and, for this reason, we are adding the Resident Judges to Kane and DeKalb Counties and would ask your favorable approval of this Amendment. Thank you."

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

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

moves for the adoption of Amendment 23 to House Bill 1064, and on that, is there any discussion? Mr. Cullerton, were you seeking recognition?"

Cullerton: "Yes, I have reviewed the Amendment. I concur with the Amendment."

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

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills... on the Order of this Special Order appears House Bill 1068. Mr. Leverenz, do you wish that called? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1068, a Bill for an Act to amend an Act relating to disaster relief. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there are any Floor Amendments?"

Clerk O'Brien: "There is a request for a fiscal note. No Floor Amendments."

Speaker Greiman: "There are no Floor Amendments, however, Mr. Leverenz, there is a request for a fiscal note. Mr. Leverenz."

Leverenz: "That was cancelled. It's only a million dollars."

Speaker Greiman: "Mr.... alright, fine. Mr. McCracken acknowledges that the fiscal note request will be withdrawn. The Bill will be moved to the Order of Third Reading. On this Special Order appears House Bill 1349. Ms. Barnes, do you wish to proceed? Mr. Clerk, read the Bill."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Clerk O'Brien: "House Bill 1349, ... "

Speaker Greiman: "Representative... Representative Breslin in the Chair."

Clerk O'Brien: "A Bill for an Act to amend the Illinois-Michigan Canal National Corridor Civic Center Authority of Cook County. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representatives Barnes and O'Connell."

Speaker Breslin: "Representative Barnes."

Barnes: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The Illinois-Michigan Canal National Corridor Civic Center Authority was established in 1983. And what this Amendment does, because it is necessary as a clean-up action, it removes half of the village of Burr Ridge in a small unincorporated area in DuPage County from metropolitan area, the DuPage County Civic Center Authority, to allow for its inclusion into the Illinois-Michigan Canal Authority, changes the number of votes required for actions by the Illinois-Michigan Canal Authority Board from six to seven, because we needed a blocker, it was discovered, because the original Bill had twelve members, and now we will have eleven. And the reason for the Amendment is that DuPage County has its own Civic Center Authority, and it's an entity into itself. So that's why this is necessary."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #1 to House Bill 1349, and on that question, the Gentleman from... is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 1411, Representative Greiman. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1411, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

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

Speaker Breslin: "Any Amendments filed?"

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

Speaker Breslin: "Representative McCracken."

McCracken: "Please withdraw that Amendment."

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

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

Speaker Breslin: "Representative McCracken."

McCracken: "The Bill currently allows tax abatement by local units of government upon... "

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

Greiman: "Yes, I would raise a point of order, I believe that this Amendment, Amendment #3, is out of order. If you will note, Mr. Parliamentarian, on line 8 there is a reference to line 19 without a page, so we are left with no possible knowledge as to what page that might be. Accordingly, it is out of order."

Speaker Breslin: "We'll examine it. Representative McCracken, while we are examining it."

McCracken: "The page references in line 4... Hello? The page

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

reference on line 6 is... Well, I'll wait."

Speaker Breslin: "Representative McCracken."

McCracken: "Yes, Madam Speaker."

Speaker Breslin: "I'm afraid the Amendment is out of order. You need to have a page number in there, because on line 19, for... on other references there is no 500 to be deleted, so you need to have it indicate that... you must have wanted it on page 2, but the Amendment is... "

McCracken: "But there is no other... I mean it is... it is clear where the Amendment belongs because on line 19, page 2, the number 500 appears. So the infirmity, if at all, is for enrolling and engrossing, because there is no other possibility than line 19, page 2, and if you can tell where the Amendment belongs with that degree of certainty, there shouldn't be any problem with it. In the alternative, I would move to amend the Amendment on its face, to add 'page 2' immediately following 'line 19' and immediately preceding 'by deleting'."

Speaker Breslin: "The Chair rules that you would have to move to amend it on its face. We wouldn't let it go through without that, and that requires unanimous consent, Representative McCracken. Representative McCracken asks for unanimous leave to amend this Amendment on its face. You do... objections have been heard, so the Amendment is ruled out of order. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 1412, Representative Greiman. Clerk, read the Bill. 1412."

Clerk O'Brien: "House Bill 1412, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. Amendments #1, #2 and #3 were adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed and Floor Amendment #4, offered

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

by Representative McCracken."

Speaker Breslin: "Representative McCracken."

McCracken: "Thank you, Madam Speaker. Amendment #4 provides that in disposing of tax delinquent property improved with one or more multi-family residential structures, a county or municipality shall give special consideration rather than the right of first refusal... "

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

Greiman: "Well, yes. I ask that the Parliamentarian examine this one. It seems to be out of order, as well. It looks like it refers to another Bill and it appears to be technically incorrect. If you would look at that."

McCracken: "It refers to the Bill as amended and makes reference to Amendment #3 for purposes of page and line numbers. Amendment #3 was previously adopted."

Speaker Breslin: "Representative Greiman, can you restate your objection to Amendment #2? Representative Greiman, your objection to Amendment #4 is not well taken. Proceed, Representative McCracken."

McCracken: "Rather than giving those entities the right of first refusal, the Bill would require that special consideration be given to those entities which currently have right of first refusal on the sale of the... or the disposition of the tax delinquent property, and I move its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to House Bill 1412, and on that question the Gentleman from Cook, Representative Greiman."

Greiman: "I wonder if the Gentleman would yield for a question?"

Speaker Breslin: "He indicates he will."

Greiman: "Mr. McCracken, what does the word 'special consideration' mean? We, ah... As I understand this Amendment of Representative Young's, there is an order of

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

priority set in the Bill which basically becomes an offer... right of first refusal in order to get a lot of people involved in saving their own neighborhoods. So what would 'special consideration'... if I was a county officer, Mr. McCracken, how would I know whether I had fulfilled my job or my task of allowing 'special consideration'? What does that mean?"

McCracken: "That consideration would be given to these groups and if, for any variety of reasons, there were competitors for the property, that if all other things were equal on the merits, that the associations indicated would be given the opportunity to buy."

Greiman: "Thanks. To the Amendment. I think, first, it probably is unconstitutional for vagueness. Probably in politics the words 'special consideration' has had some varied dilatorious meanings because too often there is a claim of 'special consideration'. This would empower, on the one hand, county officials with a power that I don't think any of us want to give them, sort of a secret list of instructions as to how they should sell property and get it back into active operation. And on the other hand, it's so vague that it provides them with no direction. It is not a good Amendment. It is... it particularly... unwise. It's just an unwise and unworkable Amendment and would indeed impair getting properties back on the tax rolls and giving people decent habitable places to live. I would ask for its defeat."

Speaker Breslin: "The Gentleman from Kane, Representative Kirkland."

Kirkland: "Will the Sponsor of the Amendment yield, please?"

Speaker Breslin: "He will."

Kirkland: "Is the... the Bill currently allows the right of first refusal for tenants organizations, housing associations,

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

non-profit groups. Do you know, is there anything in the Bill that allows the county or municipality to evaluate one of those organizations before a right of first refusal comes into play?"

McCracken: "Not to my knowledge."

Kirkland: "Alright, to the Bill, Madam Speaker. It seems to me that the right of first refusal could get away from a county or township and a tenants organization, housing association or non-profit group that didn't have the best of intentions, and certainly and hopefully most of them do, could move in on a right of first refusal without the county or municipality having any valuative structure, and that power, I think, could get quite destructive, and therefore, I think this 'special consideration' language is good language and would support the Amendment."

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

Young: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to the Gentleman's Amendment. Firstly, I think the county and local units of government are protected in that they do have the ability under this Bill, or at least the discretion under this Bill, that the Amendment might seek to give. I would point out that there is language in Amendment 3 on page 2 that says, 'The county or municipality must be satisfied that the priority it's given, that they have the ability to manage the property and provide responsible ownership.' So if a county isn't satisfied that one of these specified groups has the ability to complete the project, then, of course, the priority wouldn't stand. As it's been pointed out before, 'special considerations' has not been defined in the Amendment. What I suggest is that this is a loophole to give 'special consideration' to those who live outside the communities where the properties exist. So I would just

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

urge that this Amendment be defeated."

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

Churchill: "Will the Gentleman yield?"

Speaker Breslin: "He will."

Churchill: "Representative McCracken, do you happen to know, is the term 'right of refusal' defined anywhere in the Revenue Act?"

McCracken: "Not... not that I've seen."

Churchill: "Perhaps you could explain. Is it your understanding that a 'right of refusal' gives somebody some right that is in excess of, or greater than, other people have?"

McCracken: "Yes."

Churchill: "Okay, so, in other words, they're being treated differently than normal people, right?"

McCracken: "That's correct."

Churchill: "Okay. So, in a sense, they're getting a special treatment is what you are saying."

McCracken: "That's correct."

Churchill: "Alright. So really, then, the 'right of refusal' is a 'special consideration', but it only defines whatever 'right of refusal' is. It doesn't... if there were some other 'special consideration' they could receive, it doesn't go on and give them anything greater than just this 'right of refusal'. So, I guess your 'special consideration' actually gives them a better shot at protecting their interests than the 'right of refusal' does, so I think that this is a good Amendment. I think we ought to put this on. This gives more rights and more protection to the people that we're trying to protect."

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

McCracken: "Thank you, Madam Speaker. Amendment #4 should be

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

adopted precisely because the term 'special consideration' is one which grants the county or other unit of local government discretion to treat these organizations differently than other types of organizations. However, it does not go to the extent of 'right of first refusal'. Why is the right of first refusal such good public policy when it relates to tenants organizations, housing associations, non-profit groups? Is there any reason that the non-profit group would have to be necessarily associated with the particular property in question? Is there any reason that a housing association has to be directly connected with the property in question? Could the CHA buy these structures and be given the right of first refusal? The special consideration language is designed to take into account all of the factors that will enter into a decision whether or not to dispose of the property to these or other organizations. It is not sought in bad faith. I think the Gentleman is incorrect when he says it is too vague and is Constitutionally suspect, so I move the adoption of Amendment #4 and ask for a Roll Call vote."

Speaker Breslin: "The question is, 'Shall Amendment #4 to House Bill 1412 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? The Clerk will take the record. On this question there are ... Representative Shaw votes 'no'. Representative Dunn votes 'no'. Representative Preston votes 'no'. On this question there are 47 voting 'aye', 65 voting 'no' and none voting 'present', and Amendment #4 fails. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 1512, Representative Ryder. Clerk, read the Bill."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Clerk O'Brien: "House Bill 1512, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 1684, Representative McPike. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1684, a Bill for an Act to amend the General Obligation Bond Act."

Speaker Breslin: "Out of the record. House Bill 1908, Representative Terzich. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1908, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. Committee 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 Williamson."

Speaker Breslin: "Representative Williamson on Amendment #2."

Williamson: "Madam Speaker, this Amendment #2 would allow that hospitals located under the flight patterns of the Chicago airports would be eligible for funding for soundproofing, rather than all hospitals in the area."

Speaker Breslin: "The Lady moves for the adoption of Amendment #2 to House Bill 1908, and on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Mr. Speaker... Madam Speaker, I believe that we would have no problem with the Amendment, but I can't find... can't locate our file. I wonder if Representative Terzich could take it out of the record just for a second with the understanding that we could come right back to it?"

Speaker Breslin: "Representative Terzich agrees. The Bill is out

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

of the record. House Bill 2030, Representative Farley.
Clerk, read the Bill."

Clerk O'Brien: "House Bill 2030, a Bill for an Act relating to
prevailing wages. Second Reading of the Bill. No
Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Wojcik. Representative Wojcik?
Representative McCracken."

McCracken: "Thank you, Madam Speaker. This Amendment would
delete everything after the enacting clause and allow the
Department of Public Aid, in establishing grant amounts, to
correlate the amounts to the monthly earnings of one wage
earner working 40 hours per week at the Federal minimum
wage."

Speaker Breslin: "Representative... the Gentleman has moved for
the adoption of Amendment #1, and on that question, the
Gentleman from Cook, Representative Farley."

Farley: "Madam Speaker, I would question the germaneness of this
Amendment to this Bill."

Speaker Breslin: "Representative McCracken, the Chair rules that
your Amendment is not germane. Are there any further
Amendments?"

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

Speaker Breslin: "Representative Regan. Representative Farley,
for what reason do you rise?"

Farley: "Question of the Chair. Is this Amendment printed and
distributed?"

Speaker Breslin: "Mr. Clerk, has this been printed and
distributed? It has not been printed and distributed,
Representative Regan. What is your pleasure,

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Representative Farley?"

Farley: "I would move to table this Amendment."

Speaker Breslin: "Representative Farley moves to table Amendment #2 to House Bill 2030, and on that question, all those in favor say 'aye', opposed say 'no'. 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. House Bill... excuse me. Representative Greiman in the Chair."

Speaker Greiman: "On this Order of Business appears House Bill 2031. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2031, a Bill for an Act in relation to public employees. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Vermilion, Mr. Black, on Amendment #1."

Black: "Thank you, Mr. Speaker, and with apologies to the Gentleman from Cook, I was unable to talk to him yesterday about this Amendment. I did talk with Representative McPike and Representative Stange, Cosponsors. Very briefly, Amendment #1 was brought to my attention early yesterday morning and it tries to address the following situation. There are some... there is a Teamster Local in my district that has represented the workers in the Illinois Department of Transportation District #5 since 1964. Recently, and within that... recently, within the last two weeks, a Teamsters Local out of Indiana has filed the necessary documents to represent those workers. While this may be construed, Representative Farley, with all due

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

apologies to you, as a jurisdictional matter within the Teamsters Union, I feel very strongly and join the Teamsters in my district in offering this Amendment that simply says, 'State public employees who are members of a labor organization may not forward dues to a labor organization Local which is headquartered outside the State of Illinois.' I think this is a good Bill for labor. I think it's a good Bill... or a good Amendment for the taxpayers, and, in deference to Mr. Farley, I shall follow his lead, but I would move Amendment #1 be added."

Speaker Greiman: "Yes, Mr. Farley."

Farley: "Well, Mr. Speaker, Ladies and Gentlemen of the House. I would resist the Gentleman's Amendment... "

Speaker Greiman: "Mr. Farley, did you want to take this out of the record for just a little while? We'll come back to it."

Farley: "Oh, I'm sorry. I didn't hear that. Yes, I would."

Speaker Greiman: "Okay, fine. We'll get back to you, Mr. Farley, on this. On this Special Order of Business appears House Bill 2035... I'm sorry, 2032. Mr. McPike, did you wish that called? 2032? Out of the record. Alright. Perhaps we can move back now to you, Mr. Farley, on the Order of... on this Special Order appears House Bill 2031. Mr. Clerk. Mr. Farley, we're going... do you wish to proceed with this Bill now? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2031, a Bill for an Act in relation to public employees. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

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

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

Black: "Thank you, Mr. Speaker. In consultation with the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Sponsor, I withdraw Amendment #1. I think we have a suitable Bill that we can add this to later on. I move that we withdraw or table Amendment #1 to House Bill 2031."

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

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order... on this Special Order of Business appears House Bill 2034, Mr. Giglio. Mr. Giglio, did you want to proceed with that Bill, or... alright, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2034, a Bill for an Act to amend the Capitol Development Board Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

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

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

McCracken: "Thank you, Mr. Speaker. The current Act is a... or the current... current Bill is a shell Bill for the International Port District. This would add a pecuniary interest provision to that Act. It's the same as that contained in the Southwest Regional Port District Act, and other port district Acts, and I would ask for its adoption."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, moves for the adoption of Amendment 2 to House Bill 2034, and on that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, I rise in opposition to the Gentleman's Amendment. It may, indeed, be worthwhile. Some of the... strike that... let me start over. Some of the provisions

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

that are in the Amendment may be worthwhile provisions; however, I don't believe that the Bill is a... it was initially intended to apply to the Capitol Development Board. It was amended by Representative Capparelli to be a vehicle, but not a vehicle for this subject matter, and so I think that, if we are to pass this type of an Amendment, it should be done on another more appropriate Bill, so, for that reason I think the... Representative McCracken should find another Sponsor who is more amenable to taking up this issue, rather than on this particular Bill. As Representative Stearney used to say, this here particular Bill."

Speaker Greiman: "Further discussion? Mr. McCracken to close."

McCracken: "Thank you, Mr. Speaker. I don't know of any other Floor Amendments on this Bill. I don't know why it's a shell with no Amendment's offered except for this, but the fact of the matter is that this pecuniary interest is very important. It prohibits having an interest in business with the port authority, something that no one would claim as not good government, and is, again, consistent with the pecuniary interest language found in other port authority acts. I just can't see any reason to vote against it and I think the Gentleman's argument that this is the wrong Bill to put it on just... just doesn't have any weight to it. So I would ask for an 'aye' vote. I don't think it should even be controversial. I'm asking for a Roll Call. Thank you."

Speaker Greiman: "The question is, 'Shall Amendment #2 be adopted?' Those in favor signify by voting 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 48 voting 'aye', 54 voting 'no', 12 voting 'present', and the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Amendment fails. Mr.... yes. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Special Order... this Special Order of Business appears House Bill 2032. Mr. Clerk, read the Bill. 2032."

Clerk O'Brien: "House Bill 2032, a Bill for an Act in relation to workers compensation. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Special Order of Business appears House Bill 2207. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2207, a Bill for an Act concerning the commercial transportation of property and persons. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Mr. Clerk, are there any Floor Amendments?"

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

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

Young: "Thank you, Mr. Speaker. Amendment #2 is a technical Amendment that corrects drafting errors and it also adds a section of the current law that was left out of House Amendment #1, and I move for its adoption."

Speaker Greiman: "The Gentleman from Cook, Mr. Young, moves for the adoption of Amendment #2 to House Bill 2207, and on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' Those in

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On this Special Order of Business appears House Bill 2415. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2415, a Bill for an Act to amend an Act to the issuance and use of credit cards. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Special Order of Business appears House Bill 2437. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2437, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Floor Amendments... any Motions... any Floor Amendments?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representatives Parke and McCracken."

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

Parke: "Thank you, Mr. Speaker... "

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

Cullerton: "On a point of order."

Speaker Greiman: "Proceed. Want to state your point, Sir?"

Cullerton: "With regard to Amendments #2 through 10, I believe that those Amendments, after careful review, should be

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

declared not germane to this Bill."

Speaker Greiman: "We'll examine them. Mr. Clerk, may I have the Amendments, please, and the Bill. Yes, Mr. McCracken, for what purpose do you seek recognition?"

McCracken: "Thank you, Mr. Speaker. Nothing could be more germane than the Illinois Insurance Code relative to tort reform. When are we going to get our chance to address this issue? House Bill 2437 is the perfect vehicle for doing that. It's the insurance which is the problem everybody is concerned with, and part of the solution is the tort reform. Certainly, if that is not germane, then nothing can be germane. When is the Chair going to stop making these rulings on germaneness and let us address this issue? Insurance is clearly related to this issue, and right now all this Bill is is a shell Bill. I don't even know why the Gentleman is sponsoring it."

Speaker Greiman: "Mr. Cullerton, your point is well taken. Amendments 2 through 10 are not germane in accordance with our rules. Mr. Tate, for what purpose do you seek recognition?"

Tate: "Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Representative Parke's Motion for germaneness. This issue, Mr. Speaker, as you're well aware of, is... was the overriding issue that we had last year in this Session. Again, this is an issue that Members have... have filed Bills in good faith, were often times not provided an opportunity to have hearings on those Bills, they were assigned to Committees, they were assigned to Subcommittees that, for many different reasons, weren't given the opportunity to have those Bills heard. This is one of the most important issues that all of our constituents face, Mr. Speaker, and I would just ask you when, if any, will you allow democracy to be practiced and allow public input

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

into a problem that, obviously, this side of the aisle has offered a set of solutions, yet we have been consistently denied the opportunity for input. We represent many, many different constituency groups that I know, Mr. Speaker, you're concerned about this problem. You have provided solutions to that problem in the form of legislation. You have been given an opportunity to have your Bills heard in Committee, passed out. But that was just one side of the issue. This is another side of the issue, Mr. Speaker, that there are thousands and thousands of people experiencing severe crises in this state. It's a jobs issue, it's an economic issue, and it's an issue, Mr. Speaker, that we deserve a right to be heard on."

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

Stephens: "Well, thank you, Mr. Speaker. I'm... I guess I'm wondering what your... what your test for germaneness is. It's... it's my opinion that the courts have determined that if the Amendment does not alter the identity of the Bill, that those Amendments are indeed germane. And I agree with Representative Tate that these issues do nothing to destroy the identity of the Bill, they... these are legitimate issues... Amendments, that need to be discussed. Representative Parke deserves a right to be heard. His Amendment is germane. They are germane because they do not alter the original identity of the Bill. That's the purpose of having a germane argument, that we would not be allowed to alter the original identity of the Bill, and that remains, and we ought to be allowed to hear these Amendments, so why don't we just go through them. And the second question is how can you rule on all of them at once? Have you had time to read all of those Amendments, eight or ten at a time? Why don't we just... if we're going to do

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

this... let's rule on them one at a time. Each one is a particular Amendment that deserves consideration, so, Mr. Speaker, I implore you to reconsider."

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

Parke: "Thank you, Mr. Speaker. In Ogilvie versus Lewis it says the term 'subject' is comprehensive in its scope and may be as broad as the legislature chooses, so long as the matters included have a nature and logical connection. What more could tort legislation have that the citizens of Illinois desperately need for relief from the insurance program that is being currently administered by the State of Illinois? It seems to me, Mr. Speaker, that you're abusing your power as the Chair in ruling these out of order and nongermane."

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

Churchill: "Thank you, Mr. Speaker. On Amendment #8, deals with the right of a contribution against an insurer. Can you explain to me how the right of contribution against an insurer doesn't fit under the Insurance Code? Mr. Speaker?"

Speaker Greiman: "Proceed, Sir."

Churchill: "I... I'll repeat the question. Amendment #8 deals with the right of contribution against an insurer. We're dealing with the Insurance Code. How is it that it is not germane when we're dealing with an insurer that we can't come under the Insurance Code?"

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

Cullerton: "Mr. Speaker, on a point of order. I don't believe that the Gentleman's question is germane to the... to the particular Order of Business that we're on right now, which I believe is Second Reading on this Special Order."

Speaker Greiman: "Well, Mr. Churchill is expressing his views with respect to a ruling of the Chair. I think in fairness

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

and comedy, the Chair would have to give the Members an opportunity to express some feelings as to the ruling as long as they keep it within the bounds of the debate and as long as it is timely and appropriate in terms of shortness. There is a remedy, as we all know, one could move to overrule the Chair, but we understand that... what a drastic... "

Cullerton: "Well, in my opinion it was a very... in my opinion it was a very fine ruling."

Speaker Greiman: "Thank you, Mr. Cullerton. Mr. Churchill, proceed, Sir."

Churchill: "I... I would differ with the Speaker. I was not expressing a point. I was asking a question. I'm trying to understand the logic of the Chair. This is a Body that proceeds by rules. This is a Body that proceeds by parliamentary procedure. This is a Body that has to have a history of parliamentary procedure in rulings so that we know how to act in the future. We are supposed to know what we are supposed to do. How can we tell what we are supposed to do if you won't even answer a simple question? I've asked you a question about germaneness. I think it's totally relevant to this point, and I would ask... again ask the Speaker how an Amendment that deals with an insurer is not germane under the Insurance Code?"

Speaker Greiman: "Mr. Piel?"

Piel: "Was... I was under the impression that Mr. Churchill had just asked you a question. Did he get his answer? I... "

Speaker Greiman: "Mr. Piel, did you wish to comment?"

Piel: "Well, you know, I mean it's... it's real cute, Mr. Speaker, when people ask you questions. I mean, if they've got a question of the Chair, I can understand... "

Speaker Greiman: "Do you have a question, Mr. Piel?"

Piel: "Yes. Yes, I do."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Greiman: "Propound the question, Sir."

Piel: "And I'm just wondering if it's going to be a situation where I'm cut off and you go to the next person without having the question... "

Speaker Greiman: "Nobody's cut anybody... proceed, Mr. Piel."

Piel: "I'm just curious, Mr. Speaker, why... why you or the 'powers to be', the real Speaker, don't want to address this subject matter. Obviously, you know that the Bill deals with the Insurance Code, and liability and tort reform is an insurance issue. It's not a situation to where... where... maybe the other ones... you know... stretching the point a little bit as far as not germane. But I'd like, you know, an answer from the Chair exactly why you feel that these Amendments are not germane to the Bill. The Bill deals with the Insurance Code. The Amendments all are related insurance issues and where you come up with a ruling of not germane, I... I'm just asking... a question of the Chair... "

Speaker Greiman: "I think... I think in fairness, Mr. Piel, you're certainly entitled to that... "

Piel: "I'd like you to be fair."

Speaker Greiman: "... and so the answer is, Sir, that those are issues that deal with civil practice and not issues that deal with the Insurance Code, and accordingly, they have been ruled ungermane. Now, if you wish to comment on the ruling, proceed, Sir."

Piel: "No. I'd just like... Yes, I'd like to comment on the ruling. I'd like to comment on the ruling. Obviously, it's a situation where you've come up with the decision, and it's probably a party-line decision, where you want to sit here and basically, you know, deny the people of the State of Illinois a fair hearing on this issue. I think it's a situation where you feel, hey, you got the numbers

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

over there. What are you afraid of? If you're afraid of having the Amendments heard, just say so. It's obvious... it's obvious that you don't want to have the Amendments heard because it's a very pertinent issue to the citizens of the State of Illinois. I think it's a travesty to the citizens of the State of Illinois that you don't want to have this brought out. You know, in the last two years, we've had one vote on the entire issue. I think... I think it's really bad when the Chair stands up there and just runs willy-nilly over the rights of the Members and the citizens of the State of Illinois, and I wish you would change your decision... you know, in the future, Mr. Speaker."

Speaker Greiman: "Ms. Pullen."

Pullen: "Mr. Speaker, with all due respect, I move to appeal the ruling of the Chair."

Speaker Greiman: "The Chair has ruled Amendments to House Bill 2437 to be nongermane. The Lady from Cook, Ms. Pullen, has asked... has appealed from that ruling. The question is, 'Shall the Chair be overruled?' And on that, is there any discussion? It is a debatable issue. Mr. McCracken."

McCracken: "Thank you, Mr. Speaker, I was about to make that inquiry. I think the Chair respectfully should be overruled on this issue because of the substantial importance of this issue. It is no secret that the Illinois Legislature is one of the most partisan in the nation on this issue. It's also no secret, of course, that the Democrats run both Houses of the Illinois General Assembly. It's unfortunate that... that it has come down to partisan politics. It is not like that in every state. Many states, in fact, have found ways to accommodate the conflicting interests, each of which contributes, in part, to the problem, and that problem is one of the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

affordability and availability of insurance. Insurance is the cornerstone of this issue. This Bill is a... only a shell Bill. It amends the Illinois Insurance Code to make a technical change. I may be mistaken, but to my knowledge there are no Amendments on this Bill other than those proposed by this side of the aisle relative to tort reform. The question becomes, 'Why should this Bill not be appropriate as that vehicle when we have not had the opportunity in Committee, when we have not had the opportunity in Subcommittee, when we have not had the opportunity on the Floor to debate this issue.' The ruling of the Chair should be overruled for this reason, that it is arguably proper to, in fact, rule that these Bills, or Amendments, are germane, that the public interest which this represents, that the public debate which is necessary to come to grips with this issue has to take place. It has to take place in each chamber of each of the General Assembly. If it does not take place for some technical reason, then we are not doing our job, and I refer respectfully to the other side of the aisle. You want insurance regulation, by and large. We want tort reform, by and large. It may be that some of each is necessary to solve the problem, but Senate Bill 1200 did not solve the problem. In spite of what it's proponents said last year that insurance rates would drop, that this signal of Senate Bill 1200 was strong enough a message to get insurance rates to drop, that hasn't happened. The vaunted cyclical business cycle of the industry which would cure all evils by itself, has not happened. Self-insurers are... are experiencing the same high cost of coverage as the insureds of this state. People are afraid to take public office in this state because they are not immune from tort liability. The issue has got to be addressed. The people of Illinois

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

want this issue addressed; therefore, Mr. Speaker, I would ask the Members of this Body to overrule the Chair so that we can have this debate. If you want to vote 'no' on the merits, if you're not persuaded by the arguments on the merits, so be it. Give us our day in court, Mr. Speaker."

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

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. I would certainly ask that you reconsider your germaneness ruling on this... on these Amendments. We have, today, on several occasions tried to bring to this Floor, Mr. Speaker, items which the public, the business community, individual homeowners, and everyone who needs insurance coverage demand, insist that this Body debate. And you are systematically, by your ruling, Mr. Speaker, keeping us from doing that job. Had we been in the Chair, Mr. Speaker, I think we would have given you that right. This is, indeed, an important issue. How could we ever have debated your lobbyist Bill, Mr. Speaker, if this, your Amendment, when you were on the Floor, wasn't allowed, or the elected commerce commission. This issue ranks above those. Mr. Speaker, please reconsider your germaneness. This matter has not had the opportunity... this important issue, to be aired in Committee because the real Speaker forbade it. You can, today, give us our time. You have the votes. Don't be afraid to let your Members vote on this issue."

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

Churchill: "Thank you, Mr. Speaker. It's highly unusual to ask that the Chair be overruled, and it's something that I was not going to do before, but I think that we have to do at this point. A few moments ago I asked you a question that was a legitimate question, not posed to complicate the process, not posed to cause problems, but it was a

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

legitimate question. You refused to answer my question. In fact, you just turned off my microphone and went to somebody else. I don't think that's proper procedure for the Chair. I think that the Chair owes the Members a duty to respond to the Members questions if they're legitimately posed."

Speaker Greiman: "Mr. Churchill, to set that issue at rest, I thought you had concluded your remarks and called on Mr. Piel at that time. I did not instruct anyone to shut you off. Proceed, Sir."

Piel: "More than once I posed the question. More than once there was not response, and I still question... I still have the same question, it's unanswered, at this point. I think when we get to a position in this House where the Speaker will not answer the question of a Member pertaining to a... to germaneness, or any other procedural point, then that the Chair has gone beyond the boundries that it should have. And I think that a Motion such as this is only appropriate when we get to that point, so I stand up to support this, and I stand up to say that I don't think it would have existed if I could have had a legitimate answer to a legitimate question."

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

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. We have a Bill that relates to insurance. I have Amendments that relate to insurance. It is obvious that these are germane, but the Chair is abusing their power for some reason that they don't want us to debate the tort reform issue on the floor again. We think that it is important that the citizens of Illinois have the right to have all aspects of law heard. Sometime in the future you may have a Bill or an Amendment that you think is important, and the Chair may then arbitrarily, at their

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

whim, choose to ignore your Amendment or your Bill based on what they determine to be germane. There is court law, there is law that simply defines that if it relates to subject matter, it's germane. The Chair has wished to ignore this and rule nongermane on these Amendments. I think it's a travesty, and I say the precedent that is set today is a dangerous one, because each of us has been elected by the people of Illinois to represent them, and each of us has the right to have our constituency heard from. I think this is a dangerous precedent. It concerns me. I think that this is germane. I think you all know it's germane, and I ask and I appeal to both sides of the aisle to have this Amendment and the other ones ruled germane so that the will of the people can be heard and then have it judged based on what each of us has to say. And since that will not happen, I may point out that this Amendment is a tort reform Amendment that is valid and is good for the people of Illinois. If you vote 'no' on this Motion, you are, in fact, voting 'no' for tort reform in Illinois."

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

Stephens: "Thank you, Mr. Speaker. It's ironic that the rule of germaneness was developed in order to promote fairness in our legislative deliberations, and the courts have ruled many times on the subject, and all the evidence we have seems to indicate that the Chair is abusing its power, which I guess we ought to be getting used to by now. It's part of a continuing problem, and I would point out that, in this Legislative Session alone, we have been subjected to the process of Subcommittees wherein a Member might be required to be in two different places at the same time, unable to perform our duties, unable to hear legislation

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

properly, unable to present witnesses, and then when you do arrange a witness on a Subcommittee, then you're forced to bring the witness back to full Committee for a Bill that may or may not get heard in the first place. No debate in Committee is another of the symptoms similar to the ruling that the Chair has made today. We have been subjected to bringing witnesses from our hometowns here to Springfield to testify in Subcommittee or Committee and the Chairman, your Chairman, Mr. Speaker, the ones that were appointed by the Chair, by the Speaker, have turned their backs on the debate process, and this is just another symptom similar to your ruling where you ignore the process, ignore the legislative history of the State of Illinois, and for political reasons, and for no other reasons, go about your own agenda ignoring the will of the people. Mr. Speaker, in Committee we have been subjected to not having our debate heard, not being recognized and having Bills proceed out of Committee, Mr. Speaker, without having even been called and given proper consideration. Just... they happen to have been put on the list and they were brought to the Floor. This is another symptom similar to your ruling, Mr. Speaker, and I would urge the Members on your side of the aisle to recognize that government is more than just politics. It's more than just using your majority to get your way, to get you through the day and to abuse the rules. It's amazing, Mr. Speaker, that the precedents that have been set by years of history that have gone before us are being ignored in your rulings and we are not allowed to represent our people that have serious problems. Time and time again, as a matter of fact, just last evening a Democrat Committeeman from... "

Speaker Greiman: "Excuse me, Mr. Stephens, to the Motion in hand, please, Sir."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Stephens: "Well, the Motion is to appeal your ruling, Mr. Speaker, and your ruling is symbolic. It is symptomatic of the problem that we have. And the problem is that we are not allowed free debate. People from all over the State of Illinois are presenting themselves here in Springfield and saying, 'What are you doing about tort reform?' We have tort reform and we want those Amendments heard, Mr. Speaker, and that's right to your... to the question at hand, and that's the purpose of our standing."

Speaker Greiman: "The question is, 'Shall the Chair be overruled?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Mr. Hallock, to explain your vote. One minute, Sir."

Hallock: "Well, Mr. Speaker, you know, we're embarking here today on a very dangerous precedent, and nobody in this chamber likes to vote to overrule the Chair, and I must say it very seldom happens. But very seldom, also, do we see such arrogance in the Chair whereby we, as Minority Members, are disenfranchised. Mr. Speaker and Members of the House, some of you may forget, but each of us here, no matter where we come from, was sent here to serve the people of our districts, and true, we may all try to serve in different ways, but we all do that with the way we think is best. And one of those ways is through the Amendment process. You know, your processes, Mr. Speaker... "

Speaker Greiman: "You have one minute, Sir."

Hallock: "Mr. Speaker, I had my light on and wanted to speak during debate, and I was not called on."

Speaker Greiman: "And I called on you, Mr. Hallock."

Hallock: "But your process this Session allowed us to be in a situation and a predicament whereby those of us who wanted to have Bills called in Committees didn't have time to do that, and so in cases here on the floor, we have offered

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

many Amendments. We just finished the Committee process last week. A lot of these Amendments have just been drafted. We ought to have a right to have those called. And they are germane. Nothing could be more germane than to have a Subject Matter on Insurance and an Amendment thereto offered on the malpractice insurance. It's clearly germane. So, Mr. Speaker, I rise in support of this Motion, although it's a precedent. I hope that we don't have to do this in the future, but let's rule fairly. The people of Illinois, represented through all of us, have a right to have their Bills heard, have their Amendments heard. Let's do it and let's move forward and let's vote 'yes' on this Motion."

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

Homer: "Thank you, Mr. Speaker. I resent the other side making an indication that the vote we're making today is whether or not we favor these Amendments. It's clearly not the case. The issue is whether the Amendments are germane to the Bill. In order to be germane to a Bill, an Amendment must either have vertical germaneness or horizontal germaneness under the longstanding, historical rulings of this Chair. To have vertical germaneness, it must amend... the Amendment must amend the same Act. The Bill, in this case, amends the Insurance Code. The Amendment would amend the Civil Practice Act. Clearly, there is no vertical germaneness. Is there horizontal germaneness? Does the Amendment amend the same subject matter? Again, clearly, the answer is 'no'. The Bill that's introduced by Representative Cullerton has to do with the types of insurance that can be sold by captives and risk retention. The Amendment here has to do with comparative negligence which may or may not have anything to do with insurance,

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

depending upon whether or not the defendant is insured. Some defendants aren't insured. The question is whether there's germaneness. There clearly is no germaneness. My 'no' vote reflects that fact and has nothing to do with the merits of the Amendment."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 48 voting 'aye', 66 voting 'no', none voting 'present', and the appeal of the Chair is... fails. Are there further Amendments with respect to House Bill 2437, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order... on this Special Order of Business appears House Bill 2440. Out of the record. On the Order of House Bills... I'm sorry. On this Special Order of Business appears House Bill 2569. Out of the record. On the Order...on this Order... Special Order of Business appears House Bill 2624. Mr. Terzich, did you wish to proceed, Sir? Mr. Clerk, call the Bill."

Clerk O'Brien: "House Bill 2624, a Bill for an Act to amend an Act in relation to the Metropolitan Fair and Exhibition Authority. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments? Alright, we'll take this Bill out of the record. On this Special Order appears House Bill 2745. Mr. Flinn, did you wish that called? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2645 (sic - 2745), a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

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

Speaker Greiman: "The Gentleman from Winnebago, Mr. Hallock, on Amendment #2. Mr. Hallock?"

Hallock: "Yes, thank you, Mr. Speaker and Members of the House. Last year, we passed a major Bill in this area that would allow the State of Illinois to begin, for the first time, a major recycling and incineration project and other alternatives to landfills. This Bill would allow smaller counties to participate in that as well, and I would ask for your support."

Speaker Greiman: "The Gentleman from Winnebago moves for the adoption of Amendment 2 to House Bill 2745. And on that, the Gentleman from Madison, Majority Leader McPike."

McPike: "Thank you, Mr. Speaker. I wonder if the Sponsor would yield?"

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

McPike: "Mr. Hallock I don't think your explanation of the Amendment was correct. Current law allows any county to participate. You have a limiting Amendment. Would you explain the Amendment again, please?"

Hallock: "Well, what we're trying to do is make sure that the funds in this program we passed last year, in fact, go to solid waste aspects and try to pursue different possibilities on the local level. Counties, of course, cities can pursue incineration, they can pursue recycling, they can pursue different... many different tools in this area, but we believe that they have to begin immediately and try to pursue this goal."

McPike: "Yes, but would you explain your Amendment? I understand what the law did last year. I just want you to explain your Amendment."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Hallock: "Well, the Amendment speaks specifically to the Bill, and the Bill itself... "

McPike: "Yes, but would you explain it?"

Hallock: "And the Bill itself applies only to certain counties. We want to extend it to counties of 10,000 or fewer."

McPike: "Well, let me speak to the Amendment, Mr. Speaker."

Speaker Greiman: "Proceed, Sir."

McPike: "The law last year actually allowed any county to participate in the program. The Bill as introduced would allow counties to use the money... 30 percent of the money for unrelated activities, and let me describe to you what these would probably be. We in the metro east area are receiving a million tons of garbage from St. Louis a year. We have thousands of trucks going over rural highways, thousands of trucks going over rural highways that were not built for this type of activity, so instead of having two trucks a day hauling local trash along a rural road, we now have five hundred trucks a day on that same road. We would like to use some of the money that we are generating from this tax to fill some of these potholes. We would like to use some of the money that we are generating from this tax to pick up trash that spills from these trucks day after day. So, instead of limiting ourselves only to policing the dump, the problems that a million tons of garbage coming across the river every year has created, we would like to use a little bit of this money to try to correct this massive headache that has been dumped upon us. Mr. Hallock, your Amendment would prohibit us from doing that. Your Amendment says that if you're in counties under 10,000, you can do that. Well, there are... We don't come from a county under 10,000. The population of Madison and St. Clair is 250,000, so your Amendment says that if you come from a little tiny county someplace in rural Illinois

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

and you don't have this problem, no, you don't have this problem, this doesn't exist, well then, you can do it. You can correct a problem that doesn't exist, but you won't let us correct our problem. So, I would... I would oppose your Amendment. It's harmful to us, and all we're trying to do is take a few small steps to correct a massive problem, so I oppose the Amendment, Mr. Speaker."

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

Flinn: "Well, Mr. Speaker, the Majority Leader has done a good job of speaking to what the Bill does. Not only that, it's a... the Amendment is very vague. We can't understand what it is. I don't think the Sponsor understands it, and I would also oppose the Amendment. I would ask that we defeat this Amendment."

Speaker Greiman: "Further discussion? There being none, Mr. Hallock, to close."

Hallock: "Thank you, Mr. Speaker. There's some ambiguities here I'd like to clear up. First of all, we're addressing counties of 10,000 population, and what we're trying to do is say that in those counties, the money shall be used for these recycling or waste management purposes, that we are not in any way really infringing upon the Sponsor's Bill, which suggests that counties over 350,000 population have to do certain things and set that money aside for certain purposes. We are addressing the problems of those counties that are very small, and we believe they should use that money for recycling purposes and other purposes of this type, and I would ask for your support."

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

Clerk O'Brien: "No further Amendments."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Greiman: "Third Reading. On this Special Order appears House Bill 2768. Mr. Shaw? Mr. Clerk, out of the record. On page 5 of the Calendar on this Special Order appears House Bill 2810. Mr. Clerk, read the Bill. Out of the record. On this Special Order appears House Bill 2817. Mr. McCracken, do you wish to proceed with that Bill? Mr. Clerk, call the Bill."

Clerk O'Brien: "House Bill... House Bill 2817, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Special Order appears House Bill 2842. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2842, a Bill for an Act in relation to certain developmental... developmentally disabled persons and their families. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1? Mr. Ryder, there apparently is some difficulty in finding the paperwork with respect to this Bill. If you'd take it out of the record, we will get back to the Bill. Thank you, Sir. On this Special Order of Business appears House Bill 2843. Mr. Clerk, read the Bill. Alright. Mr. Clerk, we'll go... return to the... on this Special Order to House Bill 2842. Would you read the Bill, Sir?"

Clerk O'Brien: "House Bill 2842, a Bill for an Act in relation to certain developmentally disabled persons and their families. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there Motions with respect to Amendment #1, Mr. Clerk?"

Clerk O'Brien: "No Motions filed."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Greiman: "Are there Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Special Order appears House Bill 2843. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2843, a Bill for an Act to amend the Community Service Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of... this Special Order of Business appears House Bill 2844. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2844, a Bill for an Act to amend an Act codifying the powers and duties of the Department of Mental Health and Developmental Disabilities. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Special Order of Business appears House Bill 2845. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2845, a Bill for an Act to amend the Community Service Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Motions. No Floor Amendments."

Speaker Greiman: "Third Reading. Page 5 of the Calendar, Special Order of Business, House Bills Third Reading - Government

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Administration appears House Bill 16. Mr. Cullerton, do you wish that to be called? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 16, a Bill for an Act in relation to airport authorities. Third Reading of the Bill."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Mr. Speaker, this Bill deals with the... two issues. Number one; it, by Amendment, picks up a Bill which was sponsored by Representative Cowlshaw, and that Bill dealt with four specific airports - very small airports in the RTA region - and it simply says that hazards cannot be erected near the airport. I fully support and endorse the Lady's Bill, and that's why I included it in Amendment #1, which became the Bill. The original Bill, however, dealt with the... what used to be called the Fox Valley Airport Authority, and it's appropriate to give a little bit of history with regard to this particular airport. The airport, I believe, in 1947, was part of the town of St. Charles, which is in Kane County. The airport was then given to the Federal Government, perhaps sometime around the Second World War. The airport was then sold for one dollar to DuPage County. Then, in 1972 or '73, the people in the community discovered that there were some plans to erect a runway at the airport, of 72 or 7300 feet, which, of course, would be a massive runway designed to accommodate large jets. As a result, the people around the airport, following state law, which dealt with airport authorities, passed a referendum which was overwhelmingly adopted, and this referendum was held in townships not only in Kane County but also DuPage County, which created the Airport Authority. That Airport Authority lasted from 1974 until we passed a Bill - Public Act 84-994. That Bill was advanced by Legislators from

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

DuPage County, and the effect of that Bill was to shift control of the Fox Valley Airport Authority, which was a regional airport authority made up of nine members... I'm sorry, seven members, four of which were from Kane, three from DuPage. The Bill that we passed expanded the board to nine members, giving two more additional members to DuPage, thereby allowing DuPage to have a majority of five to four, at which point the Airport Authority then started to make plans for expansion. Just in January of this year, once again, we passed legislation dealing with this airport. And this time, instead of having four members of the board from Kane County, we actually passed a Bill that said the nine members shall be... shall be appointed entirely by the County Board Chairman of DuPage County. Kane County was allowed to have one member, but he was... he or she would be chosen from the DuPage County Board Chairman. Now, the Aeronautics Committee, of which I am the Chairman, had hearings in Kane County concerning this Bill, and there were over 200 people who came and testified concerning the Bill, and of course, they're very concerned about the expansion of the airport. After hearing their testimony, I fashioned this Amendment, which I believe is a fair compromise on the issue, and I have the support of Representative Deuchler and Representative Hensel, who represent the airport and the surrounding community. What this Amendment will do is to keep a nine-member board and allow the DuPage County Board Chairman to appoint four of those nine members. And the Mayor of West Chicago, which is in DuPage County, appoint a member as well, so that DuPage would still retain a five... five members on a nine member board and have the authority, if you will, the power, if you will, to... for the day-to-day operation of the airport. However, the communities of Batavia, St.

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Charles, Geneva, would each have an appointment, and the Kane County Board Chairman would have an appointment, thus giving them four. Now, with regard to extending runways beyond... let me back up. The Airport Authority has made a case for expansion. Their argument is, we should change the flight patterns, we should buy land surrounding the airport, not to expand the airport's functions, but to provide clear zones and to make it more desirable for the people of St. Charles so that they can avoid this airport noise. Well, what the Bill does is to take into account their plans for expansion and say, 'Okay. You can expand to what you have asked for, 40... 4,750 feet runways and weight bearing capacity of your runways of 69,000 pounds. That's okay. You can do that, but if you want to go beyond that, you'll need 6 votes. You'll need at least 1 vote from a member of Kane County.' So, in effect, Kane County would have veto power over these expansions and go beyond what the airport has indicated they wish to go beyond. I think it's a very reasonable compromise. I think it takes into account the fact that it's just not fair to have the people of Kane County, only have one representative out of nine. After all, they are paying the taxes to support the airport authority. They're the people who live in the flight patterns. They're the ones whose homes the planes are coming in and out of and over, and I just think it's not fair - clearly not fair - to have only one person on the board. So, I think this is a very reasonable compromise. Be happy to answer any questions, and I would... I would ask for your support."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, moves for the passage of House Bill 16. And on that, the Lady from Kane, Ms. Deuchler."

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

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Bill. I have had a great deal of input on this Bill as it affects particularly the Geneva-Batavia area in my district. There is concern about flight paths going over the district. There is concern about expansion of the runways and expansion of the planning areas. This amended Bill would give Kane County the power and the input to control these kinds of decisions that so... are so adversely affecting the quality of life in that area, and I certainly stand as a Cosponsor of the legislation in support of the Bill."

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

McCracken: "Thank you, Mr. Speaker. You know, we sit here and listen to a very lengthy explanation about a small suburban airport. It's unfortunate that the General Assembly, that the Majority here has decided that this is the only airport we're going to consider this Session. It has decided that we're not going to consider O'Hare Airport and the substantial problems which affect thousands, if not millions of people - safety, economic prosperity, the quality of living. None of those issues are being addressed, rather, the Majority chooses to address little old DuPage County Airport."

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

Cullerton: "Let me just comment that what the Gentleman said concerning the large O'Hare Airport and us not addressing that issue, that is simply not true. There is a Bill on this Special Order, as a matter of fact, that goes a long way towards starting to solve some of the problems of noise at O'Hare. I think it's fair to make a distinction, though, if he wishes, with regard to this airport. It's true, this airport has so much land, it's about potentially three times the size of Midway, and it has not been built

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

up the way O'Hare has been built up. I think in this particular case, maybe we can avoid some of the problems that occurred out at O'Hare, by the expansion that occurred after the airport was there. And I think the way to do that is to set up this reasonable compromise that gives Kane County a voice in the expansion of the Airport Authority, so I would ask you to, and I'd urge you to support this Bill sponsored by Representative Hensel, myself and Representative Deuchler."

Speaker Greiman: "Ladies and Gentlemen, we are... in order to accommodate the electrician, we're going to have to close the power for just a moment, and then we will take the vote. The machine is not presently able to take our vote. Mr. Clerk, we're going to stand at ease for just a minute. Ms. Deuchler, for what purpose do you seek recognition? We may not be able to turn you on. I guess we can. Go ahead."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to call your attention to many students from the Illinois Math/Science Academy up in the gallery who have come down to visit us today, and many of them, perhaps, will be calling you off the floor, those of them who have constituents here. So that I would like you to recognize them at this time. I think there are about 60 students here."

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

Cullerton: "Yes, I have an inquiry of the Chair, Mr. Speaker. This is my Bill, and it's a very important Bill for myself and some of the Republican Members, and I just wondered if there's any evidence of any sabotage of the system in order to prevent this Bill from passage. Do we have any evidence of that whatsoever?"

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Greiman: "Well, Mr. Cullerton, I can't... knowing the opponents of the Bill, I can't imagine that they would be involved with that of intrigue, and I'm surprised that you would raise that kind of issue, Mr. Cullerton."

Cullerton: "No, I just am curious if there's any evidence."

Speaker Greiman: "However, Mr. Daniels is seeking recognition, Mr... "

Cullerton: "Maybe he'd like to admit to it."

Daniels: "Well, we don't have to.. "

Speaker Greiman: "Mr. Daniels, for the purpose of a confession."

Daniels: "Okay. We don't have to do anything, but the way you've been treating Commonwealth Edison and the utilities, I think it's evidence it's their revenge."

Speaker Greiman: "Mr. Leverenz, for what purpose are you seeking recognition?"

Leverenz: "Now?"

Speaker Greiman: "Mr. Hallock, the Gentleman from Winnebago, for what purpose do you seek recognition?"

Hallock: "To let Mr. Cullerton know that I think he has some other Bills we'd prefer to see this happen on."

Speaker Greiman: "The power has returned, in the power sense, that is. Accordingly, the question is.. we are on House Bill 16, Ladies and Gentlemen. The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is 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 94 voting 'aye'... 93 voting 'aye', 18 voting 'no', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of... on this Special Order appears House Bill 41. Out of the record. On this Special Order appears House Bill 63. Mr. Cullerton, did you wish that Bill called?

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 63, a Bill for an Act to revise the law in relation to Coroners. Third Reading of the Bill."

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

Cullerton: "Yes, thank you, Mr. Speaker. Now that we're on the Order of DuPage County, this Bill deals with the DuPage County Coroner's Office. The Bill has been changed from its original introduction. The Bill originally would have abolished the DuPage County Coroner's Office. I have reached a... somewhat of an accommodation with Representative... by accepting Representative McCracken's Amendment #2, which allows for a county-wide referendum to decide whether or not the Coroner's Office should be replaced by a licensed medical examiner. I... My intention at this time if the Bill passes is to have Senator 'Pate' Philip be the Sponsor of the Bill, so I believe that it will be in good hands over in the Senate, and if he has any Amendments to deal with the DuPage County Coroner, we can talk about them at that time. But, the Bill right now is limited to DuPage County, and I would appreciate your support."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, moves for the adoption of House Bill 63. And on that, the Gentleman from Lee, Mr. Olson."

Olson, M.: "Thank you, Mr. Speaker. Would the Gentleman yield?"

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

Olson, M.: "Representative Cullerton, I happened to be in Committee today with another Bill that... "

Cullerton: "I can't hear. I can't hear you."

Olson, M.: "I happened to be in Committee at the same time with another Bill when you offered this proposal, and as I recall, you took it out of... took it out of that record... "

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Cullerton: "No, no, no, no. No, the Amendment... the Bill was offered on Second. The Amendment was accepted on Second Reading."

Olson, M.: "Alright."

Cullerton: "I hope you weren't in Committee when we were doing Second Readings."

Olson, M.: "No, no, I wasn't. I would assume the Coroner still upholds his position."

Cullerton: "I doubt it, because when the Bill was first introduced... If you're talking about the Committee Hearing, the Coroners were opposed to it."

Olson, M.: "Yes."

Cullerton: "Because even though it abolished only one Coroner, they didn't like the idea of abolishing a Coroner without a referendum. The Amendment drastically changes the Bill. The Amendment calls for the abolishment only after a referendum."

Olson, M.: "Alright, thanks."

Cullerton: "So, I doubt that they'd be opposed to it."

Olson, M.: "Thank you very much."

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

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

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

Ropp: "Representative, just for my own information relative to costs dealing with the responsibilities of coroner. If this should pass, and the referendum would pass, are the costs dealing with providing for a medical examiner cheaper, the same, or more expensive than the current operation within that county of having a coroner?"

Cullerton: "Well, I would think that the salary of the medical examiner would be higher than the salary of a coroner, because he has to be a licensed pathologist, a medical doctor. I would assume that the salary would be higher."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Of course, on the other hand, you eliminate the coroner's inquest and the cost of the jurors and the like, so I'm not sure if there would be an overall increase or decrease, but again, this Bill does not... This Bill calls for a referendum to decide that question, and of course, the cost would be subject matter to the debate with regard to whether or not you should support the referendum or not."

Ropp: "Yeah, in other words, though, there would be no need for a... inquest, that the medical examiner would be the sole word as to the cause of death."

Cullerton: "If they did the system that we'd have... if they adopted the system that we now have in Cook County, that's correct. We have... We have a medical examiner and no coroner in Cook County. It's the only county that has that, and if DuPage decided, they could have the same system."

Ropp: "Okay, well, would it be your anticipation that this might be the first of a series of like Bills that would come forth that we would potentially allow a referendum within one county to abolish... coroner?"

Cullerton: "No, absolutely not. I made it very clear in Committee that I had no intention and would table the Bill if the Bill affected any counties other than DuPage and Cook."

Ropp: "Well, I understand your... "

Cullerton: "And the reason for it, if I could just finish, is based on the size of the counties. When the county gets so large as DuPage County is getting, then you have to look towards the possibility of professionalizing the office with a licensed registered... licensed pathologist, and so, that's why the issue is different for DuPage than it would be for other counties."

Ropp: "Well, my reference was, though, that maybe next year we

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

would reduce that to counties with maybe 300,000 population, but that's... "

Cullerton: "Well, we'd have to pass a Bill to do it, and that's something which we... "

Ropp: "I know. I guess... That's what I was wondering, whether or not you would foresee that that might be your intention."

Cullerton: "No, I have no intention to do that myself."

Ropp: "Okay. 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 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 91 voting 'aye', 17 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of... On this Special Order of Bills appears House Bill 117. Mr. Clerk, read the Bill. Ms. Braun, did you wish to proceed? 117. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 117, a Bill for an Act to amend the Minority and Female Business Enterprise Act. 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 is simply a repealer of the repealer on the MAFBEC. It will keep the Minority and Female Business Enterprise Act in effect as we work on improving that Act and making it function on behalf of developing business in Illinois. I encourage your support. It passed out of Committee 12 to 1."

Speaker Greiman: "The Lady from Cook has moved for the passage of

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

House Bill 117. And on that, is there any discussion? The Gentleman from DuPage, Mr. McCracken."

McCracken: "Will the Sponsor yield?"

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

McCracken: "The goals of the Act were to reach 10 percent of the total dollar amount of state contracts with... to these minority or female owned businesses with at least 50 percent of the total dollar amount of contracts awarded to minority owned and female owned businesses, required to be awarded to the female owned businesses, so the 10 percent figure is the total dollar... dollars of state contracts, and the 50 percent figure is half of that 10 percent to female and half to minority. Is that correct?"

Braun: "Thank you. Representative, that doesn't have anything to do with this Bill. I will explain it to you, but this is just a very simple Bill taking the repealer off. Insofar as the issue that you raised, quite frankly, that problem has been a construction problem that I have because the question becomes, of course, what do you do with people who are both black and female and how are they counted and the like. The MAFBEC has rules on that, but the Act as passed, frankly, was not altogether clear in terms... "

McCracken: "So, rather than amend it, you're just repealing the repealer."

Braun: "I'm not amending anything. I'm just taking off... the Bill was originally scheduled to sunset. All this does is take the sunset off, and we, as you know, are working in a bipartisan effort to try to clean up the Act and to do some things that everybody wants to see done with it."

McCracken: "Well, the Act requires at least 10 percent of the total dollar amount of state contracts to be awarded as described. According to the Enterprise Division of the Department of CMS, the 10 percent goal established in this

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Act was just reached in FY '86, so the program worked. The goal has been reached. If the Act is not rewritten, there is no target to shoot for, because it's already been reached. If the Lady wants to create a new Act and set new goals and do that, then maybe that's one thing, but to merely repeal and not amend an Act which she admits is not well written, and whose goal apparently is already met, just doesn't make any sense."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is 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 72 voting 'aye', 41 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the... On this Special Order of Business appears House Bill 163. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 163, a Bill for an Act to amend the Legislative Commission Reorganization Act. Third Reading of the Bill."

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

Barnes: "Mr. Speaker, I've been asked to bring the Bill back to Second Reading for purposes of an Amendment."

Speaker Greiman: "The Lady from Cook, Ms. Barnes, asks leave of the House to return this Bill to the Order of Second Reading for purpose of an Amendment. Does she have leave? Leave is granted. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Parcels and McCracken."

Speaker Greiman: "The Lady from Cook, Ms. Parcels, on Amendment #1. Ms. Parcels."

Parcels: "Thank you, Mr. Speaker. This Amendment deals with

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

having members of the Citizens' Advocacy Councils who are appointed to a full vacancy are only given a two year term. Terms of all members shall expire on February 1st of odd number years, and hearings that the Councils may conduct must be held when the General Assembly is not in Session."

Speaker Greiman: "The Lady from Cook, Ms. Parcels, moves for the adoption of Amendment #1 to House Bill 163. And on that, the Lady from Cook, Ms. Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I rise in opposition to Amendment 1 to House Bill 163. While part of its provisions are certainly sensible and reasonable, I'm fearful that the final provision of this Amendment, the one that would refuse opportunities for the Citizens' Councils to hold hearings during times during weeks in which the General Assembly is in Session, is meant to undercut the effectiveness of our Citizens' Councils, the Illinois Citizens' Assembly, from doing its job. We try to schedule those hearings at times when neither the House nor the Senate is, in fact, in Floor or Committee Session, but scheduling those kinds of hearings, for example, on the morning in which the Legislature convenes at noon, saves the taxpayers' money because it means we don't have to send people around the state twice when we know they're coming to Springfield once, and I think that the Amendment would, in fact, cost us dollars, and it's a slap in the face to the effectiveness of the Citizens' Councils that are meant to help us find out what problems we face in the areas of economic development or public welfare or issues involving children or the mentally ill, and I would... I would urge us to reject this Amendment on those grounds."

Speaker Greiman: "Further discussion? Ms. Parcels to close."

Parcels: "Thank you, Mr. Speaker. The reason that part of the Amendment was put in there is because, particularly with

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

this new Subcommittee structure we have, it's very difficult to hit all of the meetings that you're supposed to go to. This very Session, the previous speaker and I had a conference together as the Chairman and Spokesman of a particular Committee. I had to leave one of my Citizens' Councils early, and she was late to hers because of this. We can schedule these when the General Assembly is not in Session and we'll be able to devote our full time and be at the meetings with our concentration in full gear at these meetings instead of running in late and coming out early. When I returned to my meeting, there was not a single Legislator there because of their other Subcommittees. So, I urge the approval and acceptance of this Amendment."

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

Clerk Leone: "There are no further Amendments."

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

Barnes: "Thank you, Mr. Speaker."

Clerk Leone: "House Bill 163, a Bill for an Act to amend Sections of the Legislative Commission Reorganization Act. Third Reading of the Bill."

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

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 163 amends the Legislative Commission Reorganization Act of '84. It changes the name of the Advisory Committee on Block Grants within the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Intergovernmental Cooperation Commission to the Advisory Committee on Federal Programs. The Committee's scope then will be expanded to include the review of the distribution and use of all federal funds by the state, and I would ask for an 'aye' vote, please."

Speaker Greiman: "The Lady from Cook moves for the passage of House Bill 163. And on that, the Gentleman from Cook, Mr. Young."

Young: "Would the Sponsor yield?"

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

Young: "Will this Commission or Committee oversee the expenditures by any units of local government, or will these just be state expenditures of federal funds?"

Barnes: "In the past, Representative Young, we have had the Commission on Block Grants, and we've heard testimony by the Mental Health and Drug and Alcohol Abuse, and what we are posed to do is, all federal monies that are coming in that are expended by the state would be reviewed by this advisory board."

Young: "Thank you."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is 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'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On this Special Order appears House Bill 374. Mr. Levin? Mr. Levin. Out of the record. On this Special Order appears House Bill 332. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 332, a Bill for an Act relating to collective bargaining agreements. Third Reading of the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Bill."

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

Saltsman: "Thank you, Mr. Speaker. This successor clause Bill provides that a successor employer who succeeds to an employer's business by purchase of otherwise, shall be bound by the provisions of a collective bargaining agreement entered into by the earlier employer. This is not binding if the previous contract does not have the successor Amendment in it. If the previous employer has this Amendment in it, then he is bound by it. If it is not negotiated into this contract, then it is not binding. This is a piece of legislation that is needed now in the State of Illinois, more than it ever has been in the history of our organized labor movement and with our businesses to protect our employees. I ask for your support on this Bill and I'm open for questions."

Speaker Greiman: "The Gentleman from Peoria, Mr. Saltsman, moves for the passage of House Bill 332. And on that, the Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. I rise in opposition to the Bill. This is a variant on a subject matter which has been before us many times in the last few years. Essentially, this Bill purports to require a successor clause, making it binding upon any successor employer. A violation of the successor clause constitutes a business offense. The fact of the matter is that the Federal Courts have held that the NLRB and the federal jurisdiction of federal law preempts this law. As a matter of fact, what is held is that a successor clause cannot be enforced against the successor except to the extent that he has to recognize the union in existence at the time of the purchase or sale of the business. So, whether or not the state mandates that this successor clause be used in sale of businesses, probably

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

doesn't affect the law in the area, as that is preempted by federal law. As a matter of fact, all the courts do is compel the employer to, as I say, recognize the union and not... and not the successor clause. The successor purchaser is given the opportunity to bargain anew with the union, and I respectfully ask that we oppose this and not pass this legislation."

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

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

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

Ropp: "Representative Saltsman, a question relative to the fact that, would this Bill have any adverse reaction when a potential buyer of that company might be given second thoughts as to whether or not they would purchase that company which would allow for employees to continue to be hired, if this Bill passes?"

Saltsman: "Yes, Representative Ropp, if the previous employer does not have this in his contract, they're not going to inherit the successor clause, and you are right to an extent is, this is what the successor clause is for, is to keep the Icons from doing what he did to the people of the State of Illinois by gobbling up Ozark Airlines and coming in and saying, 'You're taking a four dollar an hour cut. We're not going to talk to you. If you don't move, you lose your hospitalization benefits.' He pulled all this within five or six months in my area. This protects that employee, and maybe he would not have bought it, but at the same time, he did this to the employees of our area, Representative Ropp, and this isn't fair to previous negotiations. It was a gobble-up. It was not a purchase. So, our employers are the reason that this Bill's being asked to be presented to you today, and it's happening in Illinois more right now than it has in history. It could

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

happen if Mitsubishi conquers Caterpillar and buys them out of the stock market. They could come in and tell our 20,000 employees in Peoria, 'You no longer have a contract.' Icon and TWA told the women at Ozark Airlines, 'You don't have hospitalization any more. Your pregnancies aren't covered. You're under a new contract.' And these are the things that we're trying to prevent, is from these millionaires to gobble up and treat our employees like they never were here before."

Ropp: "Well, I understand where you're coming from, and I can, in part, appreciate the protection for employees. I guess the concern that I might have is that if, in fact, a company is going out of business, and that a potential buyer would look to this as a new opportunity for that person to purchase, but would see this provision might back away and say that they chose not to purchase that company because of this clause, when, in fact, those people would be just out of work a hundred percent. So, I guess the question is, is it better to potentially be out of work a hundred percent or have this provision in the statute? And I would, at this point, think that it might be better if this was not part of the law but would at least be something that is discussed, but not in the statute."

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

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I'm going to be very brief and tell the Members what I told the Committee when I explained my vote in the Committee in support of this Bill. Like the Sponsor of the Bill, I happen to be a very strong Cub fan, and I said in the Committee that the Cubs have a lot of high salaried ball players. In fact, they got rid of one of them by the name of Eckersley, traded him to another club, and that club had to eat up that contract, probably... I don't know, probably

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

a million dollars or so, but that club couldn't then not accept that contract to that ball player. Now, there's a lot of phony corporations, there's a lot of phony takeovers, a lot of paper corporations, and they're trying to avoid paying decent salaries to workers, and I think that the workers of Illinois and the workers of America ought to be treated just like my Cubs, and I think that we all ought to vote for this Bill."

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

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. I think this is a reasonable Bill that has some reasonable provisions, and I certainly come from a district that has experienced plant closings, and the last thing that I would want to do would be to enact legislation that would be... have an inverse impact on the ability of companies going out of business to sell their business to a new viable concern, but I don't really think that this Bill is going to impede that process, because, number one, in order for it to even apply at all, the existing company had, in the management of that existing company would have had to have negotiated a successor clause into the collective bargaining agreement whereby they have said that anyone that might purchase this company shall be subject to the terms of this collective bargaining agreement for at least the term of the agreement. This... This Bill would even go further in protecting those situations by saying that it will not be enforceable for more than three years of the effective date of the collective bargaining agreement, regardless of how long the bargaining agreement is for, so there's an additional protection built into this Bill. And this isn't very much unlike a situation where an owner of an apartment building who has existing leases with his tenants, sells the property to some new landlord. There's

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

no question that the new landlord takes the property subject to the agreements that the existing landlord made with his tenants. That's only fair and just under any interpretation of the law, and really, I think the analogy exists here with respect to companies that would sell a business, and to avoid the situation that I think Representative Matijevich just referred to, where a dummy corporation would be possibly set up to acquire a business for the very direct purpose of circumventing a collective bargaining agreement. This Bill would protect against such takeovers, and I think it's a very reasonable measure. I commend the Sponsor, Representative Saltsman, would urge all Members to support the Bill."

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

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

Speaker Greiman: "Indicates he would."

Didrickson: "Representative Saltsman, I would just like to get your opinion on two things. Is it your understanding that right now according to federal law, that while successor employers may be bound to recognize and bargain with the incumbent union, that they are not bound... they are not bound by the substantive provisions of a collective bargaining agreement negotiated by their predecessors but not agreed to or assumed by them?"

Saltsman: "Yes, Representative, there is a case in which the mine workers, Lone Star Steel Company, and a federal... a Federal Appellate Court upheld the validity of a successor clause, and it's already been upheld in the courts, so therefore, you have one ruling by the LRB and you also have one that was made by the Appellate Court, so the Appellate Court decision does state that the... that they are valid, the successor clauses are."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Didrickson: "Well, that's a different case, and it wasn't dealing with whether or not the successor was bound, but point number two, and I will let my questioning go on to just general comments. What are you... are you seeking to bind the successor employer by the substantive provisions of the collective bargaining agreement negotiated by the predecessor or the preceding employer, overturning the current law?"

Saltsman: "Yes."

Didrickson: "Okay. I appreciate your candor in that regard. I think that this Bill... to the Bill... if adopted, purports to enact an Illinois law in collective bargaining and successorship that would bind private Illinois employers, but there's already federal law, and indeed, it's an elaborate, complex federal law on precisely the same subject matter. There is simply no room for any new Illinois law here. Indeed, we've neither the right nor the power to enact any such new law. It's strictly taken care of at the federal level, and we are talking about something that is pure and simple, very much unconstitutional and will be ruled so. Since 1935, as the Sponsor of this legislation I'm sure knows, with the passage of the Wagner Act as amended by the Taft, the Hartley Act and on and on and on, the federal labor laws as enforced by the National Labor Relations Board and the Federal Courts, including the United States Supreme Court, has prescribed and defined the nature and scope of any duty of private employers. What we are doing here in Illinois is precluding that, and I just think that what we are doing is, if we enact this Bill and if we send this out, and I suppose there are probably the votes here to do it, you can do it right now. You are really superceding what is a federal matter at the federal level, and you are saying to the employees that you are

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

representing here and those people that you're going to go back to and talk about the successful passage of this Bill, that you indeed did something that you can't do. It's going to end back up in the courts and it's going to be undone, because it's unconstitutional. I think it's a hoax, and I think it's unfortunate."

Speaker Greiman: "The Gentleman from Peoria to close."

Saltsman: "Thank you, Mr. Speaker. This legislation is needed now to protect the working people of this state. With the mergers that are taking some of industry by surprise, with the gobble-up of small business by large corporations, working people in this state are being robbed of benefits which they previously bargained for in good faith. All this Bill does is protect the employees and the... to the maximum of three years or for the duration of what the contract has to last, and in most cases, it amounts to only months and not years. This Bill protects mostly the little guy. It stops our big hotel chains from just changing names on the front of buildings and telling people, 'You don't have the benefits any more.' It protects the person that's making four and five and six dollars an hour. It stops a man from putting his son's name on a truck line and saying, 'Hey, we've got a different company. We're not bound by your contract any more.' It's the same people with different names that are completely ripping off the employees, just because our state at this time is in bad economic... has bad economic problems. If we were as wealthy as we were eight years ago, we wouldn't need this Bill. It wouldn't even be attractive. But now, the rich, they gobble up people in industry. They are the ones that are forcing us to bring this legislation in to protect what we have and what little bit we got left. This is the time for this Bill. We need the passage and we need it now.

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

I'd appreciate your 'yes' vote."

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

Pedersen: "Thank you, Mr. Speaker. Illinois already has a reputation for not having a good climate for jobs. This Bill ties the businessmen's hands. It makes it hard... makes it hard for them to sell the business, especially if Illinois is just one of the few states with a law like this, and for that reason, I vote 'no'."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 75 voting 'aye', 37 voting 'no', 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Special Order of Bills appears House Bill 552. Mr. Clerk, read the Bill... Excuse me, Ms. Braun. For what purpose do you seek recognition?"

Braun: "Thank you, Mr. Speaker. I wanted to just briefly advise the Members that we've been visited today by Mr. Jay Saunders who, for those of you who are blues fans, is the famous 'Howling Wolf', and he was standing in the back of the chamber a second ago. I don't know if he's left or not. There he is, right there. 'Howling Wolf'."

Speaker Greiman: "Thank you. We welcome you. He's gotten a better applause than the Governor when he comes in to speak. Alright. Mr. Clerk, House Bill 552. Read the Bill."

Clerk Leone: "House Bill 552, a Bill for an Act to amend the Park District Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from McDonough, Mr. Slater."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Slater: "Thank you, Mr. Speaker. Leave to bring 552 back to Second Reading for purposes of an Amendment, please?"

Speaker Greiman: "The Gentleman asks leave of the House to return this Bill to the Order of Second Reading for the purposes of an Amendment. Leave is granted. Mr. Clerk, are there Amendments to this Bill? Mr. Clerk, Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Slater."

Speaker Greiman: "The Gentleman from McDonough, Mr. Slater, on Amendment #1."

Slater: "Thank you, Mr. Speaker. Amendment #1 puts a limitation on the time period in which a park district may lease land. The limitation ties it back to Section 8-15 of the... some particular Code... but the maximum time would be a 20 time... 20 year time limit. I move its adoption."

Speaker Greiman: "The Gentleman asks for the adoption of Amendment #1 to House Bill 552. And on that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Hallock."

Speaker Greiman: "Mr. Hallock?"

Hallock: "Withdraw the Amendment, please."

Speaker Greiman: "Amendment's withdrawn."

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Mr. McPike, for what purpose do you seek recognition?"

McPike: "Would the Sponsor take this out of the record so we have a chance to look at the Amendment? We haven't seen it yet. Could we get back to this after we look at the Amendment?"

Speaker Greiman: "Well, it would take our vote... it's 71 votes,

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

in any event, to allow the Bill to be heard this morning."

McPike: "Right. I know."

Speaker Greiman: "Mr. Slater, the suggestion is that you take the Bill out of the record and give them the opportunity to examine it. We'll be back to you. Thank you."

McPike: "Thank you."

Speaker Greiman: "Alright. Now, on that same Order of Business appears House Bill 274. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 274, a Bill for an Act to amend the Senior Citizens' and Disabled Persons' Property Tax Relief Act. Third Reading of the Bill."

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

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, I'm most happy to present House Bill 274 today, since today we have down hundreds of senior citizens from all parts of the state, and this is one of their top priorities, the passage of this legislation. What the Bill does, very simply, is to extend the coverage under the Pharmaceutical Assistance Act, which we have been incrementally expanding since we initially passed it. You may recall that when the initial Bill went to the Governor, it included everything, and the Governor vetoed that, and we subsequently came back with an agreement for incremental increases so we would not break the bank. Initially, the Pharmaceutical Assistance Act applied to various heart medicines. Last year, we expanded it to pick up arthritic and diabetic drugs. In talking with the various senior citizens groups around the state, we indicated to them that while it would be very nice to expand this program to include everything, the state couldn't afford to do that, and what are your priorities? What are the most important drugs that you think needs to be covered, recognizing the financial limits of the state? And what is in House Bill 274 are the bottom line

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

priorities of the senior citizen groups around the State of Illinois, and they include four modest expansions. First one is to include glaucoma drugs. You may ask why do we include glaucoma? We include glaucoma because this is an increasing problem faced by the senior citizens around the state, and they want to stay independent, and one of the ways they stay independent is by treating this disease, glaucoma, so they can continue to be able to see and function on their own. Post-cataract drugs - it would also be covered under this Bill, and the reason is the same as glaucoma. When somebody has an operation, it allows them to be able to continue to see, to be able to continue to function for themselves so they don't become dependent on our state. Diabetes testing equipment - we thought that when we passed the Bill last year for diabetics, that the testing equipment was part of it. It turned out... afterward, we found out that the language of the Bill did not cover the testing papers, and this legislation corrects that oversight so that the people we intended to help last year - the diabetics - can, in fact, have the testing papers covered. And finally, this covers ulcer drugs, again, a major problem for senior citizens. And let me just indicate, this is a... I think it a very exciting Bill, it's an excellent Bill, it's a good vote for the senior citizens, it's one that they are down here today strongly lobbying for, and to strongly urge your support for this legislation."

Speaker Greiman: "The Gentleman from Cook, Mr. Levin, has moved for the passage of House Bill 274. And on that, the Gentleman from St. Clair, Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. Will the Gentleman yield? Is he with us? Okay if I ask a question?"

Speaker Greiman: "Yes, Mr. Stephens. The Gentleman will yield

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

for the purpose of a question."

Stephens: "Thank you, Mr. Speaker. Representative Levin, is there any idea how much this is going to cost the taxpayers of the State of Illinois?"

Levin: "Yes."

Stephens: "How much?"

Levin: "According to the analysis done by the Economic and Fiscal Commission, the total cost of this Bill would be 10.9 million dollars, a very modest cost."

Stephens: "Pardon me?"

Levin: "According to the economic analysis done by the Economic and Fiscal Commission, which is our agency, which represents... "

Stephens: "I'm familiar with the agency. I didn't hear the amount."

Levin: "10.9 million dollars."

Stephens: "What's the date of that analysis?"

Levin: "Well, I... this was done approximately four weeks ago by them. I'm also looking... "

Stephens: "Well, a lot can happen in four weeks. I think that maybe the... maybe that figure might be closer, in other people's estimation, to 20 million dollars."

Levin: "Well, I think you're... I think you're talking about... "

Stephens: "Excuse me. I think I've got... I understand the answer to your question. Thank you."

Speaker Greiman: "Are you through the questions for Mr. Levin?"

Stephens: "No, Sir, I'm not. I haven't indicated that I am. I haven't implied that I'm through."

Speaker Greiman: "You know, with questions... "

Stephens: "I have further comments and further questions. I'm through with that particular question, and I'll get to my next question, if you don't mind. Question number two, Representative Levin, are there other states in the United

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

States that provide similar pharmaceutical assistance programs?"

Levin: "There are... certainly are. The initial idea came from New Jersey, and there are many other states that have gotten into it."

Stephens: "... There are about seven or eight states. Is that correct?"

Levin: "There are a number of states, and there are, in fact, several states that fully cover virtually all the drugs...
"

Stephens: "Are we... Are we trying to catch up with those other states as to the amount of dollars that we're spending; and part two to the question: Are we... are we following the trends of those other states in asking that people that participate in these programs to pay a nominal co-pay on these prescriptions, like all other states in the union do?"

Levin: "What... The way the procedure works at the present time is, you know, those eligibility... you have to eligible for the circuit breaker, and those that apply for the circuit breaker have the option of opting into this program as well. And if they do, 80 dollars is withheld from their payment on the circuit breaker in order to, you know, pay the cost of this program."

Stephens: "So... So they don't get the 80 dollars of state money that they would have gotten had they not participated in the program, and then they are eligible for this program wherein you want to include drugs that might cost somewhere between 10 and 20 million dollars of revenue that, if I'm reading things right here in Springfield, there's a great deal of probability that there's not going to be 10 or 20 million dollars of excess revenue for us to spend, and I wonder, since you're increasing expenses here in our State

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Capitol, if you have some means of replacing this lost revenue. Is it... Are you going to tax someone, are you going to increase the income tax, are you going to tax senior citizens more, or what... what exactly is your plan to replace this lost revenue?"

Levin: "Well, to me, the... you know, the senior citizens are a very important priority, and they have made this state, through their labors and their work and, you know, they have build this state and they have raised us and that we have a responsibility to those senior citizens, and certainly, this is my priority is dealing with the senior citizens of this state and assisting them... "

Stephens: "Maybe you didn't hear my question. I was wondering if you had a way to replace the lost revenues. I love senior citizens, too. We all have parents. Most of us are very fortunate to have had parents who participated in the development of the state, and many of them did it without participating in this particular prescription program. My simple question is, it's not a question of whether or not you like senior citizens. We all love them. We've all proven that. How are you going to pay the bill? It's a cruel hoax to tell the senior citizens that we're going to provide them all their prescription drugs, which is where this is eventually leading, but the fact of the matter is that you've got to pay for them, and I just want to know, Representative, are you or are you not taking the position as to how we're going to replace this lost revenue?"

Levin: "You know, recently, I think we discussed Representative Daniels' mental health budget, and what was suggested at that point was that we could carve out from the existing budget enough money to pay for that because that is important, and I think that we can do... at least do the same thing as far as the senior citizens of the state."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Stephens: "Obviously, you don't want to answer the question. I did hear you say something about cutting mental health. I don't think that we ought to cut the mental health budget in order to supplement another expensive program. The fact of the matter is that the Pharmaceutical Assistance Program has done some good with its original intent. The first stages provided some needed services to senior citizens with heart and blood pressure problems. What we are trying to do is to expand on a program when there is no money to expand it with. It's just ludicrous to stand here and spend tens of millions of dollars and pretend that somewhere down the road, we're going to have some money show up and be able to pay for it. I want to know, before our time runs out, here, Representative, where the money's going to come from, and I suggest that we don't cut the mental health budget to get the money for this simple program."

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

Levin: "Representative, I... "

Speaker Greiman: "The Gentleman from... I'm sorry. The Lady from Lake, Ms. Frederick."

Frederick: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I just rise in opposition, regretfully, to this Bill. We expanded the Pharmaceutical Assistance Program last year, and I do think because the revenue picture in this state is uncertain at this time, that it would be unwise to expand it further this year, so I am asking my colleagues to oppose this Bill."

Speaker Greiman: "No further discussion. The Gentleman from Cook, Mr. Levin, to close."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Let me indicate that, you know, I certainly did not suggest taking the funds for this program from the mental

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

health program. What I did suggest was that, to me, the senior citizens are a priority, just as mental health is a priority to Representative Daniels, and he felt that we could find the money for his priority in the existing funds of the budget, and I suggest that we could do the same thing in terms of the senior citizens. The figures from the Economic and Fiscal Commission are modest figures in terms of their projections. They come out with a projection that's half of that of revenue. We know that Economic and Fiscal has had a good track record in terms of what their projections are. So, I think this is a good investment in terms of the senior citizens, and this is a vote, whether you're for the senior citizens or against the senior citizens, and I, for one, am going to vote the senior citizens."

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? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 75 voting 'aye', 38 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Special Order appears House Bill 577. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 577, a Bill for an Act to amend the Illinois Administrative Procedure Act. Third Reading of the Bill."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik, on House Bill 577."

Wojcik: "Yes, Mr. Speaker and Members of the House, what this Bill does, it permits a state agency to issue a declatory ruling as to whether compliance with a federal rule will

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

satisfy the purpose and provisions of the state agency's similar applicable rule. This Bill does not reduce the regulation but alleviates the paperwork involved by complying with overlapping state and federal rules. We were approached by the Illinois State Chamber to introduce the Bill. The purpose of this legislation is to reduce the duplication of regulation, and I move for its favorable passage."

Speaker Greiman: "The Lady from Cook moves for the passage of House Bill 577. And on that, the Gentleman from Cook, Mr. Young."

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

Wojcik: "Yes."

Young: "I'd like to know what appeal, if any, would there be after this Bill from a state ruling?"

Wojcik: "Alright, would you please repeat that?"

Young: "What appeal, if any, would someone have after a state ruling that they were in disagreement with?"

Wojcik: "I do not know."

Young: "Well, is there any time frame for an appeal?"

Wojcik: "Representative, let's take the Bill out of the record. We'll talk about it, and then we'll have it called again."

Speaker Greiman: "The Bill is out of the record. Alright. We will return to the preceding Bill, House Bill 522. Mr. Clerk, would you read the Bill? I'm sorry. 552. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 552 was previously moved to Second. Amendment #1 was adopted. It has been returned to Third Reading. House Bill 552, a Bill for an Act to amend the Park District Code. Third Reading of the Bill."

Speaker Greiman: "Excuse me. The Gentleman from McDonough, Mr. Slater, moves that the House waive the rules with respect to Rule 37(d) so this Bill may be heard at this time. Is

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

there leave to use the Attendance Roll Call? Leave is granted. The Gentleman from McDonough, Mr. Slater, on House Bill 552."

Slater: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 552 simply allows downstate park districts to lease land for a period of up to 20 years which is not being utilized for park purposes. I move its adoption."

Speaker Greiman: "The Gentleman from McDonough moves for the passage of House Bill 552. And 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 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 107 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Special Order of Call appears House Bill 1377. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1377, a Bill for an Act to amend the Intergovernmental Cooperation Act. Third Reading of the Bill."

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

Frederick: "Thank you, Mr. Speaker, Members of the House. This Bill is a sequel to a Bill we passed last year which allows about five communities in my county to join together to form a joint action water agency. The Bill today simply expands the powers and allows the district, which it is now a public water district, to contract to pay a proportionate share of the development costs of the agency. It allows issuance of short term notes. It authorizes an annual five mills operating tax and a one to three year construction

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

tax, all of which are permitted by front door referendum. It describes the method of creating county service areas, and I should tell you the Bill passed out of Committee unanimously. It's been approved by the realtors, the Municipal League and the Taxpayers' Federation. I ask for your support of House Bill 1377."

Speaker Greiman: "The Lady from Lake moves for the passage of House Bill 1377. And on that, is there any discussion? The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the Assembly, I'm going to rise to oppose this, and I'm going to ask leave that I ask some questions to the Sponsor. But before I do, I want to make sure... it's very rarely, I don't know if I've ever opposed a Bill that Virginia Frederick has introduced, and any comments that I might make are not directed at Virginia. I've had some problems with this agency, and especially the arrogance of its chairman, so my opposition is because of some problems I've had with the agency that has made me take a real hard look at this Bill. I have cooperated in every way with everything that Lake County has ever wanted, and everybody knows that Grace Mary Stern and I are a very small minority politically in Lake County, but I'll be damned if they're going to spit on me or Grace Mary. They're going to get it back."

Speaker Greiman: "Further discussion?"

Matijevich: "First of all, Virginia, on page 4 line 19 and 20, there is reference to special service areas and county service areas. Can you give me the difference and why the designation of a county service area as opposed to a special service area. In other words, in the Intergovernmental Cooperation Act as I understand, there's only the reference to the special service area, and now, we

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

have reference to county service areas."

Frederick: "I believe it's because the special service area is already in the law, and there is a county involvement in this water action agency, and I'm thinking that they... "

Matijevich: "But I didn't know why, with this Bill, they had to have a definition of this new category because, as I understand under the enabling Act that we passed to allow for the creation of the joint... municipal joint action water agency, they could operate under the present law, which designates a special service area."

Frederick: "Actually, as I understand it, it was just a matter of clarification, and that is the reason they designated these two kinds of service areas."

Matijevich: "Well, if it were clarification, they have surely not clarified it as far as I'm concerned. In fact, the Bill as I read it, it makes the two designations, and then it says they shall hereinafter be referred to as county areas, and then... not immediately after, but thereafter I read it, and they again make the mention of the service... special service area. So if anything, they've confused rather than clarify. Now, there's one other thing. In fact, I had an Amendment, because I was under the understanding that there was going to be Amendment by the Municipal League. I wasn't in any hurry, because I thought the Bill was going to be held on Second and I had an Amendment to make another clarification, but the Bill moved on Third Reading so I didn't present the Amendment. On page 5 lines 2 and 5, there is a reference to... and they use the word, the 'deletion' of any property from a county special service area shall not relieve such property of the liability for taxes imposed by a municipal joint action water agency. And the word 'deletion' bothered me to such an extent that I wanted an Amendment to clarify it. Now, I think I know

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

what they meant. In other words, what they meant probably was that if there is a disconnection that that property would not be relieved of liability that it had already assumed. But, what bothered me is that, for example, I'm in a municipality and initially drawing the maps by the engineer with approval of the county board. I felt that there is the possibility that the word 'deletion' could be used, for example, 'they deleted me from the service area, but I may not be relieved of taxation'. So, I had the Amendment to clarify that. And I'll tell you here again is a matter of where the language is so confusing such to the extent that, you know, we have some pretty good lawyers here that do our reviewing of legislation, and I spoke to one of them regarding my Amendment and the language of the Bill and she admitted that the language of the Bill is very confusing. So, I wanted to make that point."

Frederick: "Well, in... in rebuttal, Representative Matijevich, I can tell you that I also had the Bill looked at by a number of attorneys who felt that the Bill did explain what it was trying to do, and actually, your Amendment, I must say I read, and I think it is very confusing, if you will forgive me for saying that."

Matijevich: "I... I'm sure that my Amendment may be just as confusing as the Bill and it may not have been the answer, but what it points to is the real confusion."

Frederick: "Yes."

Matijevich: "And it at least, what I wanted to clarify, with no question about it, that any taxpayer that is outside of a service..."

Frederick: "Yes."

Matijevich: "... area could, in no way..."

Frederick: "Right."

Matijevich: "...in no way, be obligated."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Frederick: "Yes."

Matijevich: "And I'm not sure of that, even with my Amendment, without my Amendment, I'm not sure of that. That's why I think there's some problems with the Bill. Now, it also refers to facilities of the agency may be located within or without the corporate limits of any municipality and..."

Frederick: "I think that's in the current law."

Matijevich: "...it doesn't say muni... any municipality, public water district or county areas. What does it mean 'within or without'? As I interpret that it means the facilities can be built anywhere in the county."

Frederick: "Well, of course, they'd have to have permission of the municipality, I am sure to locate outside the district. And pumping stations right now sometimes are located outside the area they are serving, so... "

Matijevich: "But my point is, why wasn't it drafted that the facilities be located within the particular member municipality, water district or county area?"

Frederick: "Well, they may very well have to locate the pumping station outside the area. That happens all the time. That happens in sewer pumping stations, and so it's not unusual."

Matijevich: "Well, then, I think you need the language, and I hate to have this byplay across, but then I think you need the language specifically that that municipality, if it is without the jurisdiction of a member municipality, must give approval, because, you know, you may want to... they may want a pumping facility, for example, in my home town. And my home town may say 'no'. You know, we've got our own water plant, et cetera. You can't come to my home town. So I think the language ought to be specific as to that."

Frederick: "Well, I'm sure that your city council would be able to prevent that from happening with the authority

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

municipalities have, so I don't think that's a problem."

Matijevich: "I'm sure it may, but why not in the legislation? That's all I can say. Now, as I read the Bill, I think I know, in fact, reading the letter from the chairman of the agency too, I'm sure that the intent of the Bill is to develop some mechanism to finance the development of the cost of any, in fact, it says the cost of any project, not just a project, any project proposed by the agency including the plans, feasibility reports, acquisition of land or rights in land, engineering,..."

Frederick: "That's not unusual."

Matijevich: "... and it also has the language even though, even though such project is never constructed or water is never supplied."

Frederick: "That..."

Matijevich: "Now my, now my... first of all, I want to give you my point."

Frederick: "Yes."

Matijevich: "My point is that this agency is attempting through this Bill to have an interim financing mechanism and do it before their referendum on the project. In other words, they want to put the voters of the agency jurisdiction into such a bind that they have got to vote 'yes', that they have done so much in development that they have got to vote 'yes', and I think the reverse ought to be true, that they ought to wait until they find out what the voters of the... in a referendum say as to the project, and then proceed."

Frederick: "Yes, but Representative Matijevich, we made all those taxing sections subject to front door referendum, if you recall. I think you were in Committee that day."

Matijevich: "No."

Frederick: "Actually, the only funding that's gone into this project so far is a very modest amount that's been

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

committed by each of the communities that are involved in this district, and they did that willingly from their county... from their corporate operating expense, and so I don't believe that that's out of order. I think that's done all the time, and I don't think that's a problem. I know we would not have gotten the realtors to go along with this, or the taxpayers federation, if we had not put those front door referenda on, which we did."

Matijevich: "There is no question about it, Virginia, you have improved the Bill by putting the front door referendum in it, but what... because of the way the Bill is written, that, I think, is evidence of why I have been attempting to say their intent to make sure that they can go ahead, and even they tried to do it without a referendum, and you have improved that tremendously. But now, I don't think you have eliminated, even by that referendum, the power of the board to borrow money before a referendum, because it says that they may... the agency is given the authority to borrow funds from time to time,..."

Frederick: "Yes."

Matijevich: "... and what I think is... it is also said in that language that the district, in other words, the municipalities, are pledged by the obliga... pledged by the obligation, these funds are pledged by the obligation of the municipality, water district and counties. Now, that... that word counties. It doesn't say service area. It doesn't say special service areas. It says counties. Now I live in Lake County. What that means is that... that my taxes are pledged to that borrowing of the funds."

Frederick: "Yes. Representative Matijevich, it's possible they could borrow money, but I'm wondering who in their right mind would lend them money when the project is not off the ground, and I don't think they are involved to that extent

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

with finances, until they get the referendum passed."

Matijevich: "I'm glad you said, 'I wonder who in their right mind.' If I were ... anybody in their right mind wouldn't deal with some on that agency, I'll tell you that. I'm not sure... "

Frederick: "I understand."

Matijevich: "I'm not sure if all of them are in their right minds."

Frederick: "I understand how you feel, Representative. I just would like to say, I think it's not a good idea to deny a hundred thousand people the chance to pump Lake Michigan water. It means too much to the people in this county, and I would hope that everyone would support this legislation."

Matijevich: "Well, I haven't concluded. I thought that was a response to my question."

Speaker Greiman: "Yes, you may bring your remarks to a close."

Matijevich: "I'll bring my remarks to a close, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This is an issue that I have cooperated in the past, and I would say my cooperation is almost blind cooperation, because I have tried in every way to cooperate with everything that I think is needed for Lake County, but there are times when you say, well, as long as someone hasn't cooperated with me, well, maybe you ought to look at what they're doing, and take a good hard look at what they are doing. And my position is one, and I've always supported the taxpayers and consumers, my position is that very soon there is going to be a referendum on this joint municipal water agency, and the voters by that referendum have a right to speak out. Give them that opportunity. I am in no way, in no way hampering the future of bringing water to those areas of Lake County. If anything, if anything, some who operate that agency have done something to hamper that bringing of

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

water. I've always dealt above board. Nobody, but nobody, in 21 years can point to the fact that I have played politics with anything. Nobody. Nobody, but nobody. And I was a county chairman for a few years, and nobody can say that I was ever looking for patronage. I just have never done it. And I feel comfortable in what I'm doing today, and I ask Members on this side of the aisle, at least, to block this Bill, and I do it because I think, in all good conscience, that the people ought to have the right to vote in that... for that project first, and then proceed."

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

Churchill: "Thank you, Mr. Speaker. I rise in support of this piece of legislation. I listened to the remarks of the previous speaker somewhat in wonderment, because he denies things that nobody's accused him of. He questions things that nobody else has questioned. He brings up something that somebody spit in his eye, and who spit in his eye. I don't understand all of that. I think that what may be occurring here is that there is a gentleman back home who is having a little snit-fit about this Bill, and that gentleman may have imposed his friendship on the previous speaker and maybe that's why this whole thing is in a turmoil at this point. But I don't think that we should go forward today and allow a hundred thousand people who desperately need water to have their legislation held up by the little snit-fit of somebody back home. I don't think that's fair. I don't think that we come down to this Body to determine the rights of one individual who is having a little problem with something versus the rights of a hundred thousand other people. This is a fine Bill. It's a fine piece of legislation. The previous speaker, the Sponsor and I have all worked on this legislation to try

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

and put it in place for the people of central Lake County, and I think it's something that, despite the remarks of the previous speaker, we ought to go ahead and we ought to vote 'aye' on this thing and pass it over to the Senate."

Speaker Greiman: "The Lady from Lake to close."

Frederick: "Thank you very much. I just would hope that all of us would put the welfare of a hundred thousand citizens in Lake County who have damaged wells now and don't have safe drinking water, and allow us to move ahead with this legislation in order that we can bring Lake Michigan water in to the center of our county. Thank you very much."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, 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 48 voting 'aye', 63 voting 'no', 3 voting 'present'. Mr. McCracken, for what purpose do you seek recognition? Ms. Frederick, for what purpose do you seek recognition?"

Frederick: "Yes, Mr. Speaker, I was going to ask if I might have this Bill on Postponed Consideration."

Speaker Greiman: "The Bill will be placed on the Order of Postponed Consideration. Ladies and Gentlemen, let me share with you some news that we just received that's very good. Fred Tuerk, our friend, our colleague, is out of the operating room. The operation appears to be successful. He seems to be resting very well and doing well. Thank you. Speaker Madigan in the Chair."

Speaker Madigan: "Ladies and Gentlemen, if I can have your attention. Representative Keane has a group of students from the southwest side of Chicago, Marist High School, and I will now turn the podium over to Representative Keane."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Mr. Keane."

Keane: "Thank you, Mr. Speaker. It gives me a great deal of pleasure... you guys come on up, okay... it gives me a great deal of pleasure to introduce the state wrestling champs from my district, Marist, a school in my district, Marist High School. The team has been ranked third in the nation. In spite of what Denny Haschler will tell us, and I'm sure word will get to him of what I'm going to say, I think it's the best wrestling... Illinois wrestling team that we've ever had. And with those short remarks, I would ask Coach Mark Gervais to introduce his team and say a few words. Coach."

Coach Gervais: "I'd like to thank everybody for giving me the opportunity and Representative Keane, to come down here and take a look at the... we saw the State Senate earlier here and now we're at the House here. And it's really important that you people out here as being legislators to support high school athletics, and by supporting high school athletics we're having success not only as my kids as wrestlers, but as being students and going on. This is our future of Americans, so thank you very much."

Keane: "Thank you very much, Coach. ... I can read the names. Brent LaRoche. The two captains are Dan O'Brien and Mike LaMonica, and the Assistant Coach is Doug Booth. Thanks very much for your attention."

Speaker Breslin: "For another introduction, Ladies and Gentlemen, Judge James McCourt is with us today, a former Member. He's in the back of the chamber on the Republican side. Welcome. Ladies and Gentlemen, going back to the Order of House Bills Third Reading on page 5 appears House Bill 2004, Representative Ryder. Is Representative Ryder in the chamber? Out of the record. Now we're going to the Order of Farm Assistance and Development on page 6 on your

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Calendar, House Bills Second Reading, House Bill 700,
Representative Richmond. Clerk, read the Bill."

Clerk Leone: "House Bill 700, a Bill for an Act to amend the
Illinois Farm Development Act. Second Reading of the Bill.
Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Breslin: "Any Floor Amendments? Out of the record.
Excuse me. Back to House Bill 700. Are there any
Amendments filed?"

Clerk Leone: "Floor Amendment #2 is being offered by
Representative Richmond."

Speaker Breslin: "Representative Richmond."

Richmond: "Thank you, Madam Speaker and Ladies and Gentlemen of
the House. Amendment #2 is a very simple one. It merely
adds another name, the name of Southern Illinois University
School of Agriculture to the Bill because that gives it a
better state-wide geographical distribution, the program,
and also because we have an excellent School of Agriculture
there that would fit right into the program."

Speaker Breslin: "The Gentleman asks... moves for the adoption of
Amendment #2 to House Bill 700, and on that question, the
Gentleman from Cook, Representative Piel."

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

Speaker Breslin: "He indicates he will."

Piel: "Bruce, what does... now that you've added, with this
Amendment, adding Southern Illinois University School of
Agriculture to the Bill, what exactly will this be doing
now?"

Richmond: "Well, it will... they are being added to the group
that's already mentioned in the Bill, and I merely added
their... want to add their name to... "

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Piel: "I'm sorry, Madam Speaker, I cannot hear him at all. The noise level is a little bit high."

Speaker Breslin: "We'll ask the electrician to turn up Representative Richmond's microphone. Proceed, Sir."

Richmond: "We just wanted to increase the state-wide impact of the Bill, and we added... SIU does have an excellent ag program, and it would be logical that they should be named in the Bill along with the University of Illinois and Bradley and so forth."

Piel: "Thank you very much."

Speaker Breslin: "The question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3 is being offered by Representative Wait."

Speaker Breslin: "Representative Wait."

Wait: "Yes, this Amendment would strictly move it from Peoria to Springfield. The Illinois Farm Development Authority is already set up here in Springfield. We would not need to add any head count if we would move it here to Springfield."

Speaker Breslin: "The Gentleman from Boone has asked for the adoption of Amendment #3 to House Bill 700, and on that question, the Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Madam Speaker. I rise in opposition to the Gentleman's Amendment, however well intended it may have been, and point out to the Members that House Bill 700 is part of a package, 'Harvest the Heartland' package, that was carefully put together by downstate Democrats in this House, and Peoria was not selected arbitrarily. It was selected for the reasons that in Peoria there is already

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

the United States Department of Agriculture Northern Research Laboratory, which is one of four in the nation, which is in charge of developing patents which would fit very nicely into this program, and would be quite advantageous to have this facility near the Northern Research Laboratory. In addition, there has been proposed an ag research development consortium by 'SILCORP' that would also dovetail very nicely with this program, and, of course, Peoria is not called the Heart of Illinois by accident. That is because it is located right in the heart of Illinois, right in the heart of the agricultural Illinois, and also, approximately equidistance from a number of state universities, including the University of Illinois, Western Illinois University, NIU, ISU, SIU, and, of course, is the home of Bradley University, which has a very strong agricultural program. I think the Members will hopefully join me in opposing this Amendment, and also recognize that Peoria is an area that has been ravaged by economic setbacks because of the downturn in the farm implementary business, and in particular, Caterpillar, and related industries, and it would seem only proper and fitting that we would want to, therefore, place a promotional program for agriculture in that community, instead of Springfield, which is, of course, is also a very worthy community, but one which obviously has already a plethora of existing state jobs, and a much sounder economy. So, I see Representative Wait is looking for recognition. I'm sure I shamed him into withdrawing his Amendment, so I would ask, Madam Speaker, that you give him permission to do that."

Speaker Breslin: "Representative Wait."

Wait: "Thank you, Madam Chair. Tom, do you know how many additional employees they are talking about adding to

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Peoria?"

Speaker Breslin: "Excuse me. This is improper, Representative Wait. You are the Sponsor of the Amendment, and if questions are to be put, they are to be put to you. Do you wish to withdraw your Amendment?"

Wait: "No. I'd simply ask that..."

Speaker Breslin: "No. We're not finished with the debate. There are several people seeking recognition. The Gentleman from Peoria, Representative Saltsman."

Saltsman: "Yes. Thank you, Madam Speaker. The Illinois Farm Development Authority has already pledged themselves to work a program with the Peoria area, and as the previous speaker mentioned on the regional, U. S. Department Regional Laboratories in the Peoria area, we have the facilities and we have the investors that are already looking for employment of new facilities and new jobs for people in this area in the ag research development field. So, let's not spoil the program that's very much underway now, and I, too, ask this fine Representative, Mr. Wait, to withdraw this Amendment."

Speaker Breslin: "The Gentleman from Warren, Representative Hultgren."

Hultgren: "Thank you, Ms.... Madam Speaker, Members of the House. I feel compelled to address the Amendment introduced by Representative Wait. Representative Tuerk cannot be with us today, and we're certainly all encouraged by the news that was reported just a few moments ago from the Speaker's Chair, but I know that if he were here with us today, he would rise in opposition to this Amendment, and I am sure he would point out that, in the City of Springfield we certainly have very many state facilities, but in Peoria, it is a community, as Representative Homer pointed out, that's been ravaged by some economic reversals in recent

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

years, and this is an opportunity, I think, to place a state facility in the City of Peoria, a community that clearly needs that kind of facility more than Springfield does, so I would urge other Members of the House to join with me, with Representative Homer and with Representative Saltsman, and in his absence, with Representative Tuerk, to defeat this Amendment."

Speaker Breslin: "There being no further discussion, Representative Wait to close. Representative Wait. Representative Wait. Would you turn on the Gentleman's microphone? Thank you. Representative Wait."

Wait: "Thank you. I think, after hearing from both sides, I'm convinced that it was a bad Amendment and I'd ask leave to withdraw it."

Speaker Breslin: "Withdraw Amendment #3. Are there any further Amendments? Any further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Representative McCracken."

Speaker Breslin: "Representative McCracken."

McCracken: "Thank you, Madam Speaker. Amendment #4 would create the Agricultural Emergency Assistance Act, and it would be a program intended to prevent widespread defaults and distress sales of farms resulting from circumstances beyond the farmer's control. The IFDA would administer the program and it would provide emergency assistance payments to lenders in order to satisfy mortgage indebtedness. This will be done on an emergency basis. There will be mediation required in... in advance of making any payments. The assistance payments will be made if within 30 days the IFDA and the farmer are unable to resolve... or the lender, I should say... are unable to resolve the default and the requirements for eligibility are that the borrower is unable to make the payment, unable to correct the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

deficiency, or delinquency within a reasonable time, and the IFDA has determined that there is a reasonable prospect that the borrower could resume payment within 36 months. Thirty-six months is the extent of the loan payment, over which... strike that... the time over which the loan may be repaid, and the payment would be made by the authority to the lender after the mediation and consultation with the farmer, and only for the purpose of meeting the delinquency. The amount paid which is in excess of payments by the borrower to the IFDA, will be a loan by the IFDA to the borrower. The loans will be subject to repayment with interest and the loans will be secured by a lien on property or other obligations and interest will be at 9%. The Act would sunset on January 1, 1990."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to House Bill 700, and on that question, the Gentleman from Fulton, Representative Homer."

Homer: "Madam Speaker. Inquiry of the Chair. Is this Amendment germane?"

Speaker Breslin: "Give us the Bill, Mr. Clerk, please. While we are looking at the Bill, Representative McCracken, for what reason do you rise?"

McCracken: "As they say, Madam Speaker, this has horizontal germaneness. The subject matters are related in a logical and consistent manner. We may not be amending the same Chapter, but as the Gentleman from the other side has noted, there are two types of germaneness. I respectfully submit that we have horizontal germaneness here."

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

Olson: "May I address the Amendment?"

Speaker Breslin: "We are testing germaneness of the Amendment at the moment, so we'll wait. Representative McCracken, we

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

have determined that your Amendment is not germane. One deals with... one deals with post-harvest technology, the other deals with emergency assistance. Now, there are other Bills that perhaps it would be germane to, but it certainly is not germane to this Bill. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 3... 703, Representative Curran. Clerk, read the Bill."

Clerk Leone: "House Bill 703, a Bill for an Act relating to seed capitol investments in agribusiness. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Breslin: "Any Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 705, Representative Brunsvold. Clerk, read the Bill."

Clerk Leone: "House Bill 705, a Bill for an Act in relationship to farm debt medication... mediation. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "Floor Amendment #1... correction... Floor Amendment #2 is being offered by Representative Brunsvold."

Speaker Breslin: "Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker. Withdraw that Amendment, please."

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

Clerk Leone: "Floor Amendment #3 is being offered by Representative McCracken."

Speaker Breslin: "Representative McCracken."

McCracken: "Madam Speaker, I don't have an Amendment filed or

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

numbered in my Bill. Could we take this out of the record for just a minute. I'll get right back to it."

Speaker Breslin: "Representative Brunsvold, the Gentleman asks that you take the Bill out of the record until he can find his Amendment."

Brunsvold: "Representative McCracken, if it's the same Amendment you presented to the last Bill, you can use the same copy."

Speaker Breslin: "Representative McCracken."

McCracken: "I thought it was, I just wanted to make sure before I started. I'm sure Representative Brunsvold was listening attentively when I spoke on the last Amendment. It's the same thing here, and the... I think it has advantages relative to the underlying Bill and I think it's clear from a review of that. So on that basis I move the adoption of Amendment #3."

Speaker Breslin: "Representative McCracken moves for the adoption of Amendment #3 to House Bill 705, and on that question, the Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Madam Speaker, on Representative McCracken's Amendment, page 6, Representative McCracken, you indicate payments shall be made directly to the lender. Have you got any idea how much this is going to cost?"

Speaker Breslin: "Representative McCracken."

McCracken: "No. I don't."

Brunsvold: "This Bill would... would put direct cost from the state to the lender. The Bill that we have worked long and hard on, held hearings around the state, met with bankers, met with farmers, met with mediators, and done a lot of work on, does not include the provisions of payment as is presented by Representative McCracken's Amendment. Our Bill does not have that. It has direct mediation with provisions dealing with an agreement at the end, and the expense of this Amendment of Representative McCracken's, I

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

think, would be very detrimental to the state. The Bill that we are presenting now has some small costs involved in setting up the mediation process, but I would stand in opposition to this Amendment, Madam Speaker, and ask that it be defeated."

Speaker Breslin: "Is there any further discussion? Hearing none, Representative McCracken to close."

McCracken: "Thank you, Madam Speaker. I move the adoption of Amendment #3."

Speaker Breslin: "The question is, 'Shall Amendment #3 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Hicks votes 'no'. Have all voted who wish? The Clerk will take the record. Representative Hallock votes 'no'. On this question there are 39 voting 'aye', 75 voting 'no', and the Amendment fails. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, being offered by Representative Brunsvold."

Speaker Breslin: "Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #4 incorporates provisions that were in Amendment #2 and adds on some more information on the implementation schedule of the Bill. The Amendment #4 would change some language as was requested by the Farm Bureau. And it would also increase from 20,000 to 40,000 the entrance indebtedness before they could choose mediation. That was... that's the major provision in Amendment 2, which is included in Amendment 4 now, clarifies language as was requested, as I said, by the Farm Bureau. Also sets up a schedule for implementation of 100... maximum of 175 days. The Bill will become effective on the signature of the Governor, but will take at least

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

175 days at max to set up the districts, to hire a director, to set administrative rules, to have the mediators trained and that period of time is outlined in Amendment #4 and I would ask for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to House Bill 705, and on that question, the Gentleman from McLean, Representative Ropp."

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

Speaker Breslin: "He will."

Ropp: "Representative, under your Amendment increasing the amount of indebtedness from 20,000 to 40,000, does this gather more support from the banking industry in the State of Illinois?"

Brunsvold: "Yes. This... the banking industry, although they have not come on board yet, we have been in discussions lately, and we are getting very close to an agreement. They, however, are not on board, but this is much more acceptable to them than the \$20,000 limit."

Ropp: "Okay, then for... if this Bill becomes law, the first time that anyone could really deal with it would be in the year 1988, is that correct?"

Brunsvold: "Depending on when the Governor would sign the Bill. It could be 175 days max on the set up period."

Ropp: "That would almost put us into next year."

Brunsvold: "Just about... about mid... "

Ropp: "Okay. Thank you."

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

Piel: "Thank you, Madam Speaker. A question of the Chair. I can't seem to find it. Has this Amendment been printed and distributed?"

Speaker Breslin: "Yes, Representative Piel, the Amendment has been printed and distributed. Is there any further discussion? Hearing none, the question is, 'Shall

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Amendment #4 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 706, Representative Granberg. Clerk, read the Bill."

Clerk Leone: "House Bill 706, a Bill for an Act in relationship to motor fuel dispensed in State vehicles. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Granberg."

Speaker Breslin: "Representative Granberg."

Granberg: "Thank you, Madam Speaker, Members of the House. Floor Amendment 1 requires the Department of Central Management Services to do an evaluation study of the current use of ethanol in all the state depots."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 706, and on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment 1 be adopted?' All those in favor say 'aye', those opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 708, Representative Hannig. Clerk, read the Bill."

Clerk Leone: "House Bill 708, a Bill for an Act in relation to the purchase or contract to purchase food by State agencies. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions or Amendments?"

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Clerk Leone: "There are no Motions filed. Floor Amendment #2 is being offered by Representative Slater."

Speaker Breslin: "Representative Slater on Amendment #2."

Slater: "Thank you, Madam Speaker. Amendment #2 was an Amendment which incorporated and totally adopted the language of House Bill 468, which was a Bill which I had proposed doing essentially the same thing. That Bill was sent to the State Government Administration and buried in Subcommittee. Since that point in time, Representative Hannig has amended his Bill and his Bill does the same thing as my Amendment did, so I would withdraw my Amendment at this point in time."

Speaker Breslin: "The Gentleman withdraws Amendment #2. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 709, Representative Richmond. Clerk, read the Bill."

Clerk Leone: "House Bill 709, a Bill for an Act to amend the Illinois Forestry Development Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments? Representative Richmond, we are having difficulty finding an Amendment that has been filed. Representative Richmond has the Amendment, but the Clerks have not been able to find the Amendment. Would you mind taking it out of the record for just a moment to give them a little bit more time? Let's move on, then, with the agreement to come back to 709. Let's move on to House Bill 1041, Representative Ropp. Clerk, read the Bill."

Clerk Leone: "House Bill 1041, a Bill for an Act concerning the quality of Illinois grain."

Speaker Breslin: "Are there any Motions or Amendments?"

Clerk Leone: "Second Reading of this Bill. There are no

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Committee Amendments, and there are no Motions or Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 2340, Representative McAuliffe. Representative McAuliffe? Clerk, read the Bill."

Clerk Leone: "House Bill 2340, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Mr. Clerk, have you found Representative Richmond's Amendment yet? Okay, we'll proceed on to the Order of Third Reading and get back to Representative Richmond's Bill when we can. House Bills Third Reading. On page 6 is House Bill 84, Representative Weaver. Representative Weaver. Clerk, read the Bill."

Clerk Leone: "House Bill 84, a Bill for an Act to amend the Humane Care for Animals Act. Third Reading of the Bill."

Speaker Breslin: "Representative Weaver."

Weaver: "Thank you, Madam Speaker. Ladies and Gentlemen of the Assembly, House Bill 84 makes a change in the Humane Care for Animals Act. It now, as amended, prohibits the use of animals, except for dogs and cats, to be used as prizes or novelties in games of chance. The genesis of the Bill has been some inhumane treatment of small animals, primarily baby rabbits, in carnivals and, yes, the Bunny Bill, in county fairs, in which some of the animals died while children were attempting to win the animals during the games. This simply prohibits that act from continuing, and I ask for your favorable vote on this Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 84, and on that question, the Gentleman from McDonough, Representative Slater."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

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

Speaker Breslin: "He indicates he will."

Slater: "Representative Weaver, what animals are going to be prohibited from being given away after this Bill passes?"

Weaver: "All animals except dogs and cats."

Slater: "And your situation down in Coles County dealt with rabbits?"

Weaver: "Primarily with rabbits."

Slater: "Now, have you talked with rabbit breeders and determined what kind of physical impact this is going to have on the rabbit breeding industry and various and sundry other industries in the state?"

Weaver: "No, I haven't. I'm not really aware of any large scale fundraising done with rabbits, so that apparently has escaped me."

Slater: "Does it apply to fowl?"

Weaver: "To... Excuse me?"

Slater: "To fowl? To fowl?"

Weaver: "Yes. Yes, it does."

Slater: "That is to say that we can't give birds away anymore?"

Weaver: "In games of chance. You can give them away to anybody you want to, but you cannot do it in a lottery."

Slater: "Representative Weaver, do you have any Cosponsors of this Bill?"

Weaver: "I have many Cosponsors, yes. If you look up there you see Representative Black, Williamson, Frederick and Cowlshaw. A lot of people are very concerned about the health and the care of animals in the State of Illinois."

Slater: "Well that certainly would apply... imply to me that the problems you've had in Coles County must be statewide then."

Weaver: "It is probably a lot more widespread than we realize."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Slater: "And there's a tremendous need for this legislation, to protect our... "

Weaver: "I think this is what might be referred to as landmark legislation, yes."

Slater: "Is Representative Kubik one of your Cosponsors?"

Weaver: "No, but we would certainly welcome Representative Kubik."

Slater: "Thank you."

Speaker Breslin: "The Gentleman from Fulton, Representative Homer."

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

Speaker Breslin: "He will."

Homer: "Your Bill, Representative Weaver, says that... that you can't give away any animals, except cats or dogs, as prizes?"

Weaver: "Correct."

Homer: "You can still, after passage of your Bill, give away cats and dogs as prizes, but you can't give away any other animal as a prize?"

Weaver: "Correct."

Homer: "What about... what if I had a... what if there were a cause for which a side of beef was to be the award and there was to be a raffle, for example, to help someone pay for a liver transplant, or some other worthy cause? Under your Bill, they could no longer give away a side of beef?"

Weaver: "Unless you intend to eat the animal alive, I don't think it would apply."

Homer: "Where does your Bill say 'alive', though. It just says no animals, except cats and dogs, shall be used as prizes or novelties in games of chance. Maybe you want to say only dead animals."

Weaver: "I... I don't believe a carcass is an animal, is it, under the law? Is it classified... "

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Homer: "A side... a side of beef is certainly an animal. I don't... well... I don't... I don't see in here where that says that that's the case. I really don't. Well, somebody's over there saying gratuitously that animal means live animal, but I'd like to have you cite the case that held that, because I certainly am not aware of it, and this Bill certainly does not specify that, so I rise to the Bill, Madam Speaker. I think in the proper form, we'd be ill-advised to pass the Bill. I don't doubt the Sponsor's good motives. I just think that some additional care could have been given to the drafting of this Bill, and if we're... if we don't pass it now, hopefully, the Sponsor will try to come up with new language and perhaps attach it to another Bill, but I would have to recommend that we oppose this Bill as it is in its present form."

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

Hallock: "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. The main question is put. Representative Weaver to close."

Weaver: "Thank you, Madam Speaker. Ladies and Gentlemen, we've had fun with this Bill, but it really does represent a serious problem in the state. We still have inhumane treatment of small animals occurring in the State of Illinois, and upon looking through the Statutes, we discovered it is not against the law. What this Bill intends to do is to make it illegal to use animals as prizes in games of chance, and it is our legislative intent that it applies to live animals, not to carcasses, so I ask for your favorable vote on this Bill."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Breslin: "The question is, 'Shall House Bill 84 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 81 voting 'aye', 10 voting 'no', and 17 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 375, Representative Stange. Clerk, read... Representative Stange? Is the Gentleman in the chamber? Out of the record. House Bill 500, Representative Ropp. Representative Ropp. Is that Gentleman in the chamber? Out of the record. House Bill 535, Representative Richmond. Clerk, read the Bill."

Clerk Leone: "House Bill 535, a Bill for an Act to amend the Illinois Farm, Industrial and Construction Equipment Fair Dealership Law. Third Reading of the Bill."

Speaker Breslin: "Representative Richmond."

Richmond: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 535 was... the subject matter was brought up to me by the farm dealers associations in the state and they... we did pass some legislation previously that would allow them to... this Bill would amend legislation that we passed that amended the Illinois Farm, Industrial and Construction Equipment Fair Dealership Law to grant a lien to the retailer upon repurchased inventory. It provides that a retailer is entitled to a lien in the amount of the repurchase price upon all inventory repurchased by a wholesaler or manufacturer or distributor. It also provides that any subsequent sale of the repurchased inventory shall be subject to the provisions of Article 6 of the Uniform Commercial Code. The Illinois Retail Farm Equipment Dealers Association is the proponent of the Bill. I ask for your... "

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 535, and on that question, is there any discussion? Hearing none, the question is, 'Shall House Bill 535 pass?' 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 115 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 718, Representative Hicks. Clerk, read the Bill."

Clerk Leone: "House Bill 718, a Bill for an Act in relationship to interstate compact on agricultural grain marketing. Third Reading of the Bill."

Speaker Breslin: "Representative Hicks."

Hicks: "Yes, Madam Speaker, Ladies and Gentlemen of the House. House Bill 718 is the Interstate Agricultural Grain Marketing Commission, actually allows the State of Illinois to enter into a compact with many states here throughout the Midwest. Currently, once five states go into the compact and choose to do so, the compact will be established. It's at a cost of \$50,000 to the State of Illinois. It's only a one-time fee on a yearly basis and I'd be happy to try to answer any questions."

Speaker Breslin: "Representative Hicks has moved the passage of House Bill 718, and on that question, is there any discussion? Hearing none, the question is, 'Shall House Bill 718 pass?' 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 113 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Richmond, we have found that

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Amendment we were waiting for for you, so let us go back now to the Order of Farm Assistance and Development, Second Reading, House Bill 709. Clerk, read the Bill."

Clerk Leone: "House Bill 709, a Bill for an Act to amend the Illinois Forestry Development Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Richmond."

Speaker Breslin: "Representative Richmond."

Richmond: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #1 is a very simple one. We just changed a couple of words. We changed the name from the Illinois Forestry Development Commission to the Illinois Forestry Council. It has a better ring to it. I ask for your support of this Amendment."

Speaker Breslin: "Representative Richmond has moved the adoption of Amendment #1 to House Bill 709, 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 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Going to the Order of Environment and Economic Development on page 6 on your Calendar appears House Bill 820, Representative LeFlore. Clerk, read the Bill."

Clerk Leone: "House Bill 820, a Bill for an Act to amend the Minority and Female Business Enterprise Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Breslin: "Third Reading. Excuse me, there is a fiscal note requested. Has that been filed, Mr. Clerk?"

LeFlore: "Yes, it's been filed."

Clerk Leone: "There is no fiscal note on file."

LeFlore: "I will file it. It was filed, it just hasn't reached you... "

Speaker Breslin: "The Sponsor seems to indicate, Mr. Clerk, that he has filed the fiscal note. Would you look through your records?"

LeFlore: "It was given to the Clerk."

Speaker Breslin: "Clerk, do you have the fiscal note? Representative LeFlore, there is no fiscal note on file so the Bill will be held on Second Reading until that is found."

LeFlore: "Okay. Alright."

Speaker Breslin: "We may come back to it if we have found that there is something incorrect here. Going to page 7 on your Calendar under Environment and Economic Development, Special Call, appears House Bill 1494, Representative Black. Clerk, read the Bill."

Clerk Leone: "House Bill 1494, a Bill for an Act to amend the Illinois Enterprise Zone Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Representative White. Oh, excuse me, are there any Motions or Amendments?"

Clerk Leone: "There are no Motions filed. Floor Amendment #2 is being offered by Representative Hultgren."

Speaker Breslin: "Representative Bowman."

Clerk Leone: "Hultgren."

Speaker Breslin: "Representative Hultgren, excuse me."

Hultgren: "Madam Speaker, I'd like to withdraw that Amendment, if I may?"

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

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 1730, Representative Rea. Clerk, read the Bill."

Clerk Leone: "House Bill 1730, a Bill for an Act to amend the Illinois Coal Technology Development Assistance Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Motions or Amendments?"

Clerk Leone: "There are no Motions or Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 1766, Representative Rea. Clerk, read the Bill."

Clerk Leone: "House Bill 1766, a Bill for an Act to amend an Act in relationship to environmental studies. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. House Bill 1769, Representative Rea. Clerk, read the Bill."

Clerk Leone: "House Bill 1769, a Bill for an Act to amend the Illinois Coal and Energy Development Bond Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. House Bill 1856, Representative Hoffman. Clerk, read the Bill."

Clerk Leone: "House Bill 1856, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. House Bill 1859, Representative McPike. Clerk, read the Bill."

Clerk Leone: "House Bill 1859, a Bill for an Act to amend the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Illinois Development Finance Authority Act. Second Reading
of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. House Bill 1882, Representative
John Dunn. John Dunn. Out of the record. Out of the
record. House Bill 1887, Representative Sutker. Out of
the record. House Bill 1966, Representative Hultgren.
Clerk, read the Bill."

Clerk Leone: "House Bill 1966, a Bill for an Act to amend the
Illinois Enterprise Zone Act. Second Reading of the Bill.
No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by
Representative Hultgren."

Speaker Breslin: "Representative Hultgren."

Hultgren: "Madam Chairman, I'd like to withdraw Floor Amendment
#1."

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

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 2102, Representative
Granberg. Representative Granberg. Is the Gentleman in
the chamber? Out of the record. House Bill 2243,
Representative McPike. Clerk, read the Bill."

Clerk Leone: "House Bill 2243, a Bill for an Act to amend the
Environmental Protection Act. Second Reading of the Bill."

Speaker Breslin: "Are there any Motions or Amendments?"

Clerk Leone: "There are no Committee Amendments nor Motions.
Floor Amendment #1."

Speaker Breslin: "Are there Amendments filed, Mr. Clerk? There
are, okay."

Clerk Leone: "Floor Amendment #1 is being offered by

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Representatives McCracken and Churchill."

Speaker Breslin: "Representative McCracken on Amendment #1."

McCracken: "Withdraw Amendment #1."

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

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 2254, Representative O'Connell. Representative O'Connell. Is the Gentleman in the chamber? Out of the record. House Bill 2349, Representative Currie. Call the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2349, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of the Bill."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "There are no Motions or Amendments to this Bill."

Speaker Breslin: "Representative Currie, while there are no Motions or Amendments, we are waiting for a fiscal note, so the Bill remains on the Order of Second Reading. House Bill 2456, Representative Olson. Clerk, read the Bill. Myron Olson. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2456, a Bill for an Act to amend the Illinois Housing Development Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Amendments filed?"

Clerk Leone: "There are no Floor Amendments or Committee Amendments."

Speaker Breslin: "Third Reading. House Bill 2606, Representative Kirkland. Clerk, read the Bill."

Clerk Leone: "House Bill 2660, correction, House Bill 2606, a Bill for an Act in relationship to the recycling pilot projects. Second Reading of the Bill."

Speaker Breslin: "Are there any Motions or Amendments?"

Clerk Leone: "House Bill..."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Breslin: "We have lost your Bill, Representative Kirkland. We are trying to find it."

Clerk Leone: "House Bill 2606, a Bill for an Act in relationship to recycling pilot projects. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "There are no Motions or further Amendments."

Speaker Breslin: "Third Reading. House Bill 2656. Out of the record. House Bill 2849, Representative Churchill. Clerk, read the Bill."

Clerk Leone: "House Bill 2849, a Bill for an Act to amend the Illinois Low-Level Radioactive Waste Management Act. Second Reading of this Bill. No Committee Amendments."

Speaker Breslin: "Fine. Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Going to the Order of House Bills, Third Reading, under the Order of Environment and Economic Development on page 7. The first Bill is House Bill 261, Representative Granberg. Representative Granberg. Is the Gentleman in the chamber? Out of the record. Going to page 8 appears House Bill 301, Representative McPike. Clerk, read the Bill."

Clerk Leone: "House Bill 301, a Bill for an Act to amend the Southwestern Illinois Development Authority. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We discussed this Bill yesterday on the Second Reading, so I don't plan to spend a lot of time on it. The Governor mentioned this in his State of the State Speech this year. He suggested that we set up two development authorities, one in Madison and St. Clair County... one in Madison and St. Clair County, and the other one in the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Quad-Cities. This one deals with Madison and St. Clair County. It sets up a development authority and the one advantage the development authority has... will have will be the ability to issue revenue bonds and hopefully to finance some projects in our area. I'd be glad to answer any questions on the Bill and I move for its passage."

Speaker Breslin: "The Gentleman has moved... the Gentleman has moved for the passage of House Bill 301, and on that question, the Gentleman from DuPage, Representative McCracken."

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

Speaker Breslin: "He will."

McCracken: "Did Floor Amendment 6 get adopted, thereby taking away the quick-take and eminent domain power?"

McPike: "No, it did not. It was withdrawn. Amendment #4, which I offered and which was adopted, provides a three year sunset on the quick-take provisions. Representative Stephens asked me yesterday on the floor what I would do if the quick-take was misused. I said I would be the first one up here next year to take that provision out of the Bill. It certainly is not our intent to see that misused and we've tried to assure the realtors that it will not be, and we set a three year sunset on the provision."

McCracken: "As far as the revenue bonding authority, are there any provisions for resort to state money or GRF money in case of a short fall in your income strength?"

McPike: "Yes. The Governor has control over this board, and that is the obvious advantage to our area, is the ability of this agency to issue revenue bonds. The Governor said, 'I will do it provided I control the board.' And we agreed that he should. The Governor has two automatic seats, the Director of CMS and the Director of DCCA, and then the Governor gets four additional appointees, that's six, and

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

we have four appointees for a total of ten. It requires six votes to do anything on the board, so the Governor will be able to control it and he will be able to control the projects that the board finances."

McCracken: "And must an Appropriation Bill be passed in order to cover any shortfall in bond income necessities, or how would that be effected."

McPike: "Yes."

McCracken: "And what about the Quad-Cities one. Has that been started or is there any legislation on that point."

McPike: "That's on Third Reading."

McCracken: "It is."

McPike: "I don't know the Bill number, but it's on Third Reading."

McCracken: "Okay. Thank you."

Speaker Breslin: "Are there any further questions or discussion? The Gentleman from Madison, Representative Wolf."

Wolf: "Thank you, Madam Speaker and Members of the House. I also rise in support of House Bill 301. This is the type of an agency that is needed in the district that I represent, and it's the type of an agency that will do the job that needs to be done in that particular type of a district. We are a highly industrialized area. House Bill 301 will furnish the Southwestern Illinois Development Authority, having all of the authority that's needed to go forward with the projects that we have in mind. I would urge your support."

Speaker Breslin: "Is there any further discussion? Hearing none, the question is, 'Shall House Bill 301 pass?' 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 79 voting 'aye', 31 voting 'no' and 1 voting 'present'. This Bill, having received the Constitutional Majority, is

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

hereby declared passed. House Bill 306, Representative McNamara. Clerk, read the Bill."

Clerk Leone: "House Bill 306, a Bill for an Act to create the Private Enterprise Review Commission. Third Reading of the Bill."

Speaker Breslin: "Representative McNamara."

McNamara: "Thank you, Madam Chairman, Ladies and Gentlemen of the House. This Bill creates a Private Enterprise Review Committee, and the committee is required to... it's actually a board which is required to study the effect of the state government engaging directly in the economic activities which historically have been the functions of private enterprise. It's also required to measure the cost of public subsidies and the treatment of not-for-profit entities in relation to the loss of tax dollars. I urge your approval of this Bill."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 306, and on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "I note the proponents and the... who suggested this Bill, the Illinois State Chamber and the NFIB and DCCA, I'll bet you a million dollars that this board decides that there is no inappropriateness in government activity in the private sector. It's like the Federal government setting up the Department of Education and running on the premise that it's going to be disbanded. It's just not going to happen no matter who gets this job, they're going to come back and say it's appropriate that the private sector be invaded by the government. And now I understand that this is a, you know, sounds to be a good idea, and, you know, the Sponsor certainly is acting in good faith, and the proponents are those we usually support. It just seems like a bad idea. It's like inviting the wolf in and then

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

closing the door behind him, but, it will pass, so good luck. I hope that the commission members hear a tape of this debate."

Speaker Breslin: "Is there any further discussion? Representative McNamara to close."

McNamara: "Thank you, Madam Chairman. When you take a look at something and you argue that it's going to be totally negative, then I guess that your negative expectations can also slant your viewpoint on almost anything. It's like looking into the future and you say the future isn't there because I don't think I want it to be there. That isn't the point of this Bill. This Bill is to do some studying. To take a look at that relationship between government and our agencies to find out whether or not private business is being unfairly treated and give us, the Legislators, the information back so we can make logical, rational decisions. This is an important measure. It's something that doesn't say they will throw out this business, it says they will come along and bring to us something that will be common sense so that we don't continuously chase businesses out of this state, so that we don't compete against them, so that we at least have a rational decision, we don't have to look forward to all of these tax increases continuing on and on. I urge your approval of this fine piece of legislation. Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 306 pass?' 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 67 voting 'aye', 45 voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 428, Representative Phelps. Clerk, read the Bill."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Clerk Leone: "House Bill 428, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

Speaker Breslin: "Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 428 is a concept that involves conservation in an area in which I feel there has been a great void, in promotion of tourism and recreational, not only facilities, but ideas of events that are statewide, tied in with local events and participation of local officials. It does two things. One, it sets up a comprehensive facility management program in which the detailed evaluations of existing conditions in these facilities that we have throughout the state should be identified for maintenance and improvement of needs, along with whatever funding recommendations would be forthcoming. Also, it sets up a provision for long range plans for each facility to involve local participation, as I said, a five year plan study, state-wide, with funding needs and activities involved. Number two, it sets up a conservation resource marketing program that will tie in not only the brochures and pamphlets that will involve the local activities with the state wide activities for the purpose of promoting tourism and recreation which needs some impetus at this stage. I encourage your support."

Speaker Breslin: "The Gentleman moves for the passage of House Bill 428, and on that question, the Gentleman from McLean, Representative Ropp."

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

Speaker Breslin: "He will."

Ropp: "Is it not correct that you have an Amendment that is attempting to provide for the Department of Conservation to be the real promoter for some of those conservation activities in the State of Illinois?"

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Phelps: "I'm sorry, you alluded to an Amendment that I have?"

Ropp: "Do you have an Amendment on this Bill?"

Phelps: "No. The Amendment in Committee was adopted and became the Bill. This is the Bill."

Ropp: "Okay, but is that fact a part of the Bill, that allows the Department of Conservation to establish a positive program for promoting downstate, as well as upstate parks, as a part of a tourism package?"

Phelps: "Yes, we are encouraging that DCCA would be involved with the new responsibility of the Conservation Department to help really make it success."

Ropp: "Would it be a joint effort or individually set up?"

Phelps: "It's a joint effort. We are individually identifying this for Conservation responsibility because we feel the state parks facilities are the appropriate agency with Conservation would, I think, be the vehicle for tourism and recreation promotion, however, DCCA has the resources that should help Conservation achieve this."

Ropp: "Well, I've always felt that certainly our promotional programs that we have for offering an opportunity for people out of state as well as in state to see our parks, our tourism activities, is a real plus. It's a function that really is a big financial generator to the State of Illinois, and I certainly think that this is a laudable project."

Phelps: "Thank you."

Giglio: "The former Representative Giglio in the Chair. Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker. I, too, stand in support of 4... House Bill 428. If, in fact, the conservation and recreation areas are going to get their fair share of marketing in the State of Illinois, and not be competing with urban centers, large cities and probably

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

the television dollar, I think the only way we can do it is with the adoption of 428. There are many good resources that probably should be best handled by the Department of Conservation and the marketing concept provided in 428, and I think it is a good proposal to make a job much easier and better for an agency of which you are putting a lot of money into for the tourism factor. And I also support its adoption here today."

Speaker Giglio: "The Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I also rise in support of this Bill. As many of you know, in the past years we've been placing millions of dollars into our state parks, state lodges and other facilities. As a result, we are now building up one of the best chains, if you will, of state parks within the nation, and yet they are one of our best kept secrets. I have in my district what will soon be one of the premier state park lodges, Pere Marquette, which is, or should be, a magnet for Missouri tourism, to come over and to spend their Missouri dollars in Illinois. And yet, we're not able to accomplish all that we should. By doing what this Bill suggests, we will have the opportunity to promote and allow those state parks, into which we have already poured millions of dollars, to reap the benefit. This Bill gives the concentrated effort. This Bill allows us to do what we should be doing by the folks that know the most about what we're doing, in order to accomplish our goal. It is a good idea. I understand that there may be some problems in and between agencies, but that's the job of the Legislature, and it's our good judgment, and I believe our good judgment would be a favorable vote on this Bill. Thank you, Mr. Speaker."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Giglio: "Representative Phelps to close."

Phelps: "Thank you, Mr. Speaker. I first want to thank the colleagues for the remarks in recognizing what this Bill would do for the state, and I think Representative Ryder just alluded to the specific facts that are most important. The fact that we have invested several million dollars in our parks and lodges around the state. Now it's time to be sure that we keep a check and balance and that they are returning the dollars which we invested, and this Bill should assure that. Thank you for your support."

Speaker Giglio: "The question is, 'Shall House Bill 428 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 91 voting 'aye', 22 voting 'nay', none voting 'present', and House Bill 428, having received the Constitutional Majority, is hereby declared passed. Speaker Madigan in the Chair."

Speaker Madigan: "Ladies and Gentlemen, if you could please be seated, we have a special guest today. Mr. Peter Gunning is the Council-General from Ireland to the City of Chicago, and he has been visiting the Capitol. He spoke to a group this afternoon. He will leave here and go to the Senate. He has some remarks that he would like to deliver to the Body. So if you will please give your attention to Mr. Gunning. Mr. Gunning."

Peter Gunning: "Mr. Speaker, distinguished Members of the House. It's a very great pleasure, indeed, to be here in the heart of historic Springfield and to have the opportunity to address you in my capacity as Ireland's representative in the Midwest. It's very good for us Chicago-based people to get out beyond Chicago from time to time and see a little

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

more of this very great and varied State of Illinois. There is a natural basis for a close connection between us. A substantial part of the population of Illinois claims one or more Irish ancestors, the result of various waves of immigration from Ireland to the United States from the early 19th century right up to the present day. Many of those who came in the 19th century, of course, found work in the construction of the canals of the Illinois-Michigan Canal, and later in the work of building the railroads and opening up this great continent. Those were very tough times. One of your leading poets, Carl Sandburg, has written briefly about... he has depicted the struggle in the following terms: 'First come the pioneers, lean, hungry, fierce, dirty. They wrangle and battle with the elements. They gamble on crops, chills, ague, and rheumatism. They fight wars and put a nation on the map. They battle with blizzards, lice, wolves. They go on a fighting trail, to break sod for unnumbered millions to come.' It's quite a long way from that depiction to the current state of Irish-Americans. It's a real success story. A perfect example of the success story of the Irish in America. Politics is a very important tool in the advancement of the Irish. I hardly need to underline in Chicago or in Springfield the particular gift that the Irish seem to have for the political process. The links between Ireland and Illinois are still strong today, but they exist now against the background of a world made much smaller by air travel, by television and by telecommunications. A world which has a great deal more mutual inter-dependence in it, also. Ireland is small, slightly over one-half the size of the State of Illinois, and there is a total population on the Islands, Northern Ireland and the Republic, which I represent, of about 5

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

million people. It's location on the western edge of Europe means that we've had, in our history, a history of facing both to Europe, from which, however, we are cut off by the mass of Great Britain between Ireland and the Continent, but also to the United States, looking westward. The immigration that I mentioned earlier is still a facet of life in Ireland that has resumed in recent years. A very sad reintroduction of that phenomenon. One of the major aims of the government which I represent is the improvement of the economic situation of the country, and thus, of the opportunities for young people, particularly, of course, to stay at home and to work in Ireland. We do that in a number of ways. I'm involved, as are the other Irish agencies that are represented in Chicago. Tourism is one example, and I had the honor of addressing the Seminar on Illinois Tourism taking place here at the Convention Center at lunch time. We welcomed over 300,000 American visitors to Ireland last year. And we're hoping for a big improvement over that this year with the anxiety that Americans felt last year about terrorism, and so on, hopefully absent on this occasion. You don't, of course, have to be Irish-American to enjoy the scenery, the food and drink and other attractions of Ireland. The office of the Consulate in coordination with the IDA, the Irish Industrial Development Authority, also works in the Midwest to attract American investment to Ireland. We have a very attractive package of grants for industry which wishes to locate in the country, and this is not jobs or industry taken away from America. On the contrary, it's usually an expansion of the American corporation or industry into the European market. Ireland has been a member of the EEC, the major European trading block, since 1973, which has really transformed the country and has opened up to us this

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

enormous market of over 250 million people in the Europe of the 12, as it is today, 12 member states. Finally, of course, we seek to increase our exports worldwide. We have another office in Chicago doing that. We've a very small domestic market. We are radically dependent on exports for revenue, so anything that impedes free trade in the world today is a very great concern to us. The Irish government has a policy in relation to trade and protectionism, which is very much in favor of maintenance of the status quo. I should also mention the Consulate's work in promoting the interest in Irish culture in Illinois. It's one of the great pleasures of living in the United States that such a great variety of ethnic artistic expressions flourish here. I saw one example on St. Patrick's Day. Senate President Rock and Alderman Burr amusing an audience in the State of Illinois Center with a duet. But there are many other examples. The recent victory of a Chicago-based Irish dance school in all-Ireland championships in Ireland is a very good example of the very keen and high standards of interest there is here in Irish culture. I'd like, finally, just to say a few words about the question of Northern Ireland, which I know has come up in a relatively small way in this House from time to time. It's naturally a matter of enormous concern to the government in Dublin, and I know it's a matter of genuine concern to many Irish-Americans, and indeed, to many Americans. The approach of the government that I represent to bringing peace and stability and justice to Northern Ireland is based on the agreement signed with Britain in November of 1985, the Anglo-Irish Agreement. This does four things, basically. It recognizes that the problem we are dealing with is one to be regulated between Britain and Ireland. We have unfinished business since the state that I

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

represent became free and independent in 1921. It may seem obvious to say that, but it took a considerable diplomatic effort to get the British to acknowledge that there is a role for Ireland in cooperatively trying to solve the problem. It also recognizes that in Ireland you have two major traditions. The tradition which is for a free and united Ireland, which happens to be mostly Roman Catholic, and the tradition for unity, or union with Great Britain, which is largely Protestant, designated as Unionist. There's not a necessary... it's not necessary that they should be incompatible in Northern Ireland, and that's the essence of the agreement. It should be possible to find a way in which both of those traditions can be allowed expression, with no discrimination or unfairness to one or the other. What the agreement does, is to give the government in Dublin a say, a role, in all the affairs of Northern Ireland, which is quite an unprecedented step, if you think about it. The British government has acknowledged that Northern Ireland is a unique part of the United Kingdom, a very different part, and one on which they will take advice and views from the government in Dublin on a whole range on issues, housing, discrimination, behavior of the police force, appointments in government, and so on. Finally, to balance the package, the agreement tries to reassure the Unionists of Northern Ireland, who are unnecessarily fearful in our view of the whole process of bringing together the two traditions, that Northern Ireland's status will not be changed unless a majority of the people of Northern Ireland so wish. And it further recognizes that there is not such a majority at present. In other words, their position within the United Kingdom is secure for the moment. The agreement is about a year and a half old. It's in place, functioning. It's being upheld

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

by the recently elected government in Dublin, and we anticipate that the same will be the case after the June 11 election in Britain. It's going to take a long time, there's no doubt about that. You are dealing with a history which, depending on where you start and go back 300 years or 500 years or even 800 years. But as one of Ireland's most distinguished political leaders, Mr. John 'Hume' who leads the Catholic Social Democratic and Labor Party in the North, has put it, the agreement removes completely the slightest justification for the use of violence in Ireland, to achieve political objectives. But the time scale of the problem is a long one and patient, persistent work, will be necessary to produce stability. The support of Ireland's friends aboard has been a heartening encouragement in this regard. The United States through the President and Congress, has offered political and economic aid, which has been most valuable. So has the understanding and support of Irish-Americans and we hope for that to continue. Thank you, for your time and attention here today, in these historic and beautiful surroundings. I would like to convey to you our best wishes for the people and the representatives of Illinois and to say I look forward to strengthening the ties between us further to our mutual benefit. Thank you."

Speaker Giglio: "On page 8 of the Calendar appears House Bill 717, Representative Van Dyne. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 717, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Will, Representative Van Dyne."

Van Dyne: "Thank you, Mr. Speaker. House Bill 717, is designed to bring about some kind of orderly siting procedures with

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

our low level nuclear waste repositories. As a little bit of a background, I might tell the Body that in 1983, we did join in the... pass a Bill that became law as far as having to do with the Low Level Radioactive Waste Management Act. And it was passed in 1983, and we joined a repository with the State of Kentucky. Most recently, there developed near Joliet, near Channahon, in my District and also Representative Christensen District, where Chem-nuclear, a subsidiary of waste management, was building a facility outside of Channahon. The Federal Nuclear Regulatory Commission granted the license for the facility last December and none of our local administrators knew anything about it. Now that is the genesis of the whole Bill. What we are trying to do, is to establish the local approval requirements that exist generally under the hazardous waste and solid waste sites under Senate Bill 172, that we passed a couple of years ago. Very briefly, it prohibits the nuclear... the Department of Nuclear Safety, from acquiring any property for the purpose of building a low level radioactive waste storage treatment or disposal facility unless it has been approved by Municipality in which it is proposed to be located or by the county if it is in an unincorporated area. It establishes criteria to be followed... designed to be... protect the public health, safety and welfare. And it requires notice of the proposed site to the residents who live 250 feet of the property, and Members of the General Assembly and a public notice in a local newspaper. And it requires at least one public hearing to be held in the proposed facility and that any member of the public may be allowed comment. And it also requires the county or the municipality to make it's decision on the siting approval within 180 days. It allows for the appeal of the local decision of the Department of

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Nuclear Safety or the other third party to the Pollution Control Board. And it requires the General Assembly approval before any low level nuclear waste repository spent fuel reprocessed facility is licensed by the Department of Nuclear Safety. We've tried to make this in as direct correlation to Senate Bill 172 as we possibly can and also designed the Bill to protect the safety of the people involved. And so, it passed out of Environment Committee by 14 to nothing. I know of no opposition and I would be glad to answer any questions, and I ask for your support."

Speaker Giglio: "The question is, 'Shall House Bill 717 pass?' Excuse me, the Gentleman from Lake, Representative Churchill."

Churchill: "Thank you. Will the Gentleman yield for questions?"

Speaker Giglio: "Indicates he will."

Churchill: "Is this in compliance with the Federal Act that requires a low-level siting facility in the State of Illinois?"

Van Dwyne: "As near as I know, Representative, yes."

Churchill: "So in other words, what is done in the siting portion of this will not prohibit the Federal Act from taking place?"

Van Dwyne: "In this case, we have no control over this individual siting. And of course that was the whole idea for the Bill. Initially, as I pointed out, the Chem-nuclear, which is a subsidiary to Waste Management, applied for the license and the Federal Nuclear Regulatory Commission granted the license. Evidently, the Department of the Nuclear Safety of Illinois knew about it, but made no announcement to the local officials. So as you understand, it caught us completely by surprise."

Churchill: "Okay, and does part of this Bill provide that the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

siting approval will be done by the General Assembly?"

Van Duyne: "No."

Churchill: "Then what... I noticed there is something in here about 'approval of the General Assembly.' What do we have to approve?"

Van Duyne: "That was taken out by the Amendment."

Churchill: "I see, so this is only a local siting Bill, not a General Assembly siting Bill."

Van Duyne: "That's right. As close as we could make the Bill to coincide with our adoption of Senate Bill 172, which has become law and which has to deal strictly with siting of the toxic waste and local dumps, and what we are trying to do here, is give the locale where this dump is going to be located at least some input and give the county boards or the municipality in which it is located at least first veto."

Churchill: "No further questions, thank you."

Speaker Giglio: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. Just for legislative intent. House Amendment #1 becomes the Bill, correct? And in your initial remarks, I believe you said that the compact would not be allowed to purchase property for a low level nuclear waste site. It is not your intention to then only mandate existing sites that are licensed as the low level nuclear waste site, with your initial comments, is it?"

Van Duyne: "It would not address the one in Channahon, but it would address any new one."

Mautino: "Only new ones... it is not your intent to therefore only provide licensed low level nuclear waste sites as today for use as the compact site?"

Van Duyne: "As I understand from staff, we have no regulations at this time. But the NRC, is in the process of adopting

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

these and then they will hand them down to us. The intent and the basic premise of this Bill is to give our local people at least some advance notice that these things are being proposed and as I said about Senate Bill 172, which is now Public Law, that they do have to have a public hearing, the people nearby have to be notified and the county or municipality has first veto. And this doesn't prohibit them from eventually getting the license, but at least it does orient the people and warn them in advance."

Mautino: "Thank you."

Van Duyne: "In summary, Mr. Speaker, we feel that anything that has to do with any kind of nuclear safety or nuclear repositories should at least be treated like an ordinary toxic waste dump. At the minimum."

Speaker Giglio: "Any further discussion? Representative from McHenry, Representative Klemm."

Klemm: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Giglio: "He indicates he will."

Klemm: "Representative Van Duyne, it sounds very similar to our Senate Bill 172 that we did for the landfills and things such as that. Does it have all the same provisions basically as 172?"

Van Duyne: "Yes. The criteria in it is basically the same."

Klemm: "We had made some changes in that criteria for local governments... units of local government to give them a little bit more latitude in the last few years, since Senate Bill 172 was passed. Were those Amendments and changes included in this draft?"

Van Duyne: "Yes, it reflects the current law."

Klemm: "Alright fine, thank you very much."

Speaker Giglio: "The Gentleman from Will, Representative Van Duyne, to close."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Van Dwyne: "Thank you, Mr. Speaker. As I said, whenever we deal with low level nuclear waste or whether it's any other kind of nuclear waste, I think we should at least have the minimum siting requirements embodied in the law that I mentioned, and such that covers regular toxic waste dumps so I just ask for your support."

Speaker Giglio: "The question is, 'Shall House Bill 717 pass?' All those in favor signify by voting 'aye', those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'yes', none voting 'no' and none voting 'present'. House Bill 717, having received the Constitutional Majority is hereby declared passed. House Bill 2406, Representative DeJaegher. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2406, a Bill for an Act to create the Quad-Cities Development Authority. Third Reading of the Bill."

DeJaegher: "Thank you, Mr. Speaker, Members of the General Assembly. It is very unusual when you hear about a Bill when it hasn't even had a number, and I think that you first heard about the inception of this Bill, or the conception of the Bill, when the Governor of the State of Illinois, addressed this General Assembly. He felt there was a definite need, that something had to be done in the Quad-City area. From that speech 2406 was indoctrinated and it is before you today. The Quad-City area, as you know, or perhaps you don't know, was always recognized as the farm implement capital of the world. This no longer is the case. It is now ranked as one of the highest unemployment areas in the State of Illinois. This has never been in the history of that particular area. That area was always a self-sufficient area, self-sustaining.

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

From his original involvement, when he claimed that the necessity was there to do something for that area, he has assigned John Gleanon, a staff person, to work with community leaders in that area. And from that area, we have received nothing but bi-partisan support. Not only in the area itself but from legislators as well, as you look at the board. This will not only affect those people residing in the Quad-City area proper but adjoining counties as well. For that particular reason hopefully that all you will be receptive to the growth that's needed, the implementation needed and the help that we should receive from the State of Illinois as we progress and try to rejuvenate that particular area. And, hopefully that each and every one of you will show a 'green' vote. Thank you very much."

Speaker Giglio: "The question is, 'Shall House Bill 2406 pass?' And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Representative DeJaegher, does this have the same powers authority structure as the southwest development authority?"

DeJaegher: "Practically, yes."

McCracken: "Briefly, what are the differences? Is there a difference in the composition of the Board?"

DeJaegher: "About the only difference Tom, in ours and theirs is, we don't have the quick-take provision. Oh, they don't have it either, I'm sorry. The composition of the Board, staff tells me, is a little bit different than the southwest will be."

McCracken: "And does the Governor control this one as well?"

DeJaegher: "Yes, the Governor will control the mechanism."

McCracken: "Control the Board, I mean."

DeJaegher: "Yes."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

McCracken: "Okay. Thank you."

Speaker Giglio: "Is there further discussion? The Gentleman from Henry, Representative Sieben."

Sieben: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of House Bill 2406 and would like to compliment Representative DeJaegher and Brunsvold, along with the Governor's Staff on the support that we have gotten for this measure. As Representative DeJaegher has clearly outlined, this part of the State needs this assistance. It needs this revitalization. This Bill will affect a great number of people in the district that I represent and it is a pleasure to work with these two Representatives from my area for bi-partisan support in this measure. And I urge a 'yes' vote on this Bill."

Speaker Giglio: "Further discussion? The Gentleman from Rock Island, Representative DeJaegher, to close."

DeJaegher: "Thank you, Mr. Speaker. I think we were all privileged in hearing a very eloquent presentation from my fellow Representative from Henry County. Even though he is a freshman Legislator, he knows what the problem is in the area. He also knows that will benefit Henry County and the farmers that he represents in that particular area, not only the farmer's, but the constituency that he represents. Hopefully, that you will abide by his wishes and mine and show us nothing but 'green'."

Speaker Giglio: "The question is, 'Shall House Bill 2406 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 99 voting 'yes'. Representative LeFlore 'aye'. On this question there are 100 voting 'yes', 9 voting 'no', 2 voting 'present'. And House Bill 2406, having received the Constitutional

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Majority, is hereby declared passed. On page 8 of the Calendar appears House Bill 2407, Representative Wait. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2407, a Bill for an Act to amend an Act in relationship to enterprise zones. Third Reading of the Bill."

Speaker Giglio: "Representative Wait."

Wait: "Thank you, Mr. Speaker. House Bill 2407, basically creates the enabling legislation to create the Enterprise Zone Promotional Fund Act. Basically, what this would do is allow DCCA to provide matching funds for the some fifty or so enterprise zones that we have around the state. The problem is right now a lot of the enterprise zones do not have money to market and promote the advantages of the enterprise zone. I'd be happy to answer any questions that you might have."

Speaker Giglio: "The question is, 'Shall House 2407 pass?' And on that question, the Gentleman from Cook, Representative Young."

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

Speaker Giglio: "He indicates he will."

Young: "Does this Bill create any new enterprise zones?"

White: "No, it does not."

Young: "Thank you."

Speaker Giglio: "Further discussion? The Gentleman from Boone, Representative Wait, to close."

Wait: "I'd simply ask for your support. Thank you very much."

Speaker Giglio: "The question is, 'Shall House Bill 2407 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 101 voting 'yes', 5 voting 'nay' and none voting 'present'. House

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Bill 2407, having received the Constitutional Majority, is hereby declared passed. On page 8 of the Calendar appears Bills under House... State and Local Government - House Bills Second Reading, House Bill 810, Representative Panayotovich. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 810, a Bill for an Act in relationship to plant closings and relocation. Second Reading of the Bill."

Speaker Giglio: "Any Motions?"

Clerk Leone: "Amendment #1 was adopted in Committee. There are no Motions to Amendment #1."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Didrickson."

Speaker Giglio: "The Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker. Has there been a fiscal note filed on this?"

Speaker Giglio: "Fiscal note has been filed."

Didrickson: "Thank you. Amendment #2, we didn't have a copy of it, so we didn't realize back here that it had been filed. Has it been printed and distributed?"

Speaker Giglio: "Representative, they don't distribute fiscal notes. If you care to come up to the well and see the fiscal note."

Didrickson: "We don't get a copy of that? Okay, okay."

Speaker Giglio: "Not distributed, no."

Didrickson: "Okay. I'll proceed with Amendment #2."

Speaker Giglio: "Proceed."

Didrickson: "And then I'll get a copy of that fiscal note, because we are interested in it. What Amendment #2 does is it really strikes the industrial hostage clause or most of the plant closing languages we have known it to become, and it leaves in a Committee Amendment of Representative

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

LeFlore's with regards to the Council for Economic Adjustment, which would be administered by DCCA, whereby, there would be... It leaves that in, Representative LeFlore. I think that's a good measure and it means that if you are determining that you are going to be closing your plant, either as the employer or employees understand that that is going to occur, that they would work with DCCA with all the resources available to them to maintain that plant and leave it in existence, to the best ability that they can. But to the extent that they can't, then we are not going to command or remand the fact that we are going to have a ninety day notice for plant closings. That's what this Amendment does, because there is a strong belief out there that such advance notices can lead to loss of customers, inability to get credit and the departure of key employees, and in fact, what you really do with such plant closing legislation is, you hurry up the whole process, because once someone determines that they are going to close a plant and all the factors are there that says that they can't continue to do business at that location or at that site, there is nothing that is going to stop them. All you are going to do is delay what is the inevitable, and instead we would rather be working with these companies, and that is the reason we have left that portion of the Bill intact but have struck the rest of the language. I ask for it's approval and adoption. I'd like a Roll Call vote on that."

Speaker Giglio: "On the Amendment, the Gentleman from Cook, Representative Panayotovich."

Panayotovich: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I stand in opposition to Amendment #2. What this Amendment does basically, it guts the Bill. We have a very important issue here on plant closings, and I would

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

ask for 'red' votes on this Amendment."

Speaker Giglio: "Further discussion? The Gentleman from Madison, Representative McPike."

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

Speaker Giglio: "She indicates she will."

McPike: "Very briefly, explain the Amendment again. So that I am clear."

Didrickson: "What it does is... Representative Panayotovich is correct. We are gutting the language with regards to the plant closing language but we are leaving in the Amendment that was put on in Committee."

McPike: "And if your Amendment was adopted, what would the Bill do?"

Didrickson: "Then the Bill would require that there would be an economic council of adjustment that would be put into place that would work with DCCA under DCCA and they would work with those plants that are anticipating or those employees who are anticipating purchasing those plants that would be subject to closing."

McPike: "But they wouldn't work with any plant that was going to close and try to keep the plant open?"

Didrickson: "Yes they would. That's what that does."

McPike: "They would work with the plant, with the employer and the employees to try to keep the plant open?"

Didrickson: "Exactly. And we are setting up a council to do that."

McPike: "How would they know? How would they know which plants to work with if they were never notified? If there was no requirement that they would be notified, how would they work with these plants?"

Didrickson: "An employee can notify. The business can notify. Right now we have a national board that when there are notifications of plant... of anticipated plant closings,

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

that they work with not only employers but employees to delay or stop such a plant closing. In the event that they can, and that's what this would do. But when you can't, then you can't."

McPike: "But that was my question. How would DCCA know which plants are closing? Or which plants anticipate closing or which plants are in trouble if there's no requirement that any of these plants notify DCCA? Who are they supposed to work with?"

Didrickson: "Well, Representative McPike, you and I both know that we have centers, SDA Centers setup across this State, where we have DCCA offices and DCCA representatives and they monitor trouble spots. You know that and I know that. It happens in my district and it happens in yours, and that is when this Economic Council of Adjustment would come in."

McPike: "To the Amendment."

Speaker Giglio: "Proceed."

McPike: "You know DCCA has had some success. DCCA has worked with a number of plants and every time that they have a success you see it in the newsprint and you see some kind of news release usually from the Governor's Office that DCCA... that this plant was going to close, that DCCA came in and was able to work out some type of low interest loan or that DCCA was able to get them some kind of financing or that DCCA worked with the local development agency to help them solve some of their problems, and the plant stayed open. Occasionally, DCCA does find this out. All we are saying is that whatever limited success DCCA has had, lets try to expand that a little bit. And if they have a chance, if they have one chance in a hundred or one chance in a thousand, by God, we'd like to give that employer and that employee a chance. But how are going to give that

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

employer or the employee a chance to get together with DCCA, unless we say to this employer - and its not the employees that know, its the employer - unless we say to the employer, 'My God if you are in bad shape notify DCCA. Gives us a chance to help you. We don't want you to shut down. We don't want you to leave our State. We don't want you to abandon our communities'. This Amendment says 'no' you don't have to tell anybody. DCCA is going to do some spot checks and they know the trouble spots. And they are going to walk around this state and they, on their own, are going to discover which plants are in trouble, then they are going to go in there and work with management and keep them open. That's silliness. It's a silly Amendment. I think it should be defeated."

Speaker Giglio: "The Gentleman from Cook, Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker. Since my name was mentioned in the presentation of the Amendment, I also rise in oppose... to this Amendment. It guts the Bill and I would... actually, I want to cast a 'red' votes."

Speaker Giglio: "Further discussion? The question is, 'Shall House Amendment #2 to House Bill 81... excuse me, the Lady from Cook, Representative Didrickson, to close."

Didrickson: "Well, we can call this a silly Amendment, as Representative McPike just did. But I think... happen to think it's ludicrous that we are going to force an employer who is going out of business and we are going to subject that employer to civil liability plus punitive damages. Stop and think about what we are doing by not enacting this Amendment. And I think its silly to think that DCCA isn't out there working with you and I in our districts and that we aren't notifying them. And that they aren't keeping the pulse of what those plant closing are going on out there,

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

and trying to work with them. You all know those success stories within your own districts. And if you don't and if you haven't had one you're working with DCCA to maintain the high... the employment level that you have so that they don't go out of business. That's all this does. It was one of the Representatives who formerly mentioned that he wanted to deny... endorsement of this. It is actually his language that we've got in this Amendment. I ask for its support, it's adoption and I would like a Roll Call vote, please."

Speaker Giglio: "The question is, 'Shall the House adopt Amendment #2 to House Bill 810?' All those in favor signify by voting 'aye', those opposed 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 47 voting 'yes', 69 voting 'nay', none voting 'present'. And Amendment #2 to House Bill 810, fails. Further Amendments?"

Clerk Leone: "Floor Amendment #3, is being offered by Representative Regan."

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

Regan: "Yes, thank you, Mr. Speaker and Members of the House. Amendment #3, I believe, addresses Mr. McPike's problem with the notification. Amendment #3 provides that there will be notification to the employees within 90 days, and the only thing that it does is, in case there is a remiss and it happens to be eighty-nine days, it removes the civil liability section from the Bill. I move for it's adoption."

Speaker Giglio: "The Gentleman moves for the adoption of Amendment #3. And on that question, the Gentleman from Cook, Representative Panayotovich."

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

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

the House. Again, another attempt to gut the Bill. What we are doing here with this Amendment is, they're trying to get rid of all of the civil penalties and make it basically a meaningless Bill, and I definitely look for 'red' votes on this Amendment."

Speaker Giglio: "Further discussion? The Gentleman from Will, Representative Regan."

Regan: "In order to close, I'd just say that these Bills that have regulations against business in our State, and business requirements, the more and more they pour in, the more and more businesses leave our State. An 'aye' vote, please."

Speaker Giglio: "The question is, 'Shall the House adopt Amendment #3 to House Bill 810?' All those in favor signify by voting 'aye', those opposed 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 46 voting 'yes', 68 voting 'no' and none voting 'present'. And the Floor Amendment #3 to House Bill 810 fails. Further Amendments?"

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

Speaker Giglio: "Representative Panayotovich, for what purpose do you rise, Sir?"

Panayotovich: "Yes, Mr. Speaker, has this been printed and distributed?"

Speaker Giglio: "It has not been printed and distributed. Representative Stevenson... Stephens."

Stephens: "Stephens, if you don't mind, you've got to be careful about that last name. This Amendment was filed this morning, Mr. Speaker. I don't understand the process... I thought we were all caught up and that small pile of Amendments on the end of the counter there, maybe its

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

there. I'll help you hand it out."

Speaker Giglio: "Well, Representative Panayotovich, do you want to take the Bill out of the record, or does the Gentleman want to table the Bill?"

Panayotovich: "I move to table Amendment #4."

Speaker Giglio: "The Gentleman has moved to table Amendment #4. Shall the Amendment be tabled? Any discussion? Seeing none, Representative Stephens."

Stephens: "Well Mr. Speaker, I don't agree that we ought to table the Amendment. It was filed in a timely manner and it's really rather innocuous. It just says that for this Bill to be in effect, at least Sections 1 through 8 shall apply only in a calendar year immediately succeeding a calendar year in which the Illinois manufacturing climate is ranked in the top third. What it's saying is, 'Listen, if business is really down and out, we don't want to punish them.' This was an indicator that we've chosen that maybe business is on the up swing and maybe if they are taking advantage of worker's then we'd like to... to then have Representative Panayotovich's Bill take effect. So I think that... I would object to the Gentleman's Motion, on that grounds. Thank you."

Speaker Giglio: "All those in favor of tabling Amendment signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendment's tabled. Further Amendments?"

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

Speaker Giglio: "Representative Pedersen, Amendment #5. Representative Panayotovich."

Panayotovich: "Mr. Speaker, has this been printed and distributed?"

Speaker Giglio: "Mr. Clerk, has this been printed and

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

distributed? No it has not."

Panayotovich: "Mr. Speaker, I move to table Amendment #5. And also for the people on the other side of the aisle, this Bill has been on the Calendar for three weeks. I mean, you can't wait until the day before. I move to table Amendment #5."

Speaker Giglio: "The Gentleman moves to table Amendment #5 to House Bill 810. And on that question, the Gentleman from Cook, Representative Pedersen."

Pedersen: "Yes, Representative Pedersen, Mr. Speaker."

Speaker Giglio: "Pedersen."

Pedersen: "Yes, that's the way. The... I think...What we are saying... is the same thing that Representative Stephens mentioned a moment ago about when we filed this and all we're really..."

Speaker Giglio: "Stephens, Representative, not Stevenson. Remember that."

Pedersen: "Yes, that's what I said, Stephens... in any event, all this really does is knock the notice provisions out if the business climate is not good and we are not in the top third. Its a simple thing and if we're not in the top third of the other states as far as the business climate is concerned as specified by a recognized group like Grant Thorton, you know, they put out studies, that's all we really want and so I think we should continue with the Amendment."

Speaker Giglio: "Representative Stephens."

Stephens: "Inquiry of the Chair. Was my name mentioned in debate?"

Speaker Giglio: "I believe it was Stevenson."

Stephens: "Oh, thank you. I just want to check on that."

Speaker Giglio: "The question is, 'Shall Amendment #5 be tabled?' All those in favor signify by saying 'aye', those opposed

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

'nay'. The 'ayes' have it. The Amendment is tabled. Further Amendments?"

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

Speaker Giglio: "Representative Weaver on Amendment #6. Representative Panayotovich."

Panayotovich: "Excuse me, Mr. Speaker. Has this been printed and distributed?"

Speaker Giglio: "No, it has not."

Panayotovich: "I move to table Amendment #6, for the same reason we meant to table 5, 4,..."

Speaker Giglio: "The Gentleman moves to table Amendment #6 to House Bill 810. And on that question... Representative Weaver."

Weaver: "Mr. Speaker, if I might make an inquiry of the Chair. Apparently, we had... the last several of these Amendments that were submitted earlier this morning haven't been filed or distributed. Might we find out just how long the delay is so we know how to gauge our submission here in the coming hours. How far behind are we?"

Speaker Giglio: "Well, the Clerk informs me that your side of the aisle has requested so many Amendments on so many Bills that the printing presses are running and we had to go out and hire another printer to try to keep up. We are doing our best."

Weaver: "Only in protection of the people of Illinois."

Speaker Giglio: "That's correct."

Weaver: "Mr. Speaker and Ladies and Gentlemen of the Assembly. I think we're forging a gross miscarriage of justice here by not even hearing these Amendments. We've got a lot of good things to add to Representative Panayotovich's apparently good Bill. We just want to help him make it better. We think that if he believes in this good idea, that perhaps

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

this good idea ought to be spread a little bit wider and made better, and I think we deserve a fair hearing on the issue. And I really want to encourage a 'green' vote on this Motion or... excuse a 'red' vote on this Motion."

Speaker Giglio: "Representative Panayotovich."

Panayotovich: "Thank you, Mr. Speaker. I really do appreciate you wanting to help make this a better Bill. And I think the way to make it a better Bill is to quit introducing ridiculous Amendments that we have to waste House Floor time on. You want to worry about when we are in the top third of manufacturing, to worry about plant closings. If we are in the top third of manufacturing we don't have to worry about plant closings."

Speaker Giglio: "The Gentleman moves that Amendment #6 be tabled. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the Amendment is tabled. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. A fiscal note has been filed on House Bill 810. On page eight of the Calendar appears House Bill 823. Representative Black. Representative Black in the chamber? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 823, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 838, Representative Levin. Representative Levin in the chamber? House Bill 838? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 838, a Bill for an Act concerning the Illinois National Guard. Second Reading of the Bill. No Committee Amendments."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Stephens on Amendment #1. Take the Bill out of the record, Mr. Clerk. On page 8 of the Calendar appears House Bill 854, Representative O'Connell. 854. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 854, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "The Lady from Cook, Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House. I filed this Amendment because the Committee on Assignment never assigned to a Standing Committee the Bill to repeal the Vehicle Code Emission Testing Program. I did feel that the House should have the opportunity to hear this. The Gentleman has asked me to withdraw my Amendment on this Bill because this Bill is of great concern to the bonding companies. And I have served here long enough to know that the name Chapman and Cutler is something like gold, and therefore, their Bills should not be perturbed in any manner, and I have agreed to withdraw the Amendment, but I am hopeful that we can have this Amendment heard on another Bill because I think that it is a worthy measure that should be debated on this House Floor. So I ask leave to withdraw the Amendment."

Speaker Giglio: "Does the Lady have leave? Leave is granted. Amendment #2 is withdrawn. Further Amendments?"

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 857. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 857, a Bill for an Act to amend an Act in relation to the establishment and maintenance of counties. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. On page 8 of the Calendar appears House Bill 858. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 858, a Bill for an Act to amend the Housing Authorities Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "The Gentleman from Kane, Representative Kirkland."

Kirkland: "Withdraw the Amendment, please."

Speaker Giglio: "The Gentleman asks leave to withdraw Amendment #1 to House Bill 869 (sic - 858). All those in favor say 'aye', opposed 'no'. The Amendment's withdrawn. Further Amendments?"

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

Speaker Giglio: "Representative McCracken on Amendment #2 to House Bill 869 (sic - 858). Excuse me, 858. Representative McCracken on Amendment #2. The Gentleman from DuPage, Representative McCracken, on Amendment #2."

McCracken: "This would prohibit the CHA from receiving any State funds until the special Committee formed to investigate it has reported its findings. As you know, House Resolution

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

345 was adopted, and until that report comes back this would prohibit any funding of the CHA by the State. This is in case the City of Chicago comes for a bail out to the State before the Special Investigating Committee has done its work."

Speaker Giglio: "Questions on the Amendment? The Gentleman from Cook, Representative Young."

Young: "Has this Amendment been printed and distributed?"

Speaker Giglio: "Has this Amendment been printed? No it has not. The Lady from Cook, Representative Jones."

Jones: "I move to table, Mr. Speaker."

Speaker Giglio: "The Lady moves to table Amendment #2. And on that the Gentleman from DuPage, Representative McCracken."

McCracken: "I understand the other side's desire to avoid having to deal with these issues. But again, Mr. Speaker, we've been filing these Amendments because we didn't have a chance to have these issues decided by Committee, and this is our only form that is left. Now, we are filing these Amendments as quickly as we can. We expected to be over the hump today. Apparently we're not. I would ask the Lady to give us a chance to consider this issue. You know the State isn't giving any money to the CHA now. We're just saying that until that report is completed and the General Assembly is apprised of the status of the CHA, that they not come to us for any bail out money. That's all we are seeking to do. I'd be happy to give you a copy of the Amendment."

Speaker Giglio: "The Lady moves that the Amendment to House Bill 858 be tabled. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendment is tabled. Any further Amendments?"

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

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

McCracken."

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

McCracken: "I'll withdraw 3. It's the same thing as 2."

Speaker Giglio: "The Gentleman asks to withdraw Amendment #3. Does he have leave? Leave is granted and Amendment #3 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. On page 8 of the Calendar appears House Bill 869. There's been a fiscal note required on House Bill 858, so the Bill will remain on Second Reading. Representative Jones. For what purpose does the Lady, rise?"

Jones: "Mr. Speaker, I would like to make a Motion that the fiscal note is not applicable at this time for this Bill."

Speaker Giglio: "Representative Shaw, for what purpose do you rise, Sir? Are you seeking recognition, Representative Shaw? Your buttons... Representative Jones. Would you kindly withdraw the Motion for the fiscal note... request that the Commission bring that over here and if they don't bring that over here within two hours or so, we'll return back to this Bill."

Jones: "Thank you, Mr. Speaker. I withdraw... I filed that fiscal note three days ago... four days ago."

Speaker Giglio: "The Bill will remain on Second Reading. On page 8 of the Calendar appears House Bill 869. Representative Brunsvold. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 869, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Hultgren on Amendment #1 to House

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Bill 869."

Hultgren: "Thank you, Mr. Speaker and Members of the House. Floor Amendment #1 would add to House Bill 869 certain changes to the Tax Increment Allocation Redemption Act, previously enacted by this General Assembly. Specifically that Act provides a deadline for communities to establish TIF districts of December 31, 1986-January 1, 1987. And this would extend that deadline for just one year for downstate counties with high unemployment rates only. Of course, it's intended to provide a tool for economic development in those areas in the State where it is most needed. Would urge adoption of Floor Amendment #1. Ask for an 'aye' vote."

Speaker Giglio: "On Amendment #1 to House Bill 869. The Gentleman from Rock Island, Representative Brunsvold."

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

Speaker Giglio: "He indicates he will."

Brunsvold: "Representative Hultgren, what generated this piece of legislation? Was there a request made from any group or...
"

Hultgren: "No, no, Representative Brunsvold, it is not a request from any group. Rather, this is a part of an economic development plan which, I believe, will assist downstate counties like those in the 94th District, and, I suspect in Mercer County as well, with high unemployment rates, to provide them with additional tools for developing their area and for reducing those high unemployment rates."

Brunsvold: "Was there a... talking to Representative Homer, indicated there might have been an agreement on the deadline on this date. Does Representative Homer remember any of that... or Representative Hultgren, is there a deadline or was there an agreement made on this TIF Bill that was passed before?"

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Hultgren: "I'm not aware of any agreement... are you talking about an agreement on the date in the original legislation?"

Brunsvold: "That at end... yes, because there was a deadline, I think of December 31, is that correct?"

Hultgren: "December 31, 1986 is the way the original legislation is drafted."

Brunsvold: "Right. And there was a big shuffle right at the end there... that everybody got under the wire to get their TIF districts."

Hultgren: "That's right."

Brunsvold: "You know what kind of expenses would be incurred if we extended this for one year?"

Hultgren: "No, I'm sorry I don't have an estimate on the expenses on this. Of course, the expenses would be somewhat dependent on how many of those downstate counties made a determination to take advantage of the extension of one year. So I think any kind of estimate would be most difficult."

Brunsvold: "Mr. Speaker, I would yield to Representative Homer for a question."

Speaker Giglio: "The Gentleman from Fulton, Representative Homer."

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

Speaker Giglio: "He indicates he will."

Homer: "Representative Hultgren, I think what Representative Brunsvold's concern is... not so much with your Amendment, but he wants to make sure that his Bill doesn't have a controversial feature put on it since he introduced it on behalf of a situation in his district. Which changed... Rock Island changed its form of government and inadvertently provided for the election of the Clerk and Treasurer, and so forth, so it's an important Bill to him,

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

a non-controversial Bill, and so my questions have to do with your understanding of the controversial nature of your Amendment. Now let me ask you that... do you have any knowledge of as to whether there is opposition?"

Hultgren: "Mr. Speaker, I'm having trouble hearing. May we have some order, Mr. Speaker."

Speaker Giglio: "Yes, would you give the Gentleman some order, please."

Homer: "Representative Hultgren, the tax increment finance legislation which passed last year, is my understanding, was result of negotiations and an agreement which said that communities could enact a TIF district utilizing sales tax revenue, but it sunsetted December 31, 1986. Is that your understanding?"

Hultgren: "That's my understanding. Although I might defer to your judgment and your memory there, because of course, you were here when those negotiations occurred, and I wasn't. But yes, the Act as it currently exists, does have a sunset on the TIF initiatives of December 31, 1986."

Homer: "I think we are talking here about the sales tax increment. There was no sunset, I don't think, on the property tax increment or the utility tax increment. I think we are talking about the sales tax increment. And what you would do is, say, in communities that had more than eight percent unemployment, that they would be given an additional year in order to enact to a TIF. Did you introduce a Bill as to that?"

Hultgren: "That's right, the state incentives. That's right, and take advantage of the state incentives. Yes, I did."

Homer: "What happened to it?"

Hultgren: "The House Labor and Commerce Committee considered that... did not have an opportunity to consider that legislation."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Homer: "You didn't get a hearing for your Bill? After you filed it, were you put on notice of any opposition to your Bill?"

Hultgren: "No, I never received any notice of any opposition to that particular legislation. No, Sir."

Homer: "So you are not aware of any opposition?"

Hultgren: "No, I am not."

Homer: "If it would turn out, Representative Hultgren, that your Amendment would make the Bill controversial, would you make a commitment that you would agree to table that Amendment? If it appeared it would jeopardize Representative Brunsvold's Bill?"

Hultgren: "Certainly, it is not offered as an attempt to jeopardize the success of Mr. Brunsvold legislation. I would make that kind of commitment, yes, Sir."

Homer: "Well, I have no disagreement with your Amendment. I think it's a good Amendment for areas that are economically depressed, and certainly many communities maybe in my district could take advantage also, and with your commitment that you would table your Amendment in the event that it would appear that your Amendment would jeopardize Representative Brunsvold's Bill, I would join with you in supporting the Amendment."

Hultgren: "Thank you."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative O'Connell."

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

Speaker Giglio: "He indicates he will yield."

O'Connell: "Representative, if I understand your Amendment correctly, the state's share of the sales tax would continue to be dedicated to a TIF district in a municipality that has more than eight percent unemployment?"

Hultgren: "Those municipalities could establish districts for one

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

more year and take advantage of the state sales tax incentive. Yes."

O'Connell: "For how many years?"

Hultgren: "One year only. One additional year."

O'Connell: "Pardon?"

Hultgren: "It would extend the deadline for them establishing their districts by one additional year."

O'Connell: "And would this only apply to counties that were below three hundred thousand?"

Hultgren: "That's right. With the high unemployment rate, its targeted into the counties where the economic development incentives are most needed, those with the highest unemployment rates."

O'Connell: "Okay, but this, the state's sales tax wouldn't be dedicated for just one year, would it?"

Hultgren: "The sales tax incentive would be dedicated pursuant to the existing law."

O'Connell: "Right. So that could be almost twenty-three years."

Hultgren: "That's the way the existing law reads."

O'Connell: "So if a municipality in a county less than three hundred thousand population has for one year an unemployment rate that is above eight percent, then for the next twenty-three years the state's share of the sales tax can be dedicated to that particular community, even though the next year, they may have a boom year. Mitsubishi Plant or something like that could locate in there and their unemployment rate could be as low as three percent for the next twenty-three years. Is that correct?"

Hultgren: "I think you are reading the legislation correctly, but I would hasten to point out that for those communities that established TIF districts in the calendar of 1986, they took advantage of the same provisions and the same thing might be true in other communities where they establish

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

their TIF districts in 1986, but indeed before the sales tax incentives expired they would have no need for that and indeed they might have a prospering local economy. We would hope, in fact, that the economy would prosper and hopefully would prosper as a result of this particular incentive."

O'Connell: "But, wouldn't these municipalities... didn't they have the same opportunities to establish a TIF district as those municipalities that did, in fact, establish a TIF district prior to December 31, 1986?"

Hultgren: "It would be my understanding it would have the same opportunities. However, in those communities that are hardest hit economically oftentimes don't have the resources to pursue some of the state incentives that we offer them because of the very economic hardships they are undergoing."

O'Connell: "To the Bill, Mr. Speaker. I would submit that every municipality had the same opportunity to establish a tax increment finance district prior to December 31, 1986. I think that we should keep a very level playing field, and even though this particular community may have unemployment rate which might exceed eight percent, there are plenty of municipalities out there in counties greater than three hundred thousand that have an even worse unemployment rate, but would not be given the opportunity that this particular community might have. Everybody was given that opportunity. Everybody knew that it would end December 31, 1986. And if we are going to open up, let's open it up to everybody. But, I would submit this may not be the year to do it, and I would oppose Amendment #1."

Speaker Giglio: "Further discussion? The Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Representative Hultgren, you

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

indicated to Representative Homer that if this thing became controversial you would withdraw or back away from your Amendment. It's evident from the discussion already by Representative O'Connell, and also talking to Representatives on your side of the aisle, they are not supportive of this Amendment. And so, Mr. Speaker, I'm going to stand in opposition to Amendment #1 of Representative Hultgren and ask that the Body do not adopt this Amendment to my Bill."

Speaker Giglio: "The Gentleman from Warren, Representative Hultgren, to close."

Hultgren: "Mr. Speaker, I did make a commitment to Representative Homer and to the Sponsor. And it's apparent that this proposal is not as non-controversial as I originally thought. And with that I would ask that the Amendment be withdrawn."

Speaker Giglio: "The Gentleman ask leave to withdraw Amendment #1. Does the Gentleman have leave? The leave is granted. Amendment #1 to House Bill 869 is withdrawn. Are there further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 1173, Representative Leverenz. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1173, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representatives Leverenz and Churchill."

Leverenz: "Thank you, Mr. Speaker. Amendment #1 is a technical Amendment to exclude ATV's and Motor Homes. I would move for the adoption of Amendment #1."

Speaker Giglio: "The Gentleman moves for the adoption of

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Amendment #1 to House Bill 1173. Any discussion? Hearing none, all those in favor of Amendment #1 to House Bill 1173 say 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it. Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Black. Representative Black in the chamber? House Bill 1629, Representative Curran. Representative Curran. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1629, a Bill for an Act to amend the Township Organization Act. Second Reading of the Bill. Amendment #2 was adopted in Committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

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

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

Curran: "One moment, Mr. Speaker. Thank you, Mr. Speaker. Amendment #3 extends the provisions of the Bill to include disconnections. This further provides that in the event the city has taken action prior to the effective date of the Bill, that the annexation should be deemed effective August 11, 1986."

Speaker Giglio: "The Gentleman moves for the adoption of Amendment #3 to House Bill 1629. Any discussion? Hearing none, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it. Amendment #3 to House Bill 1629 is adopted. Further Amendments?"

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

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Ryder."

Speaker Giglio: "Representative Ryder on Amendment #4."

Ryder: "Just one moment, please."

Speaker Giglio: "Representative Hultgren, are you up in the gallery, Sir? Representative Hultgren? We were looking for you on the House Floor. We were wondering where you went. Representative Ryder?"

Ryder: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill simply expands an exemption that is part of the Bill, as of now, which originally allowed for Agricultural purposes. This includes for the processing or manufacturing of agricultural products or food, and I would move its adoption. Thank you."

Speaker Giglio: "Any discussion on Amendment #4? The Gentleman from Cook, Representative Young."

Young: "Could the Sponsor take this out of the record for just a minute, and we could come right back to it?"

Speaker Giglio: "Representative Ryder? Take it out of the record. Hold the Bill on Second Reading, Mr. Clerk. On page 8 of the Calendar appears House Bill 1693, Representative Ryder. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1693, a Bill for an Act to amend the Court of Claims Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. On page 8 of the Calendar appears House Bill 1742, Representative Mays. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1742, a Bill for an Act to amend the Asbestos Abatement Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. On page 8 of the Calendar under State and Local Government appears House Bill 1854, Representative Hoffman. Is Representative Hoffman, in the chamber? Out of the record, Mr. Clerk. House Bill 1903, Representative Ronan. Representative Ronan? Representative Ronan? Mr. Clerk, House Bill 1903."

Clerk O'Brien: "House Bill 1903, a Bill for an Act to amend Sections of an Act in relation to compensation of the Members of the General Assembly. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Ronan on Amendment #1 to House Bill 1903."

Ronan: "Thank you, Mr. Speaker. It is going to take a second, I am just getting my file together, right now. On this important Amendment, I have been analyzing this Amendment all day. I just have to come in with that analysis. Okay, yeah, Amendment #1 to House Bill 1903. House Bill 1903 is the legislation that states that Chairmen in the Illinois General Assembly should receive compensation for their extra duties and responsibilities. When I put the Bill in originally, I asked that there should be a five thousand dollar stipend established for a four hour Committee Chairman, twenty-five hundred dollars for a two hour Committee Chairman. After talking to some of the Leadership people on our side of the aisle I determined that it made more sense to cut the stipend so that Amendment #1 asks that five thousand dollar allotment be cut to three thousand, and the twenty-five hundred allotment be cut two thousand dollars, annually, for four

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

and two hour Committee Chairmen. So I will be glad to answer any questions concerning Amendment #1, and I move for the adoption of that Amendment."

Speaker Giglio: "Any questions? Hearing none, the Gentleman asks that Amendment #1 be adopted to House Bill 1903. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Giglio: "Representative Stephens on Amendment #2 to House Bill 1903. Representative Stephens in the chamber? Representative Ronan."

Ronan: "Yes, Mr. Speaker, I understand that this Amendment hasn't been printed, so I move to table it."

Speaker Giglio: "The Gentleman asks that Amendment #2 be tabled to House Bill 1903. All those in favor signify by saying 'yes', those opposed 'no'. In the opinion of the Chair the 'ayes' have it. Amendment #2 is tabled. Further Amendments?"

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

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

Rice: "I'd like to table Amendment #3."

Speaker Giglio: "The Gentleman ask leave to table Amendment #3. Does the Gentleman have leave? All those in favor say... withdraw. Ask leave to withdraw Amendment #3. Amendment #3 is withdrawn. Further Amendments?"

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

Speaker Giglio: "Representative Rice on Amendment #4."

Rice: "Vice-Chairmen of each Standing Committee and Subcommittee would receive one thousand dollars."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Giglio: "The Gentleman asks for the adoption of Amendment #4. All those in favor on that question... Representative Ronan."

Ronan: "Thank you, Mr. Speaker. My only question is, has this Amendment been printed and distributed? I haven't seen a copy of it. That is my question."

Speaker Giglio: "The Amendment has been printed and distributed, Representative Ronan. Representative Ronan?"

Ronan: "Mr. Speaker, if it hasn't been printed, then I move to table the Amendment."

Speaker Giglio: "It has been printed and distributed. Do you care to speak for the Amendment, Mr. Ronan, or what's your wishes, Sir?"

Ronan: "Yes, Mr. Speaker. Representative Rice has got an interesting concept there. However, I wish that he would have brought this Amendment prior to us discussing the legislation in Committee. I feel that it is going to be a difficult piece of legislation to pass, taking into account the roll of Committee Chairman and Minority Spokesman. I feel that this Amendment, even though it's an admirable goal, I'd be glad to handle a separate piece of legislation, if that's what Representative Rice would like to do. But I am afraid that this Amendment might jeopardize the potential that I have on passing the legislation. So I reluctantly rise against it, but would pledge to work with Representative Rice on a separate piece of legislation to address this issue."

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

McCracken: "Nothing could be fairer than rewarding our Vice-Chairman. I think this is the fairest Committee Amendment... I think this is the fairest Amendment on this issue that I have ever seen. I think Representative Ronan

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

should accept this graciously. You Vice-Chairman over there, you Democrats who help make the Committee's work, you deserve your pay raise, too. I think that we should all vote for this Amendment, so that Representative Ronan can reward his Vice-Chairman."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Rice, to close. Representative Rice? Proceed, Representative Rice."

Rice: "I graciously accept the comments that the previous Speaker has made and, also the maker of this Bill. But I do think its fair that the Vice-Chairman do work. I did cancel #3, which really should take care of the Subcommittee Chairmen, but I think this is a minimum amount of money for Vice-Chairmen. If we are able to get through the big part, he should help us. Unless he can come down with a piece of legislation before this Body adjourns."

Speaker Giglio: "The Gentleman moves that House Amendment #4 to House Bill 1903 be adopted. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. 'No'. The Amendment fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Representative Johnson, for what purpose do you rise, Sir?"

Johnson: "I don't really care whether the Amendment is or isn't adopted, but you said 'In the opinion of the Chair the 'ayes' have it', and the Amendment fails.' We ought to get it straight for the record, shouldn't we?"

Speaker Giglio: "Well the opinion of the Chair... I didn't mention the Amendment to what Bill. So in the opinion of the Chair the 'nos' had it and the Amendment fails."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Johnson: "Okay, that's fine. Just wanted to make sure we are on the right track here."

Speaker Giglio: "Representative Leverenz, do you seek recognition?"

Leverenz: "Yes. Inquiry of the Chair. Were we talking about the same right Amendment?"

Speaker Giglio: "We were talking about the Amendment, but you have to... you have to wait till the Chair concludes his remarks and mentions the particular Bill that the Amendment pertains to. So that Bill wasn't mentioned so we had to conclude it."

Leverenz: "As long as you do the right thing, Mr. Speaker."

Speaker Giglio: "We try, Representative Leverenz, we try."

Leverenz: "Don't just try."

Speaker Giglio: "Are there any further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "1903. No further Amendments. Third Reading. Representative Panayotovitch, for what purpose do you rise, Sir?"

Panayotovitch: "Thank you, Mr. Speaker. Just to announce that one of our former colleagues here on the House floor with us, State Senator Sam Maragos, is here with us. Say hello to State Senator Maragos, State Representative and Senator. Senator Sam, with us."

Speaker Giglio: "Nice to have you back, Mr. Maragos. On page 9 of the Calendar appears House Bill 1904. Representative Ronan. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1904, a Bill for an Act in relation to compensation of Members of the General Assembly. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Giglio: "Representative Stephens on Amendment #1 to House Bill 1904. Representative Stephens in the chamber? Representative Ronan."

Stephens: "Thank you, Mr. Speaker. I understand this Amendment hasn't been printed or distributed, so I move to table it."

Speaker Giglio: "The Gentleman asked leave that Amendment #1 to House Bill 1904 be tabled. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it. Amendment #1 is tabled. Further Amendments?"

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

Speaker Giglio: "Representative McCracken, Amendment #2 to House Bill 1904. Withdraw Amendment #2. Representative from Champaign, the Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, I also wanted to mention that we are blessed by the presence today of former Representative Paul Stone at the back of the chamber."

Speaker Giglio: "Representative Stone, welcome to Springfield. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. On page 9 of the Calendar appears House Bill 2164, Representative LeFlore. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2164, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Giglio: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 2749, Representative

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Flinn. Representative Flinn in the chamber? Monroe Flinn. Representative Flinn, House Bill 2749. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2749, a Bill for an Act to amend an Act to revise the Law in relation to counties. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Ropp on Amendment #1 to House Bill 2749."

Ropp: "Thank you, Mr. Speaker. I'd like to withdraw that Amendment."

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

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

Speaker Giglio: "Representative McCracken, Amendment #2 to House Bill 2749. Representative McCracken."

McCracken: "Mr. Speaker, I withdraw Amendment #2."

Speaker Giglio: "Gentleman asks to withdraw Amendment #2. Further Amendments? Amendment #2 is withdrawn."

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

Speaker Giglio: "Amendment #3, Representative McCracken."

McCracken: "Mr. Speaker, Ladies and Gentlemen, this Amendment allows collar counties to enter into intergovernmental agreements for the erection and maintenance of area-wide county jails. There is consideration among the collar counties for building, essentially, a misdemeanor facility for the collar counties and this would authorize those intergovernmental agreements necessary to effect that."

Speaker Giglio: "Any discussion? Fiscal note has been filed."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Representative Flinn. Any discussion? No discussion. All those in favor of Amendment #3 to House Bill... Representative Homer."

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

Speaker Giglio: "He indicates he will."

Homer: "Representative McCracken, staff points out that your Amendment would allow the collar counties to go together to issue bonds and build a correctional center for the purpose of housing inmates. Is that, in a nutshell, what it does?"

McCracken: "Yes. I said the collar counties. As I am looking at the population here, I think that this would also include St. Clair and Madison counties as well, the Metro Counties."

Homer: "I thought there was a provision that said it had to be adjacent to... contiguous to a county with a city of one million. St. Louis would fall within that... "

McCracken: "Contiguous to a county with a Metropolitan Area with a population of one million or more. I believe we are referring both to the up-state collar counties and to St. Clair and Madison. The Metro counties."

Homer: "Okay. Is there any provision in your Bill for limitation either on the amount of bonds that can be issued or upon the amount of levy that a county may authorize to support the payment of these bonds?"

McCracken: "Under current law the maximum is .07 percent tax by back door referendum for this purpose. And we would follow that. That would set our maximum limits."

Homer: "And that's referring to some other provision of law that is applicable to this Bill?"

McCracken: "Correct."

Homer: "Alright, thank you."

McCracken: "Further discussion? The Gentleman from St. Clair, Representative Flinn."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Flinn: "Well, will the Sponsor of the Amendment yield for a question, please?"

Speaker Giglio: "He indicates he will."

Flinn: "Would you explain to me, Mr. Sponsor, if you are talking about a municipality of a million or more, would that include St. Louis, which is not in Illinois?"

McCracken: "Yes, it is my understanding that the Metro-counties were included, and the basis for their inclusion was that they were contiguous to St. Louis, which is not in Illinois, but which is a metropolitan area in excess of a million."

Flinn: "That brings up another question. There are 600,000 people in the City of St. Louis. Does it include St. Louis, St. Louis County and Jefferson County, Franklin County, Missouri? How far in Missouri can we go to include that?"

McCracken: "All I can tell you, Representative, is that it includes a metropolitan area with a population of one million or more inhabitants."

Flinn: "Well, then I bring up another very strange question. Define a metropolitan area for me. And in particular, the St. Louis Metropolitan Area."

McCracken: "It isn't defined in the Bill. However, there are common understandings about it. For example, Chicago is a six county metropolitan area. I don't know the counties which constitutes the St. Louis Metropolitan Area, but the term has an accepted usage."

Flinn: "Well, Mr. Speaker, I'm not going to object to the Amendment because I'm not sure just what it does. I have not seen the Amendment, although I am sure that it was on my desk and went in file thirteen with many of the other Amendments. I'm sorry I didn't pick it up and read it, but at this point I am not going to object to the Amendment."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

But, if it adversely affects the Bill, then I will talk to the Senate Sponsor to either try to get the Amendment off or table the Bill."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Cullerton: "Representative McCracken, as you know I try to follow the events of ... as best I can, that occur on out in DuPage County by subscribing to the Wheaton Journal, and it seem to me I read in that paper that there's an attempt by DuPage and Kane to form some type of an alliance to have a sharing of a county jail. Is that correct?"

McCracken: "I have heard that. I don't know if it is correct."

Cullerton: "Well, how would your Amendment fit into that proposition?"

McCracken: "It would allow them to enter into those intergovernmental agreements necessary to do it."

Cullerton: "So this Bill is in response to a request from the DuPage County Board?"

McCracken: "Frankly, I don't know. I think it's a metro-counties request."

Cullerton: "Was this the subject matter of a separate Bill, this Amendment?"

McCracken: "Yes."

Cullerton: "Do you know the Bill number."

McCracken: "No, I don't recall it."

Cullerton: "Do you know where the Bill is now?"

McCracken: "It was called and defeated in Executive Committee."

Cullerton: "Did it get... "

McCracken: "Well, no, it didn't... no... no."

Cullerton: "It didn't get a fair hearing? It doesn't sound to me like it's that bad of an idea. This just allows for a

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

back door referendum?"

McCracken: "No, the limit for this purpose is already prescribed in the law, .07 percent tax, and there is a back door referendum, yes."

Cullerton: "Okay. So this would be allowed for a tax to build a jail or jail annex that could be used by more than one county and your definition of the metropolitan area is broad enough so as to include which counties around Chicago, would you say?"

McCracken: "Over 250,000. So that would be all the collar counties but McHenry."

Cullerton: "So that's Will and Kane and Lake. And is it your understanding that these counties do want this?"

McCracken: "It's a metro-counties request. I don't know if each and every county wants to participate. There is nothing that this Bill will do that would force anybody to participate."

Cullerton: "It would authorize them to do so if they want to. Well, Mr. Speaker, I believe that... I don't know why the Executive Committee killed this provision in the Committee. I think it's... it sounds like a very important measure for, not only DuPage County, but a lot of the Republican counties out there in suburban Chicago. I think that the Amendment sounds fine and should be included in this particular Bill."

McCracken: "If I had my way we'd get the money from the state and take Vandalia back for the misdemeanants. That's not going to happen in the future... in the near future."

Cullerton: "Representative McCracken, to close."

Speaker Giglio: "Proceed."

McCracken: "I'm all done."

Speaker Giglio: "The question is, 'Shall the House adopt Amendment #3 to House Bill 2749?' All those in favor

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

signify by voting 'aye', those opposed 'nay'. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bills Third Reading, page 9 of the Calendar. House Bill 178, Representative Ropp. Representative Ropp in the chambers? Representative Ropp, are you ready on House Bill 178, Sir? Out of the record. House Bill 243, Representative Berrios. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 243, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. Second Reading of the Bill. No Committee Amendments. Oh, Third Reading of the Bill."

Speaker Giglio: "Representative Berrios."

Berrios: "This Bill, we passed last Session, we passed it the last couple of years, it simply requires the Department of Mental Health to reimburse the shares for personal and... personal cost and vehicle cost when they transport patients. This is brought about because of the fact that we passed a Bill here a long time ago and we never stipulated how it was supposed to be paid for, and the local municipalities have been paying for it. And I would just ask for a favorable vote."

Speaker Giglio: "Question is, 'Shall House Bill 243 pass?' And on that question, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'yes', none voting 'nay', none voting 'present'. And House Bill 243, having received the Constitutional Majority, is hereby declared passed. House

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Bill 1015, Representative Olson. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1015, a Bill for an Act to amend an Act in relation to compensation of various local officials. Third Reading of the Bill."

Speaker Giglio: "Representative Olson."

Olson, R.: "Yes. Thank you, Mr. Chairman, fellow Members. House Bill 1015 amends the County Officer Compensation Act. County Commissioner maximum salary limits are set by state law and vary according to the population of the county in which they serve. This is permissive legislation, relating only to those seventeen downstate counties which have a commission form of government as opposed to the more numerous county board types of government. It allows counties to raise the salary by 4,000 dollars per commissioner in the lower three brackets... population brackets."

Speaker Giglio: "Question is, 'Shall House Bill 1015 pass?' Any discussion? Hearing none, all those... Representative Countryman."

Countryman: "Thank you, Mr. Speaker. A question of the Sponsor."

Speaker Giglio: "He indicates he will."

Countryman: "Representative, is this your first Bill?"

Olson, R.: "I guess you would say that."

Countryman: "Thank you."

Speaker Giglio: "Question is, 'Shall House Bill... Representative Homer."

Homer: "Thank you. Representative Olson, this is something that I'm not sure I understand fully, but it's a salary increase for county board members? Would you explain it again. I'm sorry. I think it's important enough. There are a lot of Members that are sensitive to Bills that call for a salary increase, and I just would like for you to explain it

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

again. I didn't hear you."

Olson, R.: "Yeah. The... Yes, thank you. This is for counties who have the commission form of government..."

Homer: "I see."

Olson, R.: "...County commissioners as opposed to a county board type which is more numerous. There are seventeen downstate counties, one, in my district, which have this type of county government, and this raises the salary by \$4,000 of those lower three brackets according to population. The highest bracket is currently set at 20,000. That's for counties of 35,000 people or more. We're not raising that one. We're raising only the lower ones."

Homer: "Do you, just so the Members are certain, because a lot of us have a number of counties in our district, do you have a list of those seventeen counties?"

Olson, R.: "Yes, I do."

Homer: "Would you read those for us, please, so the Members know who have counties that would be affected?"

Olson, R.: "Yes. Okay. I would start... well, they're alphabetical. Alexander, Calhoun, Edwards, Hardin, Johnson, Massac, Menard, Monroe, Morgan, Perry, Pope, Pulaski, Randolph, Scott, Union, Wabash and Williamson, and as a little more explanation, Representative Homer, I would compare the county in my district, Menard, which has three commissioners and they're currently earning 6,000 dollars a year. That's 18,000 dollars for the county government. My home county of Logan has thirteen county board members at about 3,000 dollars a year. That's 39,000 dollars a year for county government. The three commissioners are doing every task, serving on every committee and every similar and like capacity as the thirteen share back in my home county. In other words, the work load is much heavier. Even a Board of Review, in my home county, is an appointed

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

board wherein a county commission government, I understand, that even the three commissioners are the Board of Review. They feel, and this is supported by the Association of County Boards incidently."

Homer: "Thank you for your explanation."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I rise in support of House Bill 1015 and would like to iterate to the Members of the House that what House Bill 1015 seeks to do is to permissively raise the ceiling for the salaries. We are not mandating that the salaries be raised. We, in the Legislature, many, many years ago decided that we were going to determine how much county boards can allow in compensation to their county board members and others. And quite honestly, the idea of us doing that is far past its time. We ought to allow the county boards permissively to set the salaries at any level that they wish. Only Representative Olson's Bill does not go quite that far. It allows the county boards permissively to be able to establish the salary cap at a certain level higher than it is currently. Representative Flinn, for one, has mentioned often on this House floor how ridiculous it is for this General Assembly to inhibit local county boards from being able to set salary levels. They're elected officials, they should be able to do that. This Bill maintains the current floor and raises the cap by a few thousand dollars. So, those county boards, who feel that they would like to raise that maximum level, can do that up to a certain amount. Otherwise, those county board members, even if the county board wished to provide a salary increase, would be unable to do so. So, this Bill is permissive, non mandatory and deserves an 'aye' vote."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Giglio: "Further discussion? The Gentleman from St. Clair, Representative Stephens."

Stephens: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As a downstate Legislator, whose counties are not affected, but sensitive to the problems of these sparsely populated counties, I rise in support of this Bill. The previous Representative's remarks are well taken in that it's a... it's permissive language and allows local control. And those of us that believe in local control, I see absolutely no reason why we should stand in opposition of this fine Bill. And I do think I heard earlier someone said this was Representative Olson's first piece of legislation."

Speaker Giglio: "The Gentleman from Saline, Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I regretfully rise in opposition to this Bill. Six of the counties that were named are in my district, but for some reason or other, someone has got the message all wrong. Even if we allowed 1,000 or 5,000, whatever the raise might be, they just can't handle it. They can't even fund the ambulances in some of these counties and the hospitals are shutting down. So, as much as I would say these are deserving people for raises, practically, they would be first to tell me no use voting for this because we couldn't do it if you give us the authority. We just do not have the funds. We got too many obligations for life sustaining services and as much as I would like to join in this, I'm sorry to say I can't."

Speaker Giglio: "Further discussion? The Lady from Cook, Representative Pullen."

Pullen: "I would like to ask the Sponsor a question, please."

Speaker Giglio: "He indicates he will."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Pullen: "The debate on this, I have found somewhat confusing, and I want to clarify something. What you are proposing is to raise the maximum authorized salary, not the minimum, is that right?"

Olson, R.: "Yes, that's correct."

Pullen: "So, this is not imposing a pay raise on any county, it is authorizing them to do so if they choose?"

Olson, R.: "It is... it is permissive all the way. It is nothing mandatory about it. It's permissive, and in response to Representative Phelps, I would emphasize that permissive aspect of it. I do understand what he's talking about. I visited with him earlier in the Session, but it's permissive and it is the counties own money. We're not spending state money."

Pullen: "So, if a county felt that they did not have the money to provide this salary increase, they would not have to do that."

Olson, R.: "They would not have to do it, and if they so elected to do that and the county constituency was in disagreement, they have to be reelected again also."

Pullen: "Thank you very much."

Speaker Giglio: "Further discussion? The Gentleman from Logan, Representative Olson, to close."

Olson, R.: "I just ask for the approval of my legislation."

Speaker Giglio: "Question is, 'Shall House Bill 1015 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. Voting is open. Representative Olson, you want to explain your vote, Sir?"

Olson, R.: "I believe I'll wait for the tally."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 70 voting 'yes', 39 voting 'no', 4 voting 'present'. House Bill 1015, having

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

received the Constitutional Majority, is hereby declared passed. Representative Olson."

Olson, R.: "Thank you, Mr. Chairman and thank you, fellow Members."

Speaker Giglio: "You're welcome. The Gentleman from DuPage, Representative Stange, for what purpose do you rise, Sir?"

Stange: "My... my thing... you want to put me as 'aye' vote on that, please, and so would Bob Regan."

Speaker Giglio: "Representative Stange. Mr. Clerk, Gentleman wants to be recorded as voting 'aye'. Representative Morrow. Gentleman from Cook, Representative Morrow."

Morrow: "Thank you, Mr. Speaker. I would also like to change my vote to 'aye'."

Speaker Giglio: "The record will be so noted, Representative."

Morrow: "Alright. Thank you."

Speaker Giglio: "Representative Davis."

Davis: "Mr. Speaker, I'd like to change my vote to 'aye', please."

Speaker Giglio: "The record will indicate. The machine is locked. Representative Rice, the record will indicate voting 'aye'. Representative Shaw, 'aye'. Representative Jones, 'aye'. Representative Daley, 'aye'. On page nine of the Calendar... Representative DeLeo, 'aye'. On page nine of the Calendar appears House Bill 1146, Representative Braun. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1146, a Bill for an Act to amend the Personnel Code. Third Reading of the Bill."

Speaker Giglio: "The Lady from Cook, Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a straightforward piece of people's legislation which simply calls for some sunshine in the state employment process. It simply calls for publication or listings, posting really, not even publication, posting

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

of state job vacancies. Now, everybody in the state, you, no doubt, have had constituents call you and say that they have no idea what's available in State Government. This would be a way of addressing those concerns so that everyone at least is aware, and so that we can tap into a pool with expertise that is out there in that general community, and I think it would benefit everyone. All of us certainly and in the administration of State Government, generally. The Bill came out of Committee 19 votes for it and none against, and I would encourage your support of this legislation."

Speaker Giglio: "Question is, 'Shall House Bill 1146 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Representative McCracken."

McCracken: "Thank you. I cannot agree with the Lady that this is necessary. As a matter of fact, I think it probably is... does, in fact, incur some cost to CMS and I don't think that's outweighed by what she contends is the utility of it."

Speaker Giglio: "The Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think all of us serving in this chamber have at one time or another had people come to us and say, 'Gee, you know, I'd like to work for State Government, what do I do?' And we tell them to take the exams and so forth, but then, when it comes to finding out where the job openings are, no one seems to know. It's a big mystery. So, if all of you like mysteries and that's your cup of tea, then you really ought to vote for this piece of legislation, because this Bill answers the biggest mystery of all. Where are the jobs in State Government?"

Speaker Giglio: "The Lady from Cook. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr.

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Clerk, take the record. On this question there are 66 voting 'yes', 40... The Gentleman from DuPage, Representative McCracken."

McCracken: "Verification, please."

Speaker Giglio: "Representative Christensen. Representative Christensen votes 'aye'. Gentleman asks for a verification. Lady asks for the Poll of the Absentees."

Clerk O'Brien: "There's no one absent. Two excused."

Speaker Giglio: "Proceed with the verification."

Clerk O'Brien: "Berrios. Bowman. Braun. Breslin. Brunsvold. Bugielski. Capparelli. Christensen. Cullerton. Curran. Currie. Daley. Davis. DeJaegher. DeLeo. Didrickson. Dunn. Farley. Flinn. Flowers. Frederick. Giglio. Giorgi. Granberg. Greiman. Hannig. Harris. Hartke. Homer. Huff. Jones. Keane. Krska. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McNamara. McPike. Morrow. Mulcahey. O'Connell. Panayotovich. Pangle. Phelps. Preston. Rea. Rice. Richmond. Saltsman. Satterthwaite. Shaw. Steczo. Stern. Sutker. Terzich. Turner. Van Dwyne. White. Williams. Wolf. Anthony Young. Wyvetter Young and Mr. Speaker."

Speaker Giglio: "The Lady from Cook, Representative Didrickson."

Didrickson: "How am I recorded, please?"

Speaker Giglio: "How is the Lady recorded, Mr. Clerk?"

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

Didrickson: "I wish to be recorded as 'no', please."

Speaker Giglio: "Change the Lady from 'aye' to 'no'. The Lady from Lake, Representative Frederick."

Frederick: "Would you vote me 'no', please?"

Speaker Giglio: "How is the Lady recorded?"

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

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Giglio: "Change it to 'no'. Questions of the Affirmative?"

McCracken: "Yes, thank you, Mr. Speaker. Representative Krska."

Speaker Giglio: "Representative Krska. How is the Gentleman recorded?"

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

Speaker Giglio: "Is the Gentleman in the chamber? Representative Krska in the chamber? Remove the Gentleman."

McCracken: "Representative Martinez."

Speaker Giglio: "Representative Martinez. Representative Martinez in the chamber? How is the Gentleman recorded?"

Martinez: "The Gentleman is recorded as voting 'aye'."

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

McCracken: "Representative Keane."

Speaker Giglio: "Representative Keane in the chamber? Representative Keane. How is the Gentleman recorded?"

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

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

McCracken: "Representative Harris."

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

McCracken: "Representative Laurino."

Speaker Giglio: "Representative Laurino in the chamber? Representative Laurino. How is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call. Further questions?"

McCracken: "Yes. Representative Hicks."

Speaker Giglio: "Representative Hicks in the chamber? Representative Hicks."

McCracken: "Oh. Oh, I'm sorry. Wrong vote. Representative Farley."

Speaker Giglio: "Excuse me. Representative who?"

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

McCracken: "Farley."

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

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

Speaker Giglio: "Remove the Gentleman from the Roll Call.
Representative Flinn asks to be verified."

McCracken: "Yes, that's fine."

Speaker Giglio: "Representative Flinn's verified."

McCracken: "Representative Turner."

Speaker Giglio: "Representative Turner. Representative Turner in
the chamber? Representative Turner. How is the Gentleman
recorded?"

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

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

McCracken: "Representative Saltsman."

Speaker Giglio: "Representative Saltsman. Representative
Saltsman is in his chair."

McCracken: "Representative Williams."

Speaker Giglio: "Representative Williams. Representative
Williams in the chamber? How is the Gentleman recorded?"

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

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

McCracken: "Representative Preston."

Speaker Giglio: "Representative Preston. Representative Preston
in the chamber? Representative Homer, for what purpose do
your rise, Sir?"

Homer: "I'm advised that Representative Preston is in the nurse's
station and..."

McCracken: "That's fine. I'll withdraw that."

Speaker Giglio: "Representative Bowman asks leave to be verified.
Representative Bowman."

McCracken: "Yes, that's fine."

Speaker Giglio: "Okay. Representative O'Connell, for what

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

purpose do you rise?"

O'Connell: "Leave to be verified."

Speaker Giglio: "Gentleman have leave?"

McCracken: "Yes."

Speaker Giglio: "Leave is granted. Representative Turner has returned. Return Representative Turner to the Roll Call."

McCracken: "Representative Capparelli."

Speaker Giglio: "Representative Capparelli in the chamber? Representative Capparelli. How is the Gentleman recorded?"

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

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

McCracken: "Nothing further."

Speaker Giglio: "Representative Young. Representative... Mr. Clerk... Representative Leverenz, for what purpose do you rise, Sir? Representative Ronan. Representative Ronan. Representative Ronan votes 'aye'. Representative Matijevich."

Matijevich: "How am I recorded?"

Speaker Giglio: "Gentleman... how is the Gentleman recorded?"

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

Matijevich: "Oh, I thought I was taken off and I just wanted to make sure."

Speaker Giglio: "Gentleman is recorded 'aye'. Representative Williams has returned. Vote the Gentleman 'aye'. Representative Sutker. How is he recorded?"

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

Speaker Giglio: "Representative Levin. How is the Gentleman recorded, Levin?"

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

Speaker Giglio: "Representative Richmond. Representative Richmond. How is he recorded?"

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

Speaker Giglio: "Representative Harris. Representative Harris."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Harris."

Harris: "Thank you, Mr. Speaker. Please change my vote to 'no'."

Speaker Giglio: "Change the Gentleman's vote from 'aye' to 'no'.
Representative Dunn. Leave to be verified. Representative
Williams, you have leave to be verified. Representative
Levin. Representative Sutker. Representative...
Representative Greiman have leave. Representative
Mulcahey, for what purpose do you rise, Sir?"

Mulcahey: "Mr. Speaker, please record me as voting 'aye'."

Speaker Giglio: "Vote the Gentleman as voting 'aye'. The
Gentleman from Cook, Representative Young."

Young: "Mr. Speaker, how am I recorded?"

Speaker Giglio: "How is the Gentleman recorded?"

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

Speaker Giglio: "Representative Leverenz. Representative
Leverenz. Representative Leverenz."

Leverenz: "How am I recorded?"

Speaker Giglio: "How is the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Representative Braun have leave to be verified.
Representative Flowers. Representative Shaw, for what
purpose do you rise, Sir?"

Shaw: "Yeah. Leave to be verified, please."

Speaker Giglio: "Gentleman have leave to be verified.
Representative Shaw, you'll just have to hold it.
Representative McGann, for what purpose do you seek
recognition, Sir? How is the Gentleman recorded? Change
the Gentleman from 'no' to 'aye'. Mr. Clerk, take the
record. On this question there are 60 voting 'yes', 48
voting 'no', 2 voting 'present'. House Bill 1146, having
received the Constitutional Majority, is hereby declared
passed. On Third Reading, on page nine of the Calendar,
appears House Bill 1279, Representative Steczo. Mr. Clerk,

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

read the Bill."

Clerk O'Brien: "House Bill 1279, a Bill for an Act to create an Act concerning the procurement of architectural, engineering and land surveying services for political subdivisions of the state. Third Reading of the Bill."

Speaker Giglio: "Any discussion? Question is, 'Shall House Bill 1279... Representative Steczo.'"

Steczko: "Thank you, Mr. Speaker. I think I should explain the Bill first. It might provide some information for the Members of the House. House Bill 1279 does create an Act concerning procurement of architectural, engineering or land surveying services by various political subdivisions of the state. It requires those political subdivisions who require such services to select firms from a most qualified list of three qualified firms. It provides that those governments should interview those firms for expertise, practical experience, performance to date for government regarding timeliness, costs overruns, et cetera. And it's done in conjunction with using the lowest bid for professional services, but seeking to expand that to mirror what's currently involved in the Brooks Act which requires all federal agencies to comply with professional services contractors qualification standard. Mr. Speaker, Members of the House, this Bill was heard by the House Cities and Villages Committee. There are no opponents that I'm aware of, and I would appreciate an 'aye' vote by Members of the House."

Speaker Giglio: "Question is, 'Shall House Bill 1279 pass?' And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Illinois Municipal League is opposed to this. Now, normally, that doesn't mean much; but, in this case, I

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

think we all should be paying attention to what happens. In Committee, an Amendment was offered and adopted on a voice vote which exempts Cook County from the Bill. Now, all of you downstate voters, whose small cities without your expertise, who are going to have to comply with this Bill, remember that Chicago has excluded itself from this Bill. So, this isn't the typical case of Democrats versus Republicans. This is Chicago versus the rest of the state. Ask yourself, why did Chicago pull itself out of this Amendment if it's such a good idea. Why did a Democratic Sponsor exclude Chicago if this is such a good idea? If it's good for Moline, Peoria, Champaign, Rockford, why isn't it any good for Chicago? It's not an us versus them. It's not a Democrat versus Republican, it's Chicago versus the rest of the state. They're trying to dictate to you how you should run your counties and they have the record of bribery, conceit, all those things that they're being tried for constantly in the Federal District Court in Chicago. So, don't tell me that this is a good Bill that's necessary. If it's necessary, let's have Chicago in on it; otherwise, let's all of us vote against it."

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

Klemm: "Will the Sponsor yield for a question, please?"

Speaker Giglio: "Indicates he will."

Klemm: "Representative Steczo, as I read my analysis, it appears as if a list of three qualified firms are prepared and you select one from that list. Is this correct?"

Steczko: "That's it. Representative Klemm, the idea would be to be able to interview and select the most qualified firm of the list of the three most qualified. I should also indicate in response to Representative McCracken's remarks, Amendments #1 and 2 took care of the small county problem."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Klemm: "Well, do that in your close... do that in your closing for his. Let me use my time with you, if you don't mind."

Steczo: "Sure."

Klemm: "As you know I'm somewhat partial to engineers, so therefore, I have a warm spot in my heart for them, but how do we find our three most qualified? From what list do we get those names?"

Steczo: "They would be determined, Representative Klemm, by the normal... the normal bid procedures and the normal advertisements that would be advertised in newspapers. Then, though, that local unit of government that would do the interviewing would be able to not only look at the low bid, but would also be able to look at timeliness, past performance and what have you, in order to get the best..."

Klemm: "I'm trying to get down to looking at, let's say, an association's list of qualified consulting engineering firms, for example. Alright."

Steczo: "Correct."

Klemm: "And now I'm supposed to pick from that the three most qualified of 100 very qualified firms. Now, how do I first pick those three most qualified in order for me to pick one of those three?"

Steczo: "Well, Representative Klemm..."

Klemm: "Why couldn't I pick one out of 100 or one out of the 50 most very qualified firms in Illinois? Why do I have to take that long list of qualified firms in Illinois, reduce it to three and then pick one of those three, which is what your Bill seems to say?"

Steczo: "Because, Representative Klemm, with the exception of the small counties and the small units of government or the units of government that have been dealing with one firm for time and eternity, which this Bill takes care of and continues to allow them to do that, there are cases where

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

those... there may be firms that will allow more expertise or, you know, better provisions, so it would be up to the local government to be able to look at the backgrounds, track record of those firms that do bid. Now, it may be 100, but I doubt very much if that would be the case. It probably will be far less than that, but they would be able, then, in the cases where they choose to, to be able to make certain that their taxpayers are getting the most for their money."

Klemm: "Well, I would think that existing law allows a municipality or a county or any unit of local government the option of interviewing, if you will, under the professional approach of two or three or four firms, if they wish, and from that, inviting those firms to offer bids or qualifications to do the job because they don't truly bid for their services on low bidder, as you know, on professional contract. But it seems to me it would be very awkward for me to go through the list of qualified consulting engineers that belong in a... professionally belong to the Association in Illinois or for the Mechanical Engineer Society and get all those lists of qualified people, and now I'm going to have to say there is only three that are the most qualified, discard all the others who are just as qualified and then have to force to be picked from that one. I would say, why do we eliminate it to three? Why do we call them the most qualified when they may have seven or eight or may only have two in your community? What would be wrong with the way they're doing it now?"

Steczo: "Well, in fact, Representative Klemm, the genesis of the Bill is the Federal Brooks Act and the Federal Brooks Act currently provides the same type of language. So, we're actually... we're actually adopting the language that the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Federal Government set forth. And, in fact, the Municipal League, I believe, is not as opposed as Representative McCracken has indicated. So, evidently, they don't have a big problem with this Bill either. So..."

Klemm: "Thank you. To the Bill."

Speaker Giglio: "Proceed."

Klemm: "Mr. Speaker, it seems somewhat awkward. Even though the Federal Government may say it's a great idea, I don't think it sounds like a great idea from the explanation I've heard. I see nothing wrong with allowing qualified engineering firms in Illinois to bid to contact municipalities throughout the state, offer their services and letting the elected officials select who, in fact, will be most qualified to do the job for that particular work and not to try to reduce a list of qualified people in giving the impression the rest are not qualified, trying to put down three favored ones and then restrict the bids to there. So, it seems to me from my vantage point, that it may not be in the best interest of the citizens or the municipal government, or in fact, the engineers in general. So, I stand in opposition of this Bill."

Speaker Giglio: "The Gentleman from Fulton, Representative Homer."

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

Speaker Giglio: "Indicates he will."

Homer: "Representative Steczo, what is the current law with respect to how units of local government go about selecting their architects and engineers? How do they do that under current law?"

Steczko: "I believe that what happens presently is that the positions are advertised and that quite often it's simply the low bidder that receives the contract. The problem is, if you're talking about design firms or some of the others,

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

there's a question simply... there is a big question as to whether or not simply low bid is the appropriate thing to do and there should be some more choice, and that's what House Bill 1279 seeks to do."

Homer: "But, under current law, when they're contracting for professional services, they're not required to select the low bidder, are they?"

Steczo: "I think there may be some variances that they provide, but when you're selecting professional services, it's a difficult choice to try to make and this Bill allows more flexibility on behalf of the local governments to be able to make the proper choices."

Homer: "And as I understand it, what your Bill does then is it establishes a selection procedure for those units of government to select a firm. And then Amendment #1 specifies that if that political subdivision has a satisfactory relationship with a firm, it would be exempt from following those selection procedures. What..."

Steczo: "That is correct. Many of the small communities can't afford the cost of a full time engineering employee. So, they've had the practice of retaining the firm over a number of years that can serve the city engineer and what have you, and this Bill would allow them to retain that current association without any problem. They would not have to readvertise and not have to... it could maintain the present firm or firms that they deal with."

Homer: "Wouldn't it give the city pretty much free reign on these matters without much of a check or a balance? In other words, I can... I don't know why the Municipal League would oppose the Bill. I don't see how they would have any interest in opposing the Bill, nor do I see how the Engineering or Architect Associations would have any problem with the Bill. The question, really, is whether

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

it's good government to allow those units of government to hire these professional firms without any controls or limitations at all as to how they go about selecting them."

Steczo: "Representative Homer, a number of states have gone to this system. And, in fact, one of the more interesting is the State of Maryland who had gone from this system to a pure low bid system and found that it was completely unworkable and the taxpayers were not really benefiting as much in terms of quality. So, they went back to this... to the system that we propose in House Bill 1279, and, in fact, as I'd indicated before, federal law currently provides for the same."

Homer: "Thank you for answering the question."

Speaker Giglio: "Further discussion? The Gentleman from McDonough, Representative Slater."

Slater: "Thank you, Mr. Speaker. I represent a legislative district which has five counties in it. And, in those five counties, we have approximately sixty different communities. As I see this particular piece of legislation, it's going to adversely affect an impact on each and every one of those communities. I can see clearly why the Illinois Municipal League opposes such legislation. It's only going to add to the cost of government. It's going to be terribly expensive for each one of these communities. I think it's bad legislation. I urge its defeat. Thank you."

Speaker Giglio: "Further discussion? Gentleman from Cook, Representative Steczo, to close."

Steczo: "Thank you, Mr. Speaker, Members of the House. I think the question is, do we simply take the low bidder and get services that may not be as quality related to the citizens of community which can, in fact, cost the community more money in cost overruns, et cetera, et cetera, et cetera, or

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

do we go to a system where quality is the first order of business. House Bill 1279 is not, in my understanding, opposed by the Illinois Municipal League, in fact, they did have problems with the Bill because many of the small communities in the State of Illinois simply would find it impossible to try to deal with this after having retained firms on a part time basis for a long period of time. If somebody were to look at Amendments #1 and #2, they would find that those problems are, in fact, taken care of, and with that, the problems of those small local communities are taken care of. I mentioned before that federal law currently provides the same provisions that we provide in House Bill 1279. I also mentioned that the State of Maryland, who had had this system before and moved to the system that we currently employ in Illinois, had so much difficulty with it that they decided that they would go back to the same system that we provide here. We are looking for quality and we're looking for a system where, in the esoteric nature of some of the types of professional services, that it would be easier for those communities that seek to do this to be able to make up their mind, to be able to look at the backgrounds of the various professional firms and service firms, to interview them and decide if they have the expertise to do the job, if they have the practical experience to do the job, how their performance has been to date, whether or not the company even though they provided the lowest bid is notorious for cost overruns, which is going to cost the taxpayers more in the future. I think that by providing this system as a viable alternative to the present system, I think that the taxpayers in the local communities can only be served and can only win. And I would move for the passage, Mr. Speaker, of House Bill 1279."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Giglio: "Question is, 'Shall House Bill 1279 pass?' Excuse me. The Lady... Well, the Gentleman just closed, so you can... you can explain your vote. Question is, 'Shall House Bill 1279 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Lady from Cook, Representative Parcels, to explain your vote."

Parcels: "Thank you, Mr. Speaker. I actually had my light on. I wanted to ask a question because maybe I didn't hear it with all the noise in here, but I was wondering why Chicago was exempt, and I don't think we ever got an answer unless it came when I didn't hear. And for that reason alone, I think the rule should apply to both and the fact that it apparently will not apply to Chicago, I would suggest everyone vote 'no'."

Speaker Giglio: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I think that the comments that were made by the Floor Leader for the other side might point to the reason exactly why Chicago has been exempted. If he's concerned about problems and what have you, I think you would protect yourself by voting for this and disallowing the city to have the flexibility. It was our understanding that when this Bill was drafted that the city, perhaps, may have already been in a position of being able to do it their own way. So, we were... our intent was to be able to provide this for the other communities in the State of Illinois."

Speaker Giglio: "The Lady from Cook, Representative Braun, to explain your vote."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, I am sometimes, not sometimes, I am often amazed at the hypocrisy emanating from this side... your side of the aisle, Ladies and Gentlemen, because for you to

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

stand up in election campaigns and talk about reform and good government and sunshine on the process and then to vote 'red' on a good Bill like this, is nothing short of hypocritical. So, you know, I understand this process. It's early yet, but I just want to point out that it is obviously inconsistent for you to stand up before the public and tell the public you're for reform and good government and not vote for legislation like this that wants to shed some sunshine on the process."

Speaker Giglio: "Further explanation? The Gentleman from Winnebago, Representative Hallock."

Hallock: "Well, Mr. Speaker, I would just say to the previous speaker on this issue that if the Bill is so very good, let's amend it and put Cook County back into it."

Speaker Giglio: "Gentleman from St. Clair, Representative Stephens."

Stephens: "Yeah. Yeah, let's put Cook County in it, and maybe we'll change some votes. And there is only... there is fifty-six 'red' votes up there. I don't know where they all came from. Those of us downstate would like to see Chicago share some of our very serious concerns."

Speaker Giglio: "Gentleman from Lee, Representative Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. An allusion was made to standards for the State of Illinois. I'd like to point out to everyone concerned that the Election Code in Chapter 46 is the statewide standard. There are no exclusions."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Steczo."

Steczko: "Postponed Consideration, please, Mr. Speaker."

Speaker Giglio: "Gentleman asks leave for Postponed Consideration. Put this Bill on Postponed Consideration,

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Mr. Clerk. Page nine of the Calendar appears House Bill 1508, Representative Sieben. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1508, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

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

Sieben: "Thank you, Mr. Speaker and Members of the House. House Bill 1508 amends the Municipal Code to provide that in any village of fewer than 5,000 inhabitants in which the village clerk is now appointed, the electors may, by referendum, choose to appoint that clerk, and I move adoption of this Bill."

Speaker Giglio: "Gentleman moves for the passage of House Bill 1508. And on that question, the Gentleman from Cook, Representative Young."

Young: "Thank you, Mr. Speaker. I'm sorry. We couldn't hear him over here. Could he explain the Bill again?"

Speaker Giglio: "Representative Sieben."

Sieben: "Yes, House Bill 1508 amends the Municipal Code to provide that in any village of fewer than 5,000 inhabitants in which the village clerk is now appointed, the electors may by referendum choose to elect the clerk."

Speaker Giglio: "Representative Young. No further questions. Gentleman from DeKalb, Representative Countryman."

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

Speaker Giglio: "Indicates he will."

Countryman: "Representative, is this your first Bill?"

Sieben: "Yes, it is."

Countryman: "Oh, thank you."

Sieben: "Thank you, Mr. Countryman."

Countryman: "Further discussion? The Gentleman from Henry, Representative Sieben, to close."

Sieben: "Yes, I'd urge your adoption of House Bill 1508, Speaker."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Giglio: "Question is, 'Shall House Bill 1508 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 108 voting 'yes', 4 voting 'no', 1 voting 'present'. House Bill 1508, having received the Constitutional Majority, is hereby declared passed. On page nine of the Calendar, on Third Reading, appears House Bill 1737. Representative Mays. Representative Mays in the chamber? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1737, a Bill for an Act in relation to the Illinois Veterans' Home at Quincy. Third Reading of the Bill."

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

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the chamber. House Bill 1737 grants one time authority to the Capital Development Board to remove, transport, install and bring on line the surplus generator at the East Moline Correctional Center down in Quincy to... as a single bid instead of a five bid proposal."

Speaker Giglio: "Question is, 'Shall House Bill 1737 pass?' And on that question, hearing none, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. The Gentleman from Livingston, Representative Ewing."

Ewing: "Yes, my light was on. I kind of wanted to question this. Why are they moving the generator to Quincy... in East Moline? I mean, what is this? Is the generator in Quincy or East Moline? It's at your house."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'yes'. Representative Leverenz, 'aye'. Leverenz. On this

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

question there are 110 voting 'yes', none voting 'no', none voting 'present'. House Bill 1737, having received the Constitutional Majority, hereby declared passed. House Bill 2748, Representative Flinn. Representative Flinn, on House Bill 2748. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2748, a Bill for an Act in relation to fees of recorders and county clerks. Third Reading of the Bill."

Speaker Giglio: "Gentleman from St. Clair, Representative Flinn."

Flinn: "Just a minute, Mr. Speaker. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2748 amends the Act concerning the fees and salaries of the... an Act to provide fees with counties in third class for the recorders. It allows the county board by ordinance to increase certain fees of the recorders and the county clerk if justified by a cost study showing that the statutory fees are not sufficient to cover the cost of providing the service. And I would answer any questions. I don't know of any opponents to the Bill."

Speaker Giglio: "Question is, 'Shall House Bill 2748 pass?' Hearing none, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 102 voting 'yes', 8 voting 'no', none voting 'present'. House Bill 2748, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen of the House, we have a Gentlemen, former State Representative and an Honorable Judge in our midst this afternoon, will you welcome former Representative and Judge, Toby Berry? The Gentleman from Lake, Representative Matijevich."

Matijevich: "Speaker, I want everybody to know that he was once

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

nominated for Speaker of the House, and he got one vote, and that was my vote."

Speaker Giglio: "Representative Greiman in the Chair."

Speaker Greiman: "On the Special Order of Business, on page nine of the Calendar, appears House Bill 2785. Mr. Clerk, call the Bill."

Clerk O'Brien: "House Bill 2785, a Bill for an Act in relation to the destruction of records by circuit clerks. Third Reading of the Bill."

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

McCracken: "Thank you, Mr. Speaker. This Amendment..."

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

Johnson: "Also introducing former Members, to say that we're, on both sides of the aisle, privileged to have former Representative, former U of I Trustee, Paul Stone, over here on our side of the aisle visiting with Representative Tate."

Speaker Greiman: "Thank you. And I gave Mr. Stone one vote once for Speaker. Now, Mr. McCracken, on House Bill 2785."

McCracken: "Thank you. This amends the Clerks of Courts Act and the Local Records Act and sets forth new procedures for determining when records retained by the clerk may be microfilmed and/or destroyed and stored. There is current authority for the destruction of records. This adds new paragraphs to the Act which follows the California model for determining what particular records may be microfilmed or stored or destroyed. And I'd be happy to answer any questions about the detail of the Bill."

Speaker Greiman: "Excuse me, Mr. McCracken. Yes, Mr. Matijevich, for what purpose do you see recognition?"

Matijevich: "Speaker, even with my bad eyes, I just happened to notice a lobbyist on the floor of the House, and I would

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

hope he would remove himself pretty quickly."

Speaker Greiman: "I'm sure whoever is on the floor will leave without any further admonition. Those not entitled to the floor should remove themselves immediately. The Gentleman from DuPage, Mr. McCracken, has moved for the passage of House Bill 2785. And on that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

McCracken: "Yes."

Cullerton: "Representative McCracken, when I first read this, it didn't seem like that traumatic of a Bill, but the more I contemplate it, I'm really wondering what the genesis of this, where did... what's the background, what's behind this Bill? The need for the Bill, in other words?"

McCracken: "Storage problems. It says here on my analysis it was suggested by the Metro Counties Association, which is the upstate collar counties and the downstate St. Louis metro area in Illinois."

Cullerton: "Well, it surprised me, because you know in Cook County we got a lot more records than they have in those other counties and it seems like that this never was a problem for Cook County and to be very sincere with you, I think... let me see, if we go through it and see what it does. Does it require that circuit clerks destroy certain records?"

McCracken: "Well, I'll have to go through the detail. I think it allows the circuit clerks to..."

Cullerton: "I think it... I think there's a big difference. And my analysis indicates, and it could be wrong, but it indicates that it requires them to destroy certain records under certain circumstances. The action was dismissed. Only three years has passed since a preliminary action occurred, only five years has passed since any papers were

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

filed or exhibits may be destroyed after thirty years, exhibits. Now, exhibits, you can't put on microfilm."

McCracken: "My analysis says that it authorizes the clerks to do that. I will look at the Bill and see if it requires that."

Cullerton: "Okay. What about the issue of microfilm?"

McCracken: "Yes."

Cullerton: "What does it... does it require that anything that's destroyed be put on microfilm?"

McCracken: "It generally does, but not everything needs... is required to be put on microfilm. For example, criminal probate and adoption records must be microfilmed prior to destruction."

Cullerton: "Well, why not... there is certainly no problem with storage space with microfilm."

McCracken: "Right."

Cullerton: "So, why not microfilm everything? Just to... I mean, you got to have some, it seems to me, some protection. Three years surely isn't very much time on a... Well, here it says three years is a lapse in the deposition or a transfer from a preliminary hearing or coroner's inquest was filed. Well, that refers to criminal cases and three years isn't that much time at all, especially in light of how long it takes to do certain appeals. I would just suggest, in all sincerity, if you could just take this out for a second."

McCracken: "Okay, that's... I'll be happy to do that, but let me respond briefly to that. You know, if an appeal goes up, of course, the record is made."

Cullerton: "Right."

McCracken: "And the transcript has an independent life of the records of the clerk."

Cullerton: "Right. I understand that, but I... just thinking,

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

you know, there is post conviction... there is post conviction petitions that are filed, three or five years in a criminal case where the appeal had already been dismissed, perhaps, where some of the evidence might be relevant. If we can... if we took the 'Cario' case, for example, out in DuPage County and contemplated other scenarios where this so called new evidence came in three or five years later, you want to go back and check the transcripts, and I just don't... I just think it might be drafted in such a way that it could be tightened up a little bit. And I'm not trying to necessarily say I'm against the whole concept of the Bill. There might be something that Cook County would be very much in favor of, if they were familiar with it, but I just think that we better be very careful. So if you wouldn't mind, if we could just take it out and come back to it."

McCracken: "Yeah, I'd... I'd be happy to do that."

Speaker Greiman: "Alright. We'll take this Bill out of the record. Yes, I did wanted... the Chair wanted to acknowledge the presence of a dear old friend, Harold Sullivan, who is with us, a Judge, the supervising Judge of the Second District in Cook County. Harold. Well, Ladies and Gentlemen, we are on the Special Order of Business, Revenue, House Bills Second Reading. And on that Order appears House Bill 144, Ms. Davis. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 144, a Bill for an Act to amend the Illinois Lottery Law. Second Reading of the Bill. Amendments #1, 2, 3 and 4 were adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to those Amendments?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

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

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

Davis: "Mr. Speaker, I'd like 144 out of the record."

Speaker Greiman: "Alright, we'll take 144 out of the record. Yes, apparently, today is visitor's day in the Illinois General Assembly. A former Representative, Representative Jill Zwick, from Kane County. I mean, McHenry. Ms. Zwick is on the real side of the aisle. The appropriate side of the aisle."

Van Dwyne: "Hello. Hello. Mr. Speaker, you stole my thunder here. I thought I was going to get the chance to introduce the best looking one of all our visitors."

Speaker Greiman: "On the Order of Special Call, Revenue, appears House Bill 161. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 161, a Bill for an Act to amend the State Mandates Act and an Act requiring fiscal notes. Second Reading of the Bill. No Committee Amendments?"

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "Gentleman from Lake, Mr. Matijevich, on Amendment #1."

Matijevich: "Speaker, withdraw that Amendment, please."

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

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On this Order of Special Call appears House Bill 859. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 859, a Bill for an Act in relation to the founding and operation of the University of Illinois Hospital. Second Reading of the Bill. No Committee Amendments."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "There are no Floor Amendments, but Mr. Ronan, a fiscal note has been requested with respect to this Bill. Do you wish to make a Motion, Mr. Ronan. Turn Mr. Ronan on."

Ronan: "Yeah, Mr. Speaker, the fiscal note's over in my office right now and my secretary is gone, so let's move it to Third Reading with the stipulation that momentarily it will be winging its way to you."

Speaker Greiman: "Well, the Chair would like to accommodate you. We can't do that unless Mr. McCracken or whoever asked the request wishes to do that."

Ronan: "Mr. McCracken always agrees with my request."

Speaker Greiman: "Well, let's find out. Mr. McCracken."

McCracken: "Did I agree to withdraw this fiscal note? No. Alright, well then, when it gets over, then we will move it. So, we will move it momentarily."

Ronan: "No. Now, wait. Representative McCracken, my secretary is gone. All I want you to do is move the Bill and I'll bring the fiscal note over personally. I'll zerox a copy. You can... and I'll autograph it. Okay, why don't you withdraw the fiscal note then?"

McCracken: "If you'll autograph it, I'll allow it to move now."

Speaker Greiman: "Do I understand, Mr. McCracken, that you are withdrawing your request for a fiscal note? Is that correct? You're not. Alright then, the Bill will remain on the Order of Second Reading. No. Mr. McCracken, under our rules, we either... if we have a fiscal note, it must stay unless there has been a response to the request or it can wait... we can withdraw the request for fiscal note, but the Chair would be improper in moving it with the note request still there. So, I take it, Mr. Ronan, that we

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

are where we were previously and we will get back to you like they say. Alright. On the Order of... on this Special Order appears House Bill 873. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 873, a Bill for an Act to amend the County Home Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order of Business appears House Bill 980. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 980, a Bill for an Act in relation to state revenue sharing with local governmental entities. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order of Business appears House Bill 981. Mr. Homer will take that. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "House Bill 981, a Bill for an Act in relation to natural resources. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order of Business appears House Bill 1206. Mr. Goforth, do you wish that Bill called at this time? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1206, a Bill for an Act to amend an Act in relation to the Department of State Police. Second Reading of the Bill. No Committee Amendments. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Greiman: "Third Reading. On this Order of Business...
On this Order of Call appears House Bill 1274. Mr. Clerk,
read the Bill. Mr. Kulas, do you wish that Bill called?
Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1274, a Bill for an Act to amend the
Retailers' Occupation Tax Act. Second Reading of the Bill.
No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order of Call appears
House Bill 1307, Mr. Giorgi. Mr. Clerk, read the Bill.
1307."

Clerk O'Brien: "House Bill 1307, a Bill for an Act in relation to
state finance. Second Reading of the Bill. No Committee
Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "Gentleman from Winnebago, Mr. Giorgi, on
Amendment #1."

Giorgi: "Mr. Speaker, I move for the adoption of Amendment #1,
and it gives continued authority to the State Comptroller
and the State Treasurer to make necessary disbursements on
bonds that might have been turned up late."

Speaker Greiman: "The Gentleman from Winnebago moves for the
adoption of Amendment 1 to House Bill 1307. Is there any
discussion? There being none, the question is, 'Shall this
Amendment be adopted?' All in favor 'aye', opposed 'no'.
In the opinion of the Chair the 'ayes' have it. The
Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On this Special Order of
Business appears House Bill 1763. Mr. Clerk, read the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Bill."

Clerk O'Brien: "House Bill 1763, a Bill for an Act to amend the Retailers' Occupation Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order of Business appears House Bill 1815. Mr. Clerk, read the Bill. Mr. Martinez. 1815. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1815, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills... On this Order of Special Call appears House Bill 1920. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1920, a Bill for an Act in relation to creating a revenue stabilization fund. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order of Call appears House Bill 2059. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2059, a Bill for an Act concerning truck tractor combinations. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order of Call appears House Bill 2065. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2065, a Bill for an Act relating to the conducting of certain games of chance. Second Reading

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Amendments from the Floor?"

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

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

Churchill: "Thank you, Mr. Speaker. Floor Amendment #2 adds the multi-state lottery to this Bill, and I believe we've already discussed the multi-state lottery before, but basically, we enter into an agreement with other states to have lottery prizes that are larger than the ones we can provide initially just by our own state. And I would ask for adoption of the Amendment."

Speaker Greiman: "Gentleman from Lake moves for the adoption of Amendment #1 to House Bill 2065. And on that, the Gentleman from Will, Mr. Van Duyne."

Van Duyne: "Mr. Speaker, I couldn't hear the Gentleman's explanation of the Amendment, but, first of all, I'd like to question the germaneness of the Amendment, please."

Speaker Greiman: "We'll examine it. Van Duyne, the Amendment is germane."

Van Duyne: "Thank you, Mr. Speaker. We have another Amendment, so we will accept that."

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

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

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

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Amendment #3."

Van Duyne: "Thank you, Mr. Speaker. This Amendment is brought out at the behest of the Department of Revenue, and heretofore, the Department had some question as to the Bill itself, and with the adoption of Amendment #3, it will take away any objection that the Department of Revenue has against the Bill. I would be glad to explain it, but in all simplicity, I'll have to explain when... on Third Reading. So, I move for adoption of Amendment #3."

Speaker Greiman: "Gentleman from Will, Mr. Van Duyne, has moved for the adoption of Amendment 3 to House Bill 2065. And on that, is there any discussion? The Gentleman from Adams, Mr. Mays."

Mays: "Thank you very much. Would the Gentleman yield for a question?"

Speaker Greiman: "Indicates he will."

Mays: "Does Amendment #3, in any way, impact Amendment #2 that was just adopted by unanimous decree by this Assembly?"

Van Duyne: "Mr. Mays, if you'll look at the Amendment, it does. It deletes everything after the enacting clause, and this, in fact, becomes the Bill."

Mays: "That's pretty cruel, isn't it? You don't really mean to do that to this fine concept, do you?"

Van Duyne: "I... I really didn't want to be cruel. I didn't make up these Amendments, and I didn't even know that Representative Churchill had filed his Amendment. So, I would more or less call it reciprocity."

Mays: "To the Bill, Mr. Speaker. To the Amendment. I would just rise in opposition to the Amendment because the Amendment would probably choke off any chance the state has of making any entry into the multi-state lottery in a timely manner, thereby jeopardizing prospective funds from the general revenue to the school funds to the tune of about 60,000,000

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

dollars, and also reducing the edge that we could maintain as a state in the lottery area. For that reason, I would oppose Amendment #3."

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

McCracken: "Thank you. Will the Sponsor of the Amendment yield?"

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

McCracken: "Representative Van Duyne, did Representative Churchill's Bill gut yours or his Amendment? Did that gut yours? Almost? Okay. Well, I'll tell you, if we don't adopt this Amendment, then Representative Van Duyne will have his Bill and Representative Churchill will have his Bill. It seems to me a fair thing to do. It seems to me to be a fair thing to do, so I oppose Amendment #3."

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

Churchill: "Thank you. I would also rise in opposition to this Amendment. And I would ask for a Roll Call vote on that. I think if you vote to get rid of this Amendment, you are going to provide 60,000,000 minimum to our Common School Fund. I don't think that's something that we can do away with so easily. So, I would rise in opposition to the Amendment and ask the people to vote 'no'."

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

Van Duyne: "Thank you, Mr. Speaker. In all truthfulness, I had no idea that Representative Churchill had any idea of amending the Bill at all. He didn't talk to me. So, my Amendment is at the behest of the Department of Revenue. And this does... and they made up the Amendment for me. They are in agreement that this... it's time that this Bill was passed, especially, on behalf of the Veterans Organization and the people who are embodied in our... in the cliché or the click that uses the bingo licenses. So, I believe that... At least I'm up front with the Department

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

and Representative Churchill both. So, I would move for adoption of the Amendment."

Speaker Greiman: "The question is, 'Shall Amendment #3 be adopted?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 67 voting 'aye', 44 voting 'no', none voting 'present'. And the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On this Order of Call appears House Bill 2218. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2218, a Bill for an Act to amend the Fish Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order of Call appears House Bill 2750. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2750, a Bill for an Act to amend certain Acts in relation to revenue. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Floor Amendments? Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order of Call appears House Bill 2826. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2826, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

#1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order of Call appears House Bill 2866. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2866, a Bill for an Act to amend the Illinois Enterprise Zone Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. Now, on the Order of Call with respect to Revenue, we are now on House Bills Third Reading, page 10 of the Calendar. And on that Order of Call appears House Bill 1019. Mr. Clerk."

Clerk O'Brien: "House Bill 1019, a Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill."

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

Peterson: "Thank you, Mr. Speaker, Members of the House. House Bill 1019 amends the Highway Code and provides that a road district or a municipality shall have complied with the requirement for county bridge fund grants if it has levied the highway tax in the past two years at the maximum rate by using the last certified equalized assessed valuation at the time the tax levy ordinance was adopted. This Bill was proposed by the township officials of Illinois because, in many instances, these units of local government have levied an amount and have not reached the maximum rate because the assessed valuation was not known at the time that they extended the levy. This would help many of these units of local government grant the county... gain the county fund grants."

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

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

for the passage of House Bill 1019. And on that, the Gentleman from Fulton, Mr. Homer."

Homer: "Thank you. Will the Sponsor yield?"

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

Homer: "Representative Peterson, this Bill has to do primarily with joint projects between township road districts and the county, such as a bridge project. Is that right?"

Peterson: "That's correct."

Homer: "And determining how much funding each will pay."

Peterson: "That's right."

Homer: "Now, under your Bill, the townships or the road districts would get more. Would that mean that the counties would have to pay more for these projects?"

Peterson: "No. Unless they qualify, they wouldn't get anything from the county. This will help them qualify for the county grant."

Homer: "So it would mean that there could possibly be more county grants under this program."

Peterson: "Going to units of local government. Right."

Homer: "Alright. Now, I can see that the township officials would be for this. My question is, what about the county officials, the county superintendents of highways, what is their position?"

Peterson: "I haven't had a formal position from the county superintendents of highways, but I would assume that they would be supportive. They have not been in opposition to my knowledge."

Homer: "Thank you."

Speaker Greiman: "The Gentleman from Macon, Mr. Dunn."

Dunn: "Sponsor yield for a question?"

Speaker Greiman: "Indicates he will."

Dunn: "The question... If I understand this legislation, the calculation of maximum tax rate is based upon some previous

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

year's equalized assessed value. Is that correct?"

Peterson: "Not presently, Representative."

Dunn: "I mean, under the Bill, if the Bill pass."

Peterson: "Yes."

Dunn: "And then, if the assessed valuation went down or slightly up, I forget which way..."

Peterson: "If it goes up, they might not qualify."

Dunn: "If it goes up, what?"

Peterson: "They might not qualify, because they would not be able to extend the two cent rate. Let me give you an example, Representative."

Dunn: "Explain how this Bill works."

Peterson: "Alright. Presently, if there is a project, a joint project underway and it costs 100,000 dollars, the township highway commissioner has to estimate how much money he should ask for. There could be one, two or three projects. If he thinks the project is going to cost 100,000 and he only puts the one project down and the assessed valuation goes up and that 100,000 doesn't generate the two cent rate, he doesn't qualify. So, what this will... if he goes and uses the previous assessed valuation, he knows exactly how much money to extend, have the clerk extend, and therefore, he would qualify through the county."

Dunn: "Qualify for what? Is the qualification based upon the rate?"

Peterson: "Yes. It's on the rate, not the amount extended. He has to get the two cent rate or he doesn't qualify."

Dunn: "Alright. So, if you base upon the current assessed valuation, then the rate is... actually, you levy a dollar amount and then you divide the assessed valuation into that to get the rate. And you're saying, you may not know what the rate is."

Peterson: "That's correct. Right. And it may just shy of the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

two cents, he doesn't qualify."

Dunn: "Okay. Thank you."

Speaker Greiman: "Lady from Lake, Ms. Stern. Yes, Ms. Stern."

Stern: "Oh, I'm on. I just wanted to tell the Sponsor that he may not have heard it from the superintendents of highways, but I have heard that the Lake County Superintendent of Highways does support the Bill. I have a communication from him. Thank you."

Speaker Greiman: "Thank you. Further discussion? There being none, the Gentleman from Cook, Mr. Peterson, to close. I'm sorry, Ms. Pullen. I'm sorry."

Pullen: "Thank you, Mr. Speaker. I'd like to ask the Gentleman a question or two."

Speaker Greiman: "Yes, proceed, of course."

Pullen: "Is it current law that for highway districts to be able to get funds, MFT funds, that they have to levy a certain amount?"

Peterson: "Yes, but this has nothing to do with that MFT levy. This is strictly through the county on bridge, road and bridge."

Pullen: "Do they have to levy a certain rate in order to get county bridge grants, then?"

Peterson: "Yes. It's two cents, and I believe the MFT... they also distribute to municipalities. I think they would have to levy an eight cent rate for municipalities to get part of the MFT funds."

Pullen: "So this parallels the requirement on MFT."

Peterson: "That's correct."

Pullen: "It's the same kind of requirement at the county level."

Peterson: "That's correct."

Pullen: "Were you asked to introduce this Bill by the Northwest Municipal Conference, by any chance?"

Peterson: "No. By the Township Officials of Illinois."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Pullen: "Oh, fine, then I can support it. Thank you."

Peterson: "Thank you."

Speaker Greiman: "The Gentleman from Cook, Mr. Peterson, to close."

Peterson: "Thank you, Mr. Speaker, I believe the Bill has been discussed extensively. I would ask for an affirmative vote. Thank you."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order of Call appears House Bill 1306. Mr. Clerk, read the Bill. Mr. Giorgi? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1306, a Bill for an Act to amend the State Comptroller Act. Third Reading of the Bill."

Speaker Greiman: "Mr. Giorgi. Excuse me. Before you begin I just want to recognize a colleague who spent many years here, Dick Hart, from southern Illinois. Dick. And Judge Hunnigan, of course, is with us as well."

Giorgi: "Mr. Speaker."

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

Giorgi: "House Bill 1306..."

Speaker Greiman: "Mr. Bowman... Mr. Bowman, we are..."

Bowman: "Inquiry of the Chair, Mr. Speaker. Is there a convention of ex-Legislators in town?"

Speaker Greiman: "Mr. Giorgi, proceed."

Giorgi: "Mr. Speaker. We should have put it in the record when Richard Hart was down here, but he was the conscience of the Democratic Party. Not the Republicans. He was our

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

conscience. 1306 authorizes the State Comptroller to, in his rules and regs, to periodically transfer up to \$25,000 to the State Treasurer to pay for security safe keeping charges accessed by the Federal Reserve. That's all the Bill does, and I urge your support."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Giorgi, has moved for the passage of House Bill 1306, 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 'no'. Voting is 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 107... 109 voting 'aye', 3 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order of Call appears House Bill 2812. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2812, a Bill for an Act to amend the State Comptroller Act. Third Reading of the Bill."

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

Frederick: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2812 amends the State Comptroller Act and requires the Comptroller to issue periodic transfers of funds under the impress system for the lottery. There... the idea behind this Bill is to speed up payment of prizes and there is precedence for the Comptroller doing this, utilizing the impress system. They have done it to... with the University of Illinois, Southern University of Illinois, the Ag Department, and DCCA. I move approval of House Bill 2812."

Speaker Greiman: "The Lady from Lake moves for the passage of House Bill 2812, 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

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is ... Mr. Berrios, 'aye'. There are 113 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Special Order of Business, State Regulation, House Bills Second Reading. On that Order of business appears House Bill 401. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 401, a Bill for an Act to amend the Citizens Utility Board Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Piel."

Speaker Greiman: "The Gentleman from Cook, Mr. Piel, on Amendment #1. Amendment #1 withdrawn. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. On this Order of Call appears House Bill 748. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 748, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Mo... MO... Amendments with respect to this Bill?"

Clerk Leone: "There is no Motion filed with respect to Amendment #1."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representatives Ackerman and McCracken."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Greiman: "The Gentleman from Tazewell, Mr. Ackerman, on Amendment #2."

Ackerman: "Thank you, Mr. Speaker. This Amendment deletes authority to consider reducing access charges when ICC establishes telephone lifeline rates. The access charges are ordered by the Federal Communications Commission. ICC does not have the ability to reduce them. And it also delays implementation date two years for phone companies already providing major measured service rates. I move for adoption."

Speaker Greiman: "The Gentleman from Tazewell moves for the adoption of Amendment #2 to House Bill 748, and on that, the Gentleman from Effingham, Mr. Hartke."

Hartke: "Point of order, Mr. Speaker."

Speaker Greiman: "State your point, Sir."

Hartke: "Would... I don't think this... I think this Amendment is out of order."

Speaker Greiman: "We'll examine it. Mr. McCracken, for what purpose do you seek recognition?"

McCracken: "Did... did the Gentleman say why it was out of order so we can respond to the charges?"

Speaker Greiman: "He isn't going to let us intuit it. Mr. Cullerton, for what purpose do you seek recognition?"

Cullerton: "Well, I thought that I was going to ask a question about the... of the Sponsor of the Amendment before we... before... "

Speaker Greiman: "Alright. Well, let's see if it's in order. Mr. Hartke, was there any particular point you wish to make with respect to its infirmities?"

Hartke: "Would you read the number on that Amendment?"

Speaker Greiman: "I'm not sure I follow you, Mr. Hartke."

Hartke: "Well, as I read his Amendment, HRS85HO748M whatever, it talks about deleting on page 2 line 7 and Amendment #1,

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

which is the Bill, has no line 7."

Speaker Greiman: "Mr. Hartke, the second Amendment, Mr. Ackerman's Amendment, refers to the first Amendment adopted, and refers, on page 2 of that Amendment to line 7, so it is page 2 of line... I mean line 7 of page 2 that is referred to in Mr. Ackerman's Amendment. Accordingly, the Amendment is in order. Did you wish to address the Bill, Sir?"

Hartke: "Well, I still resist the Amendment."

Speaker Greiman: "Alright. Mr. Cullerton."

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

Speaker Greiman: "He indicates he will yield for questions."

Cullerton: "Representative Ackerman, I thought that was a very good speech that you gave and read with regard to this Amendment."

Ackerman: "Thank you, Representative Cullerton."

Cullerton: "Now, who gave you that speech? That's my question."

Ackerman: "I thought it up all on my own."

Cullerton: "Because if you tell me who gave you the speech, then we'll find out who's really behind this Amendment. Can you tell us who gave you that speech?"

Ackerman: "Well, I think I thought that one up pretty much on my own."

Cullerton: "Republican staff?"

Ackerman: "Republican staff does help us on these."

Cullerton: "Okay, now, so the Amendment appears to add a couple of years on to something, right?"

Ackerman: "Right."

Cullerton: "And what's the purpose of that?"

Ackerman: "The purpose is to give them... companies time to set up the programs."

Cullerton: "And which company would like that the most?"

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Ackerman: "I really don't know which one would like it the most."

Cullerton: "General Tele? Think they'd be interested in this Amendment?"

Ackerman: "They haven't contacted me."

Cullerton: "They will. Well, tell me what... tell me what this does. As I understand the second Amendment, it says for local measured service plans implemented prior to the effective date of this Amendatory Act of 1987, which do not contain one of three elements specified in this Section. The Commission shall order the telecommunications carrier having such a plan to include one of the elements by January 1, 1988, and you have changed that to January 1, 1990, so maybe you can tell me, first of all, what are the three elements?"

Ackerman: "I can't tell you, but that's what we're delaying for, to give them time to do this."

Cullerton: "Well, if you don't know what the elements are, maybe... why do you want to give them more time? I betcha they know what they are."

Ackerman: "It's not my Bill, Representative, it's only my Amendment."

Cullerton: "Okay, and I'm talking about just the effect of your Amendment. I'm not talking about the Bill. Your Amendment adds two more years for the... to the period of time that you don't know what it does, so I'm wondering why you want to add two years, to do what you don't know you want to do?"

Ackerman: "Because they feel they need more time, I understand."

Cullerton: "Who is... now, we're getting to it. Who is it... who is it that feels we need more time? You can just give Mona the microphone, if you like. Well, Mr. Speaker, Ladies and Gentlemen of the House, I don't have to ask any more questions. I think I agree with Representative Hartke. I

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

think this Amendment is definitely out of order, and as a result... maybe not technically out of order, but it is out of line, if it's not out of order, and as a result, I think we should just basically defeat the Amendment until they tell us why they really need those extra two years and what companies there are that really want it."

Speaker Greiman: "Mr. Ackerman to close."

Ackerman: "I just ask for adoption of the Amendment."

Speaker Greiman: "The question is, 'Shall the Amendment... ', yes, Mr. Hartke, I know you wish to renew your Motion that it is out of order, but we cannot find anything wrong with the Amendment. It appears to be in order. Accordingly, the question is, 'Shall the Amendment be adopted?' Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the Amendment fails. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. On this Order of Business appears House Bill 939. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 939, a Bill for an Act to amend the Vital Records Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Greiman: "Third Reading. On this Order of Business appears House Bill 1000. Do you wish that called, Mr.... Mr. Anybody. Mr. Daniels? Mr. Hoffman, do you wish it out of the record? Out of the record. On this Order of Call appears House Bill 1045, Mr. DeLeo. Mr. DeLeo? Is he in the chamber? Out of the record. On this Order of Business appears House Bill 1223, Mr. Giglio. Out of the record. On this Order of Call appears House Bill 1258, Mr. Mays. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1258, a Bill for an Act to amend the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Illinois Vehicle Code. Second Reading of the Bill. No
Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Greiman: "Third Reading. On this Order of Call appears
House Bill 1291. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1291, a Bill for an Act to revise the
law in relationship to counties. Second Reading of the
Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment
#1?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by
Representative Weaver."

Speaker Greiman: "The Gentleman from Cole, Mr. Weaver."

Weaver: "Thank you, Mr. Speaker. Ladies and Gentlemen of the
Assembly, Amendment #2 to House Bill 1291 allows the county
board members to be reimbursed or salaried on a per
meeting, as well as a per diem or annual, basis, at the
choice of the county board. It's simply another option
that the county board may have, and I ask for your 'aye'
vote on the adoption of this Amendment."

Speaker Greiman: "The Gentleman from Cole, Mr. Weaver, has moved
the adoption of Amendment #2 to House Bill 1291, and on
that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Inquiry of the Clerk, Mr. Leone, as to whether or not
the Amendment was printed and distributed?"

Speaker Greiman: "The Amendment has not been printed or
distributed, Mr. Cullerton."

Cullerton: "Well, I don't think we should vote on it, then."

Speaker Greiman: "Those are the rules, Mr. Cullerton."

Cullerton: "Well, I think we should follow the rules, in this

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

case."

Speaker Greiman: "Mr. Hensel, did you wish to move to take... table the Amendment or would you like to take it out of the record? The choice is yours, Mr. Hensel."

Hensel: "Thank you, Mr. Speaker. Please table the Motion."

Speaker Greiman: "The Gentleman from DuPage moves to table Amendment #2 to House Bill 1291. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is tabled. Yes, Mr. Weaver."

Weaver: "Mr. Speaker, if I may inquire again, I inquired a little bit earlier of another Speaker in the Chair, just how long a wait do we have. This Amendment was filed 2 1/2 hours ago. A previous Amendment that I had filed that was not printed and distributed was filed four hours previous to when it came up for hearing. How much of a delay do we have, and how long do we have to wait to get these things printed and distributed?"

Speaker Greiman: "Well... there... there... Mr. Weaver, in response to your question, the unprecedented number of Amendments that have been filed makes it difficult, certainly, for them to be printed and delivered in a timely fashion, but the Clerk's office, a fine bi-partisan result of our legislature, is doing the best it can do in that regard. Now, Mr. McCracken, the Motion has been tabled and... you have, yes, Mr. McCracken, a Motion or for what purpose..."

McCracken: "The unprecedented number of Motions is necessitated by the unprecedented number of Committees, Mr. Speaker."

Speaker Greiman: "Thank you. Alright, now, are there further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. Yes, just returning on this

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Order of Call. On this Order of Call appears... Mr. Weaver, what can we do for you? For what purpose do you seek recognition, Sir?"

Weaver: "Mr. Speaker, in light of the delay that we are experiencing, might I have leave of the House to simply withdraw this Amendment and attempt to get it added back on."

Speaker Greiman: "The Bill is on the Order of Third Reading. Mr. Hensel may certainly wish to return to that when we get to it in Third Reading. On this Order of Call appears House Bill 1223. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1223, a Bill for an Act to amend the Illinois Plumbing License Law. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment #1?"

Clerk Leone: "There's no Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order of Call appears House Bill 1432. Out of the record. On this Order of Call appears House Bill 1473. Mr. Cullerton, do you wish to proceed with that? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1473, a Bill for an Act to amend the Senior Citizens and Disabled Persons Property Tax Relief Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order of Call appears House Bill 1528. Mr. Clerk, read the Bill."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Clerk Leone: "House Bill 1528, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "There are no Amendments from the floor."

Speaker Greiman: "Third Reading. On this Order of Call appears House Bill 1539. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1539, a Bill for an Act to amend the Liquor Control Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Greiman: "Third Reading. On this Order of Call appears House Bill 1933. Mr. Ronan? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1933, a Bill for an Act to create the Medical Practice Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Amendments #2, 3 and 4 lost in Committee. Amendment #5 was withdrawn in Committee. The next Amendment is Floor Amendment #6, being offered by Representative Ronan."

Speaker Greiman: "Gentleman from Cook, Mr. Ronan, on Amendment #6."

Ronan: "Thank you, Mr. Speaker. Amendment #6 was a mutually agreed upon Amendment offered by the Illinois Pharmacists' Association. We've worked it out so that it's an Agreed Amendment. I move for the adoption of Amendment #6 to House Bill 1933."

Speaker Greiman: "Gentleman from Cook, Mr. Ronan, moves for the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

adoption of Amendment 6 to House Bill 1933. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #7, offered by Representative Ronan."

Speaker Greiman: "Gentleman from Cook, Mr. Ronan, on Amendment #7."

Ronan: "This is a good Amendment. It's recommended by the Department of Registration and Education so that we can force out-of-state doctors to pay 200 dollars a year. A chance to raise a few more dollars for the Medical Disciplinary Board. I move for the adoption of Amendment #7."

Speaker Greiman: "Gentleman from Cook, Mr. Ronan, moves for the adoption of Amendment #7 to House Bill 1933. And on that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #8, being offered by Representative Brunsvold."

Speaker Greiman: "Gentleman from Rock Island, Mr. Brunsvold, on Amendment #8. Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Would you hold for a minute until I find the Amendment? Thank you, Mr. Speaker, for the delay. Amendment #8 would insert in House Bill 1933 the words, 'Illinois Prairie State Chiropractic Association', along with the already designated Chiropractic Society. It's not a controversial Amendment.

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

It was rejected in Committee. However, all Amendments were rejected in Committee. It simply designates that organization along with the Illinois Chiropractic Society as a designated society here in the State of Illinois. And that's all it does. I would ask for the adoption of Amendment #8."

Speaker Greiman: "Gentleman from Rock Island, Mr. Brunsvold, moves for the adoption of Amendment #8 to House Bill 1933. And on that, the Gentleman from DuPage, Mr. McCracken."

McCracken: "A point of order, Mr. Speaker. I believe the Amendment is out of order. House Bill 1933 was previously amended in Committee. Amendment #1 became the Bill. And for that reason, the Amendment is out of order."

Speaker Greiman: "It's in order, Mr. McCracken. Mr. Brunsvold."

Brunsvold: "Yes, I would move the adoption of Amendment #8, Mr. Speaker, and would like a Roll Call vote, please."

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

Ronan: "Thank you, Mr. Speaker. I don't care if the Amendment is in order or out of order. We killed it in Committee. Representative Brunsvold knows that on this legislation we're trying to keep it intact without adding Amendments that are going to confuse the issue. The Medical Rewrite Act proposition is very important. I will be glad to work with him on other legislation to try to achieve his admirable goal, but at the same time, in order to protect the integrity of the Bill, I hope and encourage Members on this side of the aisle to vote against this bad Amendment."

Speaker Greiman: "Gentleman from Morgan, Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I simply rise to join in the Sponsor of this Bill and indicate that although the Amendment may be well intentioned, it is not appropriate at this time to deal with this particular Bill. And I would urge those to vote against it so it would not be part of

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

the Bill."

Speaker Greiman: "Gentleman from Winnebago, Mr. Hallock."

Hallock: "Thank you, Mr. Speaker, Members of the House. I rise in support of this Amendment. I believe it illustrates clearly what chiropractors in the state should be doing. I think it makes a lot of sense, and I would urge it be adopted."

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

Stephens: "Mr. Speaker, we dealt with this Bill the same way in Committee, and I recall Representative Ronan's remarks are exactly the same. And I agree that it's an inappropriate place for this language and would urge a 'no' vote."

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

McCracken: "To the Motion, Mr... to the Amendment, Mr. Speaker. I also rise in opposition and I do so with some regret because of my friend who sponsors it, but the fact is that the Medical Practice Act has reached a consensus of opinion on it's being rewritten during this Spring Session, and the Amendments jeopardize that. And for that reason, I oppose the Amendment."

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

Brunsvold: "Thank you, Mr. Speaker. In closing, I presented these Amendments in Committee and it was deemed inappropriate at that time, and I guess they're inappropriate now. I don't know when they will be appropriate. This Amendment simply adds the name of the Illinois Prairie State Chiropractic Society to the language. That's all it does. And it doesn't change anything in 1933 but those words. And I ask for its adoption and would like a Roll Call, Mr. Speaker."

Speaker Greiman: "Question is, 'Shall Amendment #8 be adopted?'"

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Mr. Clerk, take the record. On this question there are 37 voting 'aye', 71 voting 'no', 3 voting 'present'. The Amendment fails. Further Amendments?"

Clerk Leone: "Floor Amendment #9, being offered by Representative Brunsvold."

Speaker Greiman: "Gentleman from Rock Island, Mr. Brunsvold, on Amendment #9."

Brunsvold: "Mr. Speaker, please withdraw that Amendment."

Speaker Greiman: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #10, being offered by Representative Brunsvold."

Speaker Greiman: "The Gentleman from Rock Island, Mr. Brunsvold. Withdrawn. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. On this Order of Call appears House Bill 2007. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2007, a Bill for an Act amending certain motor vehicle replacement parts. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk Leone: "There are no Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative O'Connell."

Speaker Greiman: "The Gentleman from Cook, Mr. O'Connell, on Amendment #2."

O'Connell: "Could I have the Amendment? Mark? Thank you, Mr. Speaker. All the Amendment does is it deletes the words 'or licensed'. There was no relevancy to that in the original Bill and so, accordingly, I have deleted the words

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

'or licensed'."

Speaker Greiman: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 2007, and on that, the Gentleman from Cook, Mr. Piel."

Piel: "Question of the Clerk. Has this been printed and distributed?"

Speaker Greiman: "Mr. Clerk, has this Amendment been printed and distributed? Yes, it has, Mr. Piel. The question is, 'Shall this Amendment be adopted?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #3, is being offered by Representative O'Connell."

Speaker Greiman: "The Gentleman from Cook, Mr. O'Connell, on Amendment #3."

O'Connell: "Yes, Mr. Speaker. Amendment #3 includes non-OEM as it applies to used parts as well as new parts."

Speaker Greiman: "The Gentleman from Cook, Mr. O'Connell, moves for the adoption of Amendment #3 to House Bill 2007. Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. Amendment 3 is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. On this Order of Call appears House Bill 2152. Out of the record. On this Order of Call appears House Bill 2492. Mr. Daley? Clerk, read the Bill."

Clerk Leone: "House Bill 2492, a Bill for an Act to amend the Liquor Control Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Clerk Leone: "Floor Amendment #1 is being offered by Representative Daley."

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

Daley: "Thank you, Mr. Speaker, and Members of the House. Amendment #1 is a technical Amendment as to the effective date, and I would ask for its adoption."

Speaker Greiman: "The Gentleman from Cook, Mr. Daley, moves for the adoption of Amendment #1 to House Bill 2492, and on that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative McCracken."

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

McCracken: "Thank you, Mr. Speaker. Amendment #2 allows the referenda to revoke rather than void the liquor license and that would allow for a liquor control commission hearing after such a vote for the revocation in a precinct, and I move its adoption."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, moves for the adoption of Amendment 2 to House Bill 2492, and on that, the Gentleman from Cook, Mr. Daley."

Daley: "Thank you, Mr. Speaker. As a Sponsor of House Bill 2942 (sic - 2492), I stand in opposition of this Amendment. At bottomline, the Amendment would appear that the licensee would be revoked only by the state action, and not by the voters at the referendum, which the... is the intent of House Bill 2492. So I would ask a 'nay' vote."

Speaker Greiman: "Further discussion? The question is, 'Shall

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

this Amendment be adopted?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'nos' have it, and the Amendment fails. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. On this Special Call appears House Bill 2655. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2655, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Any floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this Order of Call appears House Bill 2698. A fiscal note has been filed on this Bill, so we will take that out of the record. Now, I'd like to go back and... yes, with leave, to go back to two Bills that were taken out of the record on the Order of State and Local Government, House Bills Second Reading. First is House Bill 858. 858 on State and Local Government, House Bills Second Reading. Mr. Clerk, read the Bill."

Clerk Leone: "On page 8 of your Calendar, House Bill 858, a Bill for an Act to amend the Housing Authorities Act. Second Reading of the Bill."

Speaker Greiman: "Were any further Floor Amendments filed?"

Clerk Leone: "There are no further Floor Amendments filed."

Speaker Greiman: "Has the fiscal note been filed?"

Clerk Leone: "The fiscal note has been filed."

Speaker Greiman: "Third Reading. On that same Order of Business appears House Bill 1629. Mr. Clerk, read the Bill."

Clerk Leone: "Again on page 8 of your Calendar, House Bill 1629,

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

a Bill for an Act to amend the Township Organization Act has been read a Second Time previously. Amendment #2 was adopted in Committee. Amendment #3 was adopted on the floor. Next Amendment is Floor Amendment #4, being offered by Representative Ryder."

Speaker Greiman: "The Gentleman from Morgan (sic - Jersey), Mr. Ryder, on Amendment #4."

Ryder: "Thank you, Mr. Speaker. This Amendment, as I had previously discussed, gives an... simply expands the exemption which is now a part of the the law for agricultural purposes... expands that exemption to include processing or manufacturing of agricultural products or food. I'd ask for a favorable vote."

Speaker Greiman: "The Gentleman from Morgan (sic - Jersey), Mr. Ryder, has moved for the adoption of Amendment #4 to House Bill 1629, and on that, the Gentleman from Sangamon, Mr. Curran."

Curran: "Thank you, Mr. Speaker. I rise in support of the Amendment. It puts the Bill in a shape that I'd like to have it in as it goes to Third Reading, and I see no problems with it."

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

Young: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, does this Amendment undo what we in the General Assembly did last year, or last Session?"

Ryder: "No, Representative, it doesn't intend to undo what we did. Representative Curran's Bill attempts to address some problems that are specific to specific areas. This simply expands one exemption, which is part of previous legislation."

Young: "In that previous legislation, wasn't that the result of lengthy negotiations between the township officials and the Municipal League?"

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Ryder: "Point. I think you're absolutely correct. There was a considerable amount of discussion as to how the Bill was going to happen and there was a lot of negotiations between them. Unfortunately, as the underlying Bill was meant to address, there were some unforeseen circumstances that have been extremely tragic, and that's the reason for the Bill. And as a result, we're simply attempting to address one other problem that the Bill created."

Young: "Wouldn't this particular Amendment take away from the City of Champaign their ability to benefit from the law we passed last Session?"

Ryder: "Representative, this Bill addresses the entire state. It doesn't specify any particular group, it doesn't specify any particular situation, so, as a consequence, if we follow your logic, it takes away from all the cities something that they were not intended to have in the first place, which is the purpose of the underlying Bill."

Young: "Representative, we're not talking about the underlying Bill, we're talking about Amendment #4."

Ryder: "That's correct, Representative. And the Amendment #4 is only relevant when you consider it in the context of the Bill to which it will be amended."

Young: "To the Amendment, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the Amendment. This particular Amendment was the subject matter of a Bill we passed last Session after lengthy negotiations between the townships and the municipal league. It would take away from the City of Champaign the ability to benefit from those benefits. Right now the City of Champaign is providing police and fire protection to the area in question. The City is trying to negotiate with Kraft Corporation, who is the subject matter of this Amendment. As of this date, Kraft has refused to negotiate with the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

City. Rather, they've come to the General Assembly and asked us to undo what we did last year, and I move that the Amendment be defeated."

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

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would just like to echo one thing in particular that Representative Young had said. This Bill, or this Amendment, I should say, has special legislation written all over it. Now, we're not supposed to pass special legislation in the General Assembly, but every so often the temptation becomes too strong, and we try and jazz it up and dress it up so it doesn't look too special, but believe you me, this one is aimed at Kraft Food Company right there in Champaign, Illinois, and right now there is... the City has made an offer to Kraft to negotiate. Kraft has refused to negotiate. Representative Ryder, with this Amendment, is trying to beat the City over the head, and, in fact, pull something out of its tax base that legally belongs there. Now, if you want people running in and ripping off your tax base, then go ahead and vote for this Amendment, because it's going to invite other kinds of special legislation along the same lines. But if you would like to keep your own tax bases in tact, like to keep other people from meddling in your own areas, then vote against this Amendment."

Speaker Greiman: "The Lady from Champaign, Ms. Satterthwaite."

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

Speaker Greiman: "Indicates the Sponsor will yield for questions."

Satterthwaite: "Representative, in the Bill that we passed last year giving additional instruction to cities with coterminus townships, as I recall, what we were attempting to do was to give a balanced program, and part of that

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

balanced program restricted cities from incorporating new territory on their outer boundaries, in exchange for permission for those cities to incorporate areas that had been completely surrounded. Now, as I understand your Amendment, what you are attempting to do is to exempt some parcels that are completely surrounded that would otherwise belong to the city under legislation that we passed last year. Is that accurate?"

Ryder: "No, Representative, that is not accurate, because what we are attempting to do is to use the exemption that is already part of the law that's a part of the negotiations that you and other Representatives have indicated that took place and we're expanding that exemption. The exemption as it now stands is part of that legislation that passed last year. That exemption is there. We said to the cities, whoa, stop, there are certain things that you cannot do. That exemption was there and it continues to be there. This Bill adds to that exemption."

Satterthwaite: "But by expanding that exemption, what you are doing is reversing the authority that some cities had when the Bill passed last year, and you are essentially taking away property that they have already been able to annex, right?"

Ryder: "The ultimate effect of this Bill would be to deny those cities the opportunity to annex, just as part of the underlying Bill would indicate, additionally, it is saying that the cities can't take from the counties and the townships that which is part of their land base."

Satterthwaite: "But it does upset the balance that was put into the law last year. Does this Amendment or this Bill give the cities any additional authority from the current law to annex on the borders?"

Ryder: "Representative, I cannot speak to this Bill. You'll have

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

to address that to Representative Curran. The Amendment that is being proposed does not."

Satterthwaite: "Well, Mr. Speaker and Members of the House. This is the problem. Madam Speaker, sorry, I didn't realize there had been a change in the Speaker. Madam Speaker and Members of the House. The real difficulty when we try to meddle in laws that we have changed where we were attempting to provide balance, now we are going back and making changes that have no degree of balance in them, but are simply trying to reverse a part of what we accomplished with last year's legislation. In this case, this land that would be exempt is land that the City of Champaign has already annexed, has already provided services to that portion of land that has been annexed, and has, in fact, agreed to try to work out some compromise relative to the tax burden that would be placed upon that corporation. If that corporation is not willing to even sit down and talk with the city fathers about what could be done, then it seems to me that we ought not to be here in Springfield trying to reverse that unilaterally for the benefit of one particular company, and so I really think that it is bad legislation for us to do something that is for a specific company, for a specific advantage, to reverse authority that we gave to our municipalities only last year. I would urge a 'no' vote on this Amendment."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Madison, Representative McPike."

McPike: "Thank you, Madam Speaker. I'd like the Sponsor to yield, but I would like to say first of all that, in regards to the previous speaker, there was certainly no balance in the legislation that we passed last year. It was a terrible piece of legislation. What it says to a

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

coterminus city/township, is that you can annex property from the surrounding township provided you pay to that township the property taxes that they are currently receiving from that piece of property for 10 years. Now that's a great balance. What it really means is that coterminus city/townships are not going to annex any property, because no one can provide fire and police service and every other service that a city provides, and still pay the taxes to the surrounding township. So there was no balance in that whatsoever. It was just a deal struck because the municipal league thought they were going to lose the issue, so they struck the best deal they could with the townships. They struck a terrible deal and we passed a bad Bill. To the Sponsor. Could you explain what exemption you're expanding?"

Ryder: "Representative, the exemption for processing or manufacturing agricultural products for food. That is the part for which we are expanding."

McPike: "That was an exemption that was in the Bill we passed?"

Ryder: "That's my understanding that it was not."

McPike: "That it was not?"

Ryder: "The exemption dealt with agricultural land, and now this reads 'the production or manufacture of agricultural products'."

McPike: "So, it's your understanding that we exempted agricultural land and said that if you annex agricultural land you don't have to pay the property tax to the surrounding township?"

Ryder: "It was my understanding that that was the exemption."

McPike: "Well, I don't think you're correct."

Ryder: "That could very well be."

McPike: "But at any rate, some place in the law there is an exemption that speaks to agricultural land."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Ryder: "That's my understanding."

McPike: "And you're expanding that to say not just agricultural land is exempt, but a plant that manufactures agricultural products."

Ryder: "That's the intent, Representative."

McPike: "And so when you say that is exempt, does that mean that it cannot be annexed by the city/township? Or that it's exempt, or that the city/township is exempt from paying the property taxes to the original township."

Ryder: "The exemption to the annexation."

McPike: "So that the city/township cannot annex this piece of property."

Ryder: "That's correct."

McPike: "So you think the exemption spoke to what type of property could be annexed?"

Ryder: "That's my understanding."

McPike: "Well, we couldn't make the Bill that we passed last year any worse, I don't think."

Speaker Braun: "Is there further discussion? There being none, the question is, 'Shall House... shall Amendment 4 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Chair recognizes the Gentleman from Fulton, Representative Homer."

Homer: "Thank you. In explanation of vote, I would hope that more Members would join on this side in supporting Representative Satterthwaite's position on this Bill. It's a Bill that affects her district. It's a dispute that's arisen in her district, and the Bill... the Amendment, I don't think, makes a lot of sense. Last year we passed, by agreement, the legislation which addressed annexation problems that existed between townships and municipalities with regard to the hole in the doughnut theory. We made it

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

more difficult for those municipalities to annex areas that were contiguous to them, but at the same time, liberalized the rules that allowed them to annex the hole that's in the doughnut. Here we have a situation that involves about half a million dollars to the City of Champaign that could be lost if this Amendment passes, so Representative Satterthwaite is concerned about that kind of a loss of revenue to a community that she represents, and so I would hope that more of us would join in supporting that position and change our votes to 'no'."

Speaker Braun: "Is there further discussion? There being none, the Clerk will take the record. On this question there are 69 voting 'aye', 39 voting 'no'. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #5, being offered by Representatives Curran and Hultgren."

Speaker Braun: "The Chair recognizes the Gentleman from Sangamon on Amendment 5."

Curran: "Thank you, Madam Speaker. I would defer to Representative Hultgren to explain the Amendment, which pertains to, I believe, one piece of property in his district."

Speaker Braun: "The Chair recognizes the Gentleman from Warren, Representative Hultgren."

Hultgren: "Thank you, Madam Chairman, Members of the House. The Committee, in its wisdom, amended Representative Curran's Bill to resolve one of the problems which occurred as a result of the hole in the doughnut legislation that was passed previously. Specifically, the annexation into the city township of Galesburg of the town hall and the adjoining township. The Committee, as I indicated, amended the Bill to resolve this situation in Galesburg. This is simply a technical Amendment to make sure that we don't do

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

any more than was intended by the Committee in correcting that situation. I would ask for a favorable vote in adopting the Amendment."

Speaker Braun: "The Gentleman moves the adoption of Amendment 5, and on that, is there any discussion? There being none, the question is, 'Shall Amendment 5 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: "There are no further Amendments."

Speaker Braun: "Third Reading. For what reason does the Gentleman from Cook, Representative Steczo, rise?"

Steczko: "Thank you, Madam Speaker, Members of the House. Yesterday, about this time, House Bill 812 was called, and at that time the Clerk had indicated that no Amendments were filed and the Bill was moved to Third Reading. Subsequently we determined that, in fact, a few Amendments had been filed and they were misplaced, so, Madam Speaker I would like the opportunity, if at all possible, to bring House Bill 812 back to the Order of Second Reading for the purposes of dealing with those Amendments."

Speaker Braun: "The Gentleman asks leave to have House Bill... "

Steczko: "812."

Speaker Braun: "... House Bill 812 considered. Mr. Clerk, read the Bill. Is leave granted? Leave is granted. Mr. Clerk, read the Bill."

Clerk Leone: "On page 49 of the Calendar, House Bill 812, a Bill for an Act in relationship to forest preserve districts. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Steczo, on House Bill 812."

Steczko: "Thank you, Madam Speaker. I'd ask leave to bring House Bill 812 back to the Order of Second Reading for the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

purposes of Amendments."

Speaker Braun: "The Gentleman requests leave to bring House Bill 812 from the Order of Third to Second Reading. Is leave granted? Leave is granted. The Bill will appear on the Order of Second Reading."

Steczo: "Madam Speaker, to save time, I would like to withdraw Amendments #1 and #2."

Speaker Braun: "The Gentleman asks leave to withdraw Amendments 1 and 2. Is leave granted? Leave is granted. Amendments 1 and 2 are withdrawn. Further... "

Clerk Leone: "Floor Amendment #3 is being offered by Representative Steczo."

Speaker Braun: "The Gentleman from Cook on Amendment 3."

Steczo: "Thank you, Madam Speaker. Amendment #3 makes one small change. It changes the words 'due advertisement' to 'advertising at least once in one or more newspapers of general circulation within the district'. I move for its adoption."

Speaker Braun: "The Gentleman moves the adoption of Amendment 3. All in favor... on that, is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative McCracken on Amendment 3."

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

Speaker Braun: "He indicates he will."

McCracken: "Do I understand you withdrew Amendment #2 and now seek the adoption of 3?"

Steczo: "Yes, Representative McCracken. There was a problem with #2."

McCracken: "Okay. What is the effect of withdrawing 2 and adopting 3?"

Steczo: "Well, actually, 1, 2 and 3 are basically the same Amendment, only there were technical problems in 1 and 2, so they are the same except that #3 is the proper... is in

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

the proper technical order."

McCracken: "And is it your intent... is it your intent to bring it back to Third tonight and vote on it?"

Steczo: "No, it is not."

McCracken: "Okay. Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Piel."

Piel: "A question of the Chair, Madam Speaker."

Speaker Braun: "He indicates... "

Piel: "Has this been printed and distributed?"

Speaker Braun: "Yes, it has, Representative. The Gentleman moves adoption of Amendment 3. On that, is there any further discussion? There being none, the question is, 'Shall Amendment 3 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "Third Reading. On page 9 of the Calendar appears House Bill 1854, Representative Hoffman. Representative Hoffman? Representative? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1854, a Bill for an Act to amend the Local Solid Waste Disposal Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Braun: "Third Reading. On the Order of House Bills Third Reading, page 12 of the Calendar, appears House Bill 48. Representative Stange."

Stange: "Can we take this out of the record for a second?"

Speaker Braun: "Out of the record. House Bill 227, Representative Frederick. Representative Frederick? On 227? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 227, a Bill for an Act to amend the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Carnival and Amusement Rides Safety Act. Third Reading of the Bill."

Frederick: "Yes, Madam Speaker, Ladies and Gentlemen of the House. House Bill 227 amends the Carnival and Amusement Rides Safety Act to apply the liability insurance, a surety bond and the security deposit requirement to all people operating an amusement park rather than waiting until they apply for an... apply for a permit. This is a needed Bill in order to be sure that we have amusement ride owners under the liability insurance requirement by the state, so I ask for your affirmative vote."

Speaker Braun: "The Lady has moved passage of House Bill 227, and on that, is there any discussion? There being none, the question is, 'Shall House Bill 227 pass?' All in favor vote 'aye', opposed vote 'no'. This is final action. Have all voted who wish? Have all voted? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no', and House Bill 227, having received the Constitutional Majority, is hereby declared passed. House Bill 275, Representative McPike? Out of the record. House Bill 281, Representative Ackerman. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 281, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Tazewell."

Ackerman: "Thank you, Madam Chairman. What this Bill does, there's approximately four marinas in the state, in different areas of the state, who were left out of the Liquor Ordinance. This would put them back into compliance so they can continue operating their restaurants and serving liquor. I would move for the adoption of this Bill."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Braun: "The Gentleman has moved the passage of House Bill 281, and on that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, I rise in support of the Gentleman's Bill. I don't know what it does, but I think it... it might... if it helps him in his reelection, we want to help him, because we want to make sure that he's the one that comes back down to Springfield and... "

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Young."

Young: "Thank you, Madam Speaker. Was Amendment #1 adopted?"

Clerk Leone: "Amendment #1 is on the Bill."

Young: "Thank you."

Speaker Braun: "Is there further discussion? There being none, the Gentleman from Tazewell to close, Representative Ackerman."

Ackerman: "The marina in my district that this affects happens to be in the hometown of the legislator who I replaced, and she attempted to get this Bill through before, but it didn't get all the way into law, so I would hope we could pass it now."

Speaker Braun: "The Gentleman has moved the passage of House Bill 281, and on that question, 'Shall House Bill 281 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... on this question there are 107 voting 'aye', 3 voting 'no', and House Bill 281, having received the Constitutional Majority, is hereby declared passed. House Bill 351, Representative Parke."

Clerk Leone: "House Bill 351, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Madam Speaker, Ladies and Gentlemen. House Bill 351 is legislation that clarifies the fact that an insurer is permitted to purchase a first mortgage on property, even though there may be a second mortgage already on that property. I ask for passage of the Bill."

Speaker Braun: "The Gentleman has moved the passage of House Bill 351, and on that, is there any discussion? There being none, the question is, 'Shall House Bill 351 pass?' All in favor vote 'aye', opposed vote 'no'. 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 House Bill 351, having received the Constitutional Majority, is hereby declared passed. House Bill 462, Representative Brunsvold. Mr. Clerk, read the Bill."

Clerk Leone: "House... House Bill 462, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Brunsvold: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 462 simply changes 10% to 8%. Now the background on the Bill. A few years ago we passed legislation that allowed counties with 10% plus unemployment to have their property bills distributed in four segments, so a person in an economically devastated area could have four property tax bills... their property tax bill divided four ways... they'd have four times a year to pay it. Right now Rock Island County is doing that. They are the only county to my knowledge that is doing that at all. This Bill would simply change the number from 10% to 8%. We still have high unemployment. However, a lot of the people that were on unemployment, as everyone realizes here, have gone off rolls and are not recorded any

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

more, but we still have the same high employment (sic - unemployment) running up in the 15% to 20% range in the county. However, they are not part of the statistics anymore. So it simply changes 10 to 8. I would ask for your support."

Speaker Braun: "The Gentleman has moved the passage of House Bill 462, and on that, is there any discussion? There being none, the question is, 'Shall House Bill 462 pass?' All in favor vote 'aye', opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. For what reason does Representative Capparelli... Representative Capparelli? His light is on, Mr. Clerk. Yes. The Clerk will take the record. On this question there are 115 voting 'aye', none voting 'no'. House Bill 462, having received the Constitutional Majority, is hereby declared passed. House Bill 597, Representative Berrios. Out of the record. Representative... House Bill 612, Representative Ropp. Mr. Clerk, read the Bill."

Speaker Braun: "House Bill 612, Representative Ropp. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 612, a Bill for an Act concerning the registration of all terrain vehicles. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from McLean."

Ropp: "Thank you, Madam Speaker. House Bill 612 as amended is rather an agreed Bill now, it establishes an all terrain vehicle licensure registration program. A cost of \$60, that is equivalent to \$20 a year, for three years. It also establishes an advisory Committee. It establishes a procedure for training young people to learn how to operate the all terrain vehicles. I was checking on some information. It was surprising the vast number of people

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

who are injured on these vehicles. And this training educational safety program will be a good program. It also establishes for part of those payments to go for grants to communities that actually will establish areas for all terrain vehicle use. It also establishes some monies to be used to replace any damaged areas on either public or private territories. And, thirdly, it establishes a program for the training, as we mentioned before, so it's an agreed Bill. And I welcome any support or any questions you might have."

Speaker Braun: "The Gentleman has moved for passage of House Bill 612. And on that, is there any discussion? The Chair recognizes the Lady from Lake, Representative Stern."

Stern: "Will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Stern: "Mr. Sponsor, I have in my little notebook that I keep for these purposes, an indication that this Bill was opposed by the Sierra Club, the Lake County Defenders and about twenty people who called. Can you tell me, when you say it's an agreed Bill, that all these folks have been soothed?"

Ropp: "With the Amendment as... now the Bill... all those groups have supported the Bill and are in total support of it."

Stern: "Very good, thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Cullerton. The Chair recognizes the Gentleman from Cook, Representative Ronan."

Ronan: "Thank you, Madam Speaker... Speaker and Members of the House. I, too, rise in support of House Bill 612. Representative Stern, your concerns that were brought out of the Bill were the same concerns I had. When Representative Ropp introduced the Bill there were some things that were very objectionable to the Sierra Club and

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

the Environmental Council. We worked out this agreed Amendment, they are now fully supportive of the legislation and, in fact, think that the legislation is going to go a long way in really solving some of the environmental problems that we have got in the State, because of these vehicles. So I think it's turned out from a Bill that had a lot of problems into really a fine piece of legislation. It's going to be good for the industry and also for the environmentalist, so I urge the passage of House Bill 612."

Speaker Braun: "I'm sorry. Any further discussion? The Chair recognizes the Lady from Kane, Representative Deuchler."

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

Speaker Braun: "He indicates he will."

Deuchler: "I noticed on page 6, you describe a decal. Can you specify, it's down around line 20, can you tell us the size of this decal? I know that a number of farmers in my district were very concerned that they be able to see the registration number so if someone was running a vehicle through the bean field, they could report the infraction."

Ropp: "Yes, Representative, the decal or identifying mark is no smaller than three inches by five inches. Which for that size of vehicle ought to be sufficiently large enough to identify it."

Deuchler: "Representative Ropp, I do stand in very strong support of your Bill. It has been a major problem throughout the State with the ATV's, and I think that the problem has been addressed very well."

Speaker Breslin: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, I just wanted to thank Representative Ropp for putting my motorcycle helmet law in Amendment #2. Thank you."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

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

Weaver: Thank you, Madam Speaker, that's a tough act to follow. Will the Sponsor yield? Representative Ropp, just a quick mechanical question. How do you differentiate between two wheeled on-road and off-road motorcycles? Because the Bill deals with two wheel off-road motorcycles, as well as ATV."

Ropp: "If you have ever seen those vehicles when they go flying through the air, and they are in the air, those are two wheels off-road. When they are on the ground, those are two wheels on the ground."

Weaver: "I guess I should have known better. My concern is some of the discussion that we have had already on mopeds and motorized bicycles. Would those be classified under your Bill as on-road or off-road vehicles, that would need this license? Pedicycles."

Ropp: "Identify that again, pedicycles. I don't think his Bill addresses that at all, this address... this is designed for off-highway vehicles."

Weaver: "Well how do you determine? If we have got a little two wheel bike out there that has got a motor on it, what determines whether that's an off-the-road or on-the-road, and needs your license or a license from the Secretary of State's office?"

Ropp: "How big is that again? How big is little?"

Weaver: "Do you mean when it is on the ground or when it's off the ground?"

Ropp: "Either way. You asked the questions."

Weaver: "Under fifty CC's, let's say."

Ropp: "One moment, please. Representative, we are really not after pedicycles, we are not dealing with that. This deals with larger vehicles and we are not taking any position on those pedicycles. They are much smaller than what we're

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

anticipating the Bill should address."

Weaver: "I think they are working on an answer."

Ropp: "Representative, to address your concern, if we have left that out and you think that is a major concern, we'll address that in the Senate."

Weaver: "Well, there is some concern. I, in my lifetime, have owned several motorcycles, two of which were manufactured specifically for offroad use, but were licensed for on-road use. So the purpose for which they are manufactured, really may not enter into this and you may have a motorcycle that is designed for on-road use, but someone is using it offroad. For hill climbing and so forth."

Ropp: "If they are registered through the Secretary of State, we have no intention of double registering it. This has to do actually with the three wheelers and four wheelers, most motorcycles are two-wheelers. We thank you for your suggestion and we will address that."

Weaver: "Okay, I intend to support your Bill. I think it is a terrific idea and long overdue, and I do want to talk to you later about maybe some changes on this. Thank you."

Speaker Braun: "Is there any further discussion? The Chair recognizes the Gentleman from Cook, Representative Turner. Turner."

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

Speaker Braun: "He indicates he will."

Turner: "I don't have a copy of the Bill in front of me. I am curious, do snowmobiles fit into this all terrain vehicles?"

Ropp: "No, snowmobiles do not. The fact is, the safety regulations that we passed a couple years ago dealing with snowmobiles is actually the same kind of concept that we are implementing in this piece of legislation as it

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

pertains to all-terrain vehicles. That was a good piece of legislation. They have their own areas in which they drive and run and operate. We are establishing that same kind of principal in this particular Bill."

Turner: "Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Warren, Representative Hultgren."

Hultgren: "Thank you, Madam Chairman. Will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Hultgren: "I see from the analysis, this imposes a registration fee on the owner of these vehicles. Would for example... my constituents who are using this for chores on their own farm, on their own property, if it's on their own property would they still have this registration fee imposed on them?"

Ropp: "Yes, Sir. This is predominately one of the main features the Farm Bureau had insisted on."

Hultgren: "And these registration fees are going to go into a fund to be administered by the Department of Conservation. Is that right?"

Ropp: "Yes. And it is divided into three-ways, as I tried to indicate. One goes for establishing areas in which people use them in... let's say courses or areas in which to drive. Another one went in for the payment of damages that might occur. And the third one went into actually, the safety training program for people under eighteen."

Hultgren: "And these areas that are going to be established for the use of these vehicles off-road. Where are those going to be located?"

Ropp: "Well, they would either be in local municipalities or areas in which you would have all terrain vehicle clubs. And that is an attempt to provide for local control on

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

these areas, so that we don't really run them all over the world."

Hultgren: "Will these ATV courses, if you will, be established in existing state parks and facilities?"

Ropp: "There is a possibility, but those would be designated areas. They are not going to let them run through the picnic area or through the lake or through campsite areas. They would be designated areas, if at all."

Hultgren: "Who is going to determine where those areas are located?"

Ropp: "You will, first of all, have to have a public hearing. And then they will be determined afterwards."

Hultgren: "There will be an opportunity for public hearing before the establishment?"

Ropp: "It's required in the Bill."

Hultgren: "Are there any estimates as to how much... the total amount that will be received in this special fund on an annual basis? Do you have any figures on that? Or does Conservation?"

Ropp: "Well, I'm not sure we have, but it is supposed to be self-supporting. So we are not going to get any state revenues from it. It would be taken care of with the registration fees."

Hultgren: "I would like to thank the Sponsor for responding. Thank you."

Speaker Braun: "Is there any further discussion? The Lady from LaSalle, Representative Breslin."

Breslin: "I move the previous question."

Speaker Braun: "The question is, 'Shall the previous question be put?' In the opinion of the Chair... the Chair recognizes the Gentleman from McLean, Representative Ropp to close."

Ropp: "Thank you, Madam Speaker. I think this is a very important issue. It's a program that will provide for

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

safety on these vehicles. It has caused a number of damages and hazards for people who have ridden them and I think we've got a very excellent agreed program. I welcome your support."

Speaker Braun: "The Gentleman has moved for the passage of House Bill 612. All those in favor vote 'aye', opposed vote 'no'. This is final action. Voting is open. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 103 voting 'aye', 9 voting 'no'. And House Bill 612, having received a Constitutional Majority, is hereby declared passed. House Bill 687, Representative Black. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 687, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Vermilion, Representative Black, on House Bill 687."

Black: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 687 amends the Illinois Vehicle Code. It deletes provisions requiring the Secretary of State to endorse existing vehicle titles when an owner creates a security interest in a vehicle. This Bill simply codifies current procedure being followed by the Secretary of State's office. I would ask a favorable vote on House Bill 687."

Speaker Braun: "The Gentleman has moved the passage of House Bill 687, and on that, is there any discussion? There being none, the question is, 'Shall House Bill 687 pass?' All in favor vote 'aye', opposed vote 'no'. This is final action. Voting is open. 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', and House Bill 3... House Bill 687, having received the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Constitutional Majority, is hereby declared passed. House Bill 954, Representative Sieben. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 954, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Henry."

Sieben: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 954 amends the Liquor Control Act of 1934 to authorize alcoholic liquor to be sold or delivered in municipal buildings located on a pier extending into a navigable lake or stream. I urge a favorable vote on this Bill."

Speaker Braun: "The Gentleman has moved the passage of House Bill 954, and on that, is there any discussion? The Chair recognizes the Gentleman from Lake, Representative Matijevec."

Matijevec: "Would the Gentleman yield to a question?"

Speaker Braun: "He indicates he will."

Matijevec: "Isn't this the same Bill as that grand idea that Representative Ackerman just had an overwhelming vote? Isn't this the same... "

Sieben: "Yes, the Bills are very similar and I'm also... "

Matijevec: "You know, I always want to help a first-termer, but I don't want anybody to get any credit for this Bill except Representative Ackerman. You know, it's his idea, and I don't want anybody back home to say that he stole anybody else's idea. I want you back here again, but I want Ackerman back here, too, you know, and I don't know what to do on this Bill, you know. I don't think we ought to have two Bills. That's duplication, and I gave full credit to Ackerman for that Bill, and I think he deserves it. I'm going to vote 'present' in spite of this good Bill. Or we ought to collapse it with Ackerman's Bill. Do we have

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

leave to collapse this Bill into Ackerman's?"

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Leverenz."

Leverenz: "Will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Leverenz: "Is this Bill redu... du... du... du... dundant?"

Sieben: "Yes, it is."

Leverenz: "Thanks."

Speaker Braun: "The Chair recognizes the Gentleman from Henry to close."

Sieben: "This Bill is redundant and does essentially the same thing Repre... Representa... ta... ta... ta... tive... Representative Ackerman's Bill does, and I would be happy to collapse my Bill into his."

Speaker Braun: "The question is, 'Shall House Bill 954 pass?' The voting... The Gentleman moves the passage of House Bill 954. All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. The Chair recognizes the Gentleman from Will, Representative Van Dwyne."

Van Dwyne: "Madam Speaker, I didn't want to explain my vote. I am going to vote 'no', but what I want to do is address the Bill, as I have done before, and I think we're going too far afield allowing everybody to sell retail liquor in municipal and park boards and county buildings. Last year we passed a Bill that allowed them to sell liquor at retail in a fire department and... "

Speaker Braun: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 103 voting 'aye', 11 voting 'no', and House Bill 954, having received the Constitutional Majority, is hereby declared passed. We're going to go back and pick up

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Representative Berrio's Bill on this Order. House Bill 597, Representative Berrios. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 597, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Berrios, on House Bill 597."

Berrios: "This Bill simply defines what a maxi-cube vehicle is and it brings us into conformity with Federal law and I would ask for your support. The Department of Transportation is for the Bill and so is the State Police. Thank you."

Speaker Braun: "The Gentleman has moved the passage of House Bill 597, and on that, is there any discussion? The Chair recognizes the Lady from Lake, Representative Stern."

Stern: "Mr. Sponsor, I have no idea what you said and I cannot understand the board. Would you translate, please?"

Berrios: "This simply, what it does is, defines what a maxi-cube vehicle is, which is those trucks on the highway, and it brings us into conformity with Federal law."

Stern: "What is a maxi-cube vehicle?"

Berrios: "That's the vehicle where you got a couple of trucks going down the highway hooked together by a saddle-mount."

Stern: "Piggy-back."

Berrios: "Yes."

Speaker Braun: "Is there further discussion? There being none, the question... the Gentleman from Cook, Representative Berrios to close."

Berrios: "Just look for a favorable roll."

Speaker Braun: "The Gentleman has moved the passage of House Bill 597. The question is, 'Shall House Bill 597 pass?' All in favor vote 'aye', opposed vote 'no.' The 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

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

question there are 107 voting 'aye', 5 voting 'no', and House Bill 597, having received a Constitutional Majority, is hereby declared passed. House Bill 48, Representative Stange. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 48, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from DuPage."

Stange: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill amends the Illinois Vehicle Code permitting vehicles engaged in collection and disposal of solid waste, permitting yellow oscillating lights on trucks. I ask for your favorable vote."

Speaker Braun: "The Gentleman has moved the passage of House Bill 48, and on that question, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Young."

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

Stange: "Yes, I will."

Young: "Does this Bill preempt home rule?"

Stange: "I didn't hear what you said."

Young: "Does this Bill preempt home rule?"

Stange: "Yes, it does."

Young: "And does this Bill include the City of Chicago?"

Stange: "Yes, it does."

Young: "Thank you."

Stange: "Okay. This Bill also... okay, it's not mandating, it's permissive. If the garbage haulers want to do it, want to have oscillating lights, they can."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Leverenz."

Leverenz: "Would the Gentleman yield?"

Stange: "Yes, I will."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Braun: "He indicates he will."

Leverenz: "What color lights?"

Stange: "Yellow, oscillating."

Leverenz: "And who will use them?"

Stange: "Garbage haulers, disposal companies... "

Leverenz: "E & E?"

Stange: "I don't believe E & E is in garbage hauling anymore. Could very well be. No, that's not a garbage hauler, though."

Leverenz: "Why do they need them?"

Stange: "There was several young kids that were killed by garbage trucks. Two years ago I had a Bill in the House letting... putting signaling devices when they back up, the cling, cling, cling noise."

Leverenz: "Ding, ding, ding, ding?"

Stange: "Right. A young boy was killed about two months ago."

Leverenz: "With a garbage truck?"

Stange: "With a garbage truck, and these garbage... "

Leverenz: "Are the lights going to be mounted on the top or on the bumper?"

Stange: "On the top."

Leverenz: "Where they hit people?"

Stange: "Just another safety precaution. Again it's not mandating that they use them, but it's another safety... "

Leverenz: "Is there an Amendment on this Bill?"

Stange: "Yes, there is. Amendment 1 rewrote the Bill."

Leverenz: "And what does the Amendment do, then?"

Stange: "Okay. Stripping the... "

Leverenz: "It stripped the underlying Bill from the enacting clause and rewrote the Bill. Is that correct?"

Stange: "Exactly. That's correct."

Leverenz: "Will Legislators be able to have red lights on their dash boards?"

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Stange: "No, they won't. Just people in Maywood."

Leverenz: "Would you accept that Amendment?"

Stange: "Not at this time."

Leverenz: "Thanks."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Madam Speaker. May I suggest that the Sponsor consider taking this Bill from the record. There seems to be a lot of concern. We don't have the Amendment here. Let me ask, first of all... Strike that. Let me just ask the Sponsor if he would accommodate the concerns here by taking the Bill from the record."

Stange: "Representative Homer, this Bill was... this Amendment was adopted in Committee. And it had the support of the Department of Transportation and... "

Homer: "We don't have the Amendment here for some reason. I don't know why we don't, but maybe you could take it from the record so we could look at the Amendment."

Stange: "Sure."

Speaker Braun: "The Gentleman has taken the Bill... the Bill is out of the record. On the Order of House Bills Second Reading, Special Order, Senior Citizens and the Disabled appears House Bill 664, Representative... Representative Turner. Mr. Clerk, read the Bill. Out of the record. 1888, Representative Hartke. Representative Hartke? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1888."

Speaker Braun: "The Gentleman from Effingham, Representative Hartke, on House Bill 1888."

Clerk O'Brien: "House Bill 1888, a Bill for an Act to amend the Senior Citizens and Disabled Persons Tax Relief. Second Reading of the Bill. No Committee Amendments."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Chair recognizes the Gentleman from DuPage, Representative McCracken, on Amendment #1."

McCracken: "Please withdraw that."

Speaker Braun: "It's withdrawn. Further Amendments?"

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

McCracken: "Thank you, Madam Speaker. Amendment #2 would delay the effective date of this until January 1, 1990. It is now scheduled to go into effect January 1, 1988. The Bill, as you know, broadens the circuit breaker, pharmaceutical assistance program and I move its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #2, and on that, is there any discussion? The Chair recognizes the Gentleman from Effingham, Representative Hartke, on Amendment 2."

Hartke: "Thank you very much, Madam Speaker. I really object to this Amendment. It's just putting off a needed service that... that I'm trying to do, and that is to allow the circuit breaker system to apply to those individuals who have epilepsy. I would ask that my Members on this side of the aisle, and others, reject this Amendment."

Speaker Braun: "Okay. Is there further 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 question is, 'Shall Amendment 2 be adopted?' All in favor vote 'aye', opposed vote 'no'. The Gentleman from Cook, Representative Bowman."

Bowman: "Yes, I just wondered if the Sponsor of the Amendment could give us a little more detail. I didn't catch what he said."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Braun: "Have all voted? Representative Van Duyne, for what reason do you rise?"

Van Duyne: "Madam Speaker, I move we adjourn for the evening."

Speaker Braun: "Have all voted? On this Amendment there are 35... 37 voting 'aye', 70... 36 voting 'aye', 74 voting 'no'. The Amendment fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. Representative Weaver, for what reason do you rise?"

Weaver: "Madam Speaker, just to express my appreciation. The Amendment that I filed at 11:00 this morning was just distributed, which means it ran about 8 hours to get it up here, so I just want to say 'Thank you' to the folks that really work their fingers to the bone in getting this up to the floor."

Speaker Braun: "With all due... with all deliberate speed, Representative. Representative Jones on House Bill 2740. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2740, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "The Lady from Cook on House Bill... "

Clerk O'Brien: "No Committee Amendments. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2840, Representative Hasara. Representative Hasara? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2840, a Bill for an Act in relation to the Elder Abuse Demonstration Project. Second Reading of the Bill. No Committee Amendments. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 2852, Representative Frederick. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2852, a Bill for an Act to amend the Illinois Act on the Aging. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. We're going to go back and pick up Representative Stange's Bill, House Bill 48. Representative Stange, are you prepared to proceed? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 48, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Stange: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House... "

Speaker Braun: "Representative, before you do... "

Stange: "Sure."

Speaker Braun: "We... this Bill is on the Order of Third Reading, so it requires us to change the Order of Business from House Bills Second Reading to House Bills Third Reading. And I have to ring the bell. Representative Stange."

Stange: "Thank you. Thank you, Madam Speaker. Ladies and Gentlemen of the House, House Bill 48 amends the Illinois Vehicle Code permitting vehicles engaged in garbage and the disposal of solid waste, permitting yellow oscillating lights on top of trucks. I ask for your support on House Bill 48."

Speaker Braun: "The Gentleman moves the passage of House Bill 48, and on that is there any discussion? The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Madam Speaker. We thank the Sponsor for

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

accommodating us by taking the Bill out of the record. We found the Amendment. It certainly appears to be in good order. It allows garbage trucks to have oscillating lights and I would support the Gentleman's Bill."

Speaker Braun: "The Gentleman... Representative Stange to close."

Stange: "I ask for your favorable vote on House Bill 48."

Speaker Braun: "The Gentleman has moved the passage of House Bill 48. All in favor vote 'aye', opposed vote 'no'. This is final action. The 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 101 voting 'aye', 7 voting 'no', and House Bill 48, having received the Constitutional Majority, is hereby declared passed. Again on the Order of House Bills Third Reading appears House Bill 226, Representative Frederick. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 226, a Bill for an Act to amend the Senior Citizens Real Estate Tax Deferral Act. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Lady from Lake, Representative Frederick."

Frederick: "Yes. Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 226 amends the Senior Citizens Real Estate Tax Deferral Act, which we passed some years ago, and would allow a senior of age 60 to go onto this program if he or she were disabled. Of course, that person must have an income level of \$14,000.00 or less and must actually meet the definition of 'disabled person'. I know of no objection to the Bill. It passed out of Committee overwhelmingly and it's important, first part of the Bill. The second part of the Bill prevents, in all counties except Cook, a tax buyer from coming in a year earlier, a year ahead of time, to purchase the taxes or special

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

assessments due in the subsequent year. This is a good consumer Bill and it saves money for the taxpayer and I move approval of House Bill 227 (sic - 226)."

Speaker Braun: "The Lady has moved the passage of House Bill 226, and on that, is there any discussion? There being none, the question is, 'Shall House Bill 226 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? On this Bill there are 115 voting... 116 voting 'aye', none voting 'no', and House Bill 226, having received the Constitutional Majority, is hereby declared passed. House Bill 305, Representative Regan. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 305, a Bill for an Act in relation to services for the blind. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Will, Representative Regan, on House Bill 305."

Regan: "Thank you, Madam Speaker, Members of the House. This Bill simply adds to the list of checkoffs on the state income tax return form, a position for the blind, specifically specified to go toward blind education for blind students. They are getting about \$1,000.00 now. They are allowed \$4,000.00 but the funding is not there. They have fallen into the same problem that others do. They have to come in with \$100,000.00 the first day or they are removed, and I go for it."

Speaker Braun: "The Gentleman has moved the passage of House Bill 305, and on that, is there any discussion? There being none, the question is, 'Shall House Bill 305 pass?' All in favor vote 'aye', opposed vote 'no'. This is final action. 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',

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

none voting 'no', and House Bill 305, having received the Constitutional Majority, is hereby declared passed. House Bill 654, Representative Rea. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 654, a Bill for an Act in relation to home care for disabled and aged persons. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Franklin."

Rea: "Thank you, Madam Speaker, Members of the House. This Bill deals with home health care. It provides that the first \$15,000.00 of the value of cash property or other assets of the recipient is not considered in determining the amount and nature of home health care services. At the present time it's \$10,000.00 and the Illinois Senior Citizen Leadership Conference has urged the state to increase the asset level to \$15,000.00 because there are a number of people that are presently excluded because of the \$10,000.00 limitation. This is a Bill that certainly is needed and it is time that we raise the amount of exemptions for assets. I would ask for an 'aye' vote."

Speaker Braun: "The Gentleman has moved the passage of House Bill 654, and on that, is there any discussion? There being none, the question is, 'Shall House Bill 654 pass?' All in favor vote 'aye', opposed vote 'no'. The 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 House Bill 654, having received the Constitutional Majority, is hereby declared passed. House Bill 881, Representative Morrow. Mr. Clerk, read the Bill. One second. For what reason does Mr. Regan rise?"

Regan: "I would like to be recorded as voting 'aye' on House Bill 305, please."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Braun: "So be noted. Representative Morrow on House Bill 881. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 881, a Bill for an Act to amend the Illinois Act on the Aging. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Morrow."

Morrow: "Thank you, Madam Speaker, Members of the House. House Bill 881 allows the Department of Public Aid, with the cooperation with the Department of Aging, to allow anyone, regardless of income, to receive a pre-screening program to decide whether or not they can receive some type of home care service. The Department will be allowed to charge a fee equal to cost to the Department of Public Aid. I ask for a favorable vote. Thank you."

Speaker Braun: "The Gentleman moves the passage of House Bill 881, and on that, is there any discussion? There being none, the question is, 'Shall House Bill 881 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 Clerk will take the record. On this question... on this question there are 109 voting 'aye', 3 voting 'no', and House Bill 881, having received the Constitutional Majority, is hereby declared passed. On the Calendar appears House Bill 2694, Representative O'Connell. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2694, a Bill for an Act to create the Long Term Care Ombudsman Act. Third Reading of the Bill."

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

O'Connell: "Thank you, Madam Speaker. House Bill 2694 has been the work product of the Illinois State Support Services Agency and the Illinois Attorney General. It was determined that of all the long term care facilities in the

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

State of Illinois, which approximates 75,000 beds, there are only 1,800, approximately 1,800 complaints over the past year from these nursing home residents. Similarly, the State of Michigan, which has only some 40,000 beds, received the sum of about 2,500 complaints. It was determined in the review of this situation with nursing homes, is that, while we had monies coming into the state from the federal government through the older Americans Act, we really didn't have the framework to implement an effective ombudsman program. Right now there is one person in the Department of Aging that is designated as the ombudsman, and it is the opinion of the Attorney General's office and the state support agency's and my own, that this program just isn't working. So what we have is a framework wherein we can use the monies that are coming in from the federal government to more effectively implement a program where a nursing home resident who has a complaint, a relative of a nursing home resident who has a complaint, can direct the complaint to an individual ombudsman or person designated as an ombudsman in one of the 13 regions throughout the state. I'll be happy to answer any questions."

Speaker Braun: "The Gentleman has moved passage of House Bill 2694, and on that, is there any discussion? The Chair recognizes the Gentleman... Lady from Cook, Representative Pullen."

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

Speaker Braun: "He indicates he will yield."

Pullen: "I am looking as quickly as I can at your comprehensive Amendment which struck everything up to the enactment clause and replaced the Bill. I wonder whether you could tell me does this ombudsman still have subpoena power?"

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

O'Connell: "Bear with me, Representative."

Pullen: "Yes."

O'Connell: "Yes, it does."

Pullen: "Does the ombudsman... does the ombudsman still have the power to enter facilities at will for investigation?"

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

Pullen: "Does the ombudsman still have the power under this Bill to enter facilities at will for investigation purposes?"

O'Connell: "That's... that... that's correct, and I believe that presently the ombudsman, through the Department of Aging, has the same authority."

Pullen: "Is this ombudsman created within an agency, or is the ombudsman an agency unto himself?"

O'Connell: "The ombudsman is independent. It is not a part of the Department of Aging. It is independent. There is an advisory board selected which consists of appointments by the Governor, the Attorney General."

Pullen: "Could you tell me who appoints all the members of the advisory committee and how many there are, and how many each of the appointing authorities appoints?"

O'Connell: "Yes. There are nine members of the Ombudsman Advisory Committee, and the community ombudsman is appointed by the office of Long Term Care Ombudsman to carry out responsibilities at the local level. So you have one long term care ombudsman and he then has 13 ombudsmen in the... in each of the regions."

Pullen: "You say there are nine members of the Ombudsman Advisory Committee. Who appoints each of those people, please?"

O'Connell: "Okay... okay, the Advisory Committee is appointed as follows: one person is appointed by the Speaker of the House, one person is appointed by the President of the Senate, one person appointed by the House Minority Leader,

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

one person appointed by the Senate Minority leader, and then two persons, from a list of four names submitted by the organizations... by organizations of Seniors, are appointed by the Governor. One person is appointed by the Governor, and two persons appointed by the Attorney General. None of these members are compensated."

Pullen: "Does it specify what organizations of seniors are eligible to submit names to the Governor?"

O'Connell: "No, and I think that that is... should be addressed in the Senate, if the Bill reaches the Senate, to identify specific organizations. My suggestion might be to have that through the Lieutenant Governors Department, or his... Lieutenant Governor's Senior Citizens Task Force."

Pullen: "Who appoints the ombudsman?"

O'Connell: "Madam Speaker, for purposes of... in deference to the efficiencies of the House, could we take this out of the record?"

Speaker Braun: "The Bill is taken out of the record. Ladies and Gentlemen, for the purposes of an announcement. It is the intention of the Chair to go to the Consent Calendar, have that considered and voted on, and then to go and pick up two Bills on the Order of Second Reading. Thereafter, we will adjourn, so if we can move quickly through this, we want to go to the Consent Calendar first and have... are we going to do the two Bills? First, the two Bills which we would like to pick up. They appear on page 4. House Bill... House Bill 1908 is the first. Representative Terzich. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1908, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Lady from Cook... "

Williamson: "Table #2."

Speaker Braun: "... table's Amendment... withdraws Amendment 2. Further Amendments?"

Clerk O'Brien: "No... no further Amendments."

Speaker Braun: "Third Reading. House Bill 2624, Representative Terzich. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2624, a Bill for an Act in relation to the Metropolitan Fair and Exposition Authority. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "Representative Ryder on Amendment 1."

Ryder: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill would call for an investigation into the fund indicating that an audit may be necessary and asking that those things take place prior to any further funds being committed to this project."

Speaker Braun: "The Gentleman moves the passage of Amendment #1, and on that the Gentleman from Cook, Representative Capparelli... I'm sorry, Representative Terzich."

Terzich: "Yes, Madam Speaker. This just sets up the fund. There is nothing to be audited if there's no funds available, and therefore, I would respectfully be against this Amendment."

Speaker Braun: "Representative Ryder to close."

Ryder: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #3 (sic - #1) deals exactly with the rehabilitation fund for McCormick Place. As many of you realize, during the past year, not only have we had to

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

expend an additional \$65,000,000.00 for McCormick Place, but we are now faced with the proposition of having to spend more... even more money because of potential engineering faults. The City of Chicago has indicated to us, or at least to McCormick Place, that through some engineering faults, we may very well have to tear up some duct work, do some other kinds of problems. In the event that there is some kind of reasonable doubt of adherence to the engineering standards that were set, it calls upon the investigation indicated. We have spent in excess of \$300,000,000.00 on McCormick Place. If we're going to be required to establish a fund or spend more dollars, I think we ought to know that we spent those money on a safe building, and I urge the passage of this Amendment."

Speaker Braun: "The Gentleman moves the passage of Amendment 1. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair the 'nos' have it. The Amendment fails. Further Amendments?"

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

Speaker Braun: "Representative Ryder."

Ryder: "Thank you. This simply indicates that there are no monies to be expended for the purpose of rehabilitating the Convention Hall unless there is some reasonable assurance given that all applicable building and safety standards and codes have been met. If there is that reasonable doubt, the Auditor General shall have an independent investigation. I move the passage and ask for a Roll Call."

Speaker Braun: "The Gentleman has moved the passage of Amendment 2, and on that, is there any discussion? There being none, the question is, 'Shall Amendment 2 pass... be adopted?' All in favor vote 'aye', opposed vote 'no'. Voting is

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

open. Representative Terzich."

Terzich: "I ask, Madam Speaker, now this is really wierd, because no... some of these things that are happening that these violations simply were of city codes and had nothing to do with... as far as the construction... as a matter of fact, that was caught by the City of Chicago, as far as some of these violations were concerned. They weren't construction errors. But, we must keep in mind also that the former Governor is in charge... "

Speaker Braun: "Representative... "

Terzich: "... of McCormick Place, and therefore, I would urge a 'no' vote on this Amendment."

Speaker Braun: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment there are 71 voting 'aye', 34 voting 'no'. The Amendment is adopted. Further Amendments?"

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

Speaker Braun: "Representative Ryder on Amendment 3. Amendment 3 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4, Ryder."

Speaker Braun: "Withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. There is a request for a fiscal note by Representative McCracken. Representative Terzich."

Terzich: "Yes. I would move that a fiscal note really is not applicable in this case because all it does is there's... if there's no funds to set it up, how can you get a fiscal note when there's no funds, so I would think that this fiscal note would be out of order."

Speaker Braun: "Representative Terzich, I'm going to ask you to take this Bill out of the record right now, if you don't mind."

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Terzich: "Hey, let's do it."

Speaker Braun: "The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Madam Speaker, for the purpose of an announcement. The Gridiron Banquet is going to be held again this year June 3 at Hilton Hotel. No increase in prices. See your favorite newshound or your infamous newshound. If you have any left."

Speaker Braun: "House Bill 2624 is on the Order of Second Reading and has been taken out of the record. We will now proceed to the final activity of the evening. I'm going to make an announcement. There are approximately 200 Bills which appear on the Calendar today. They will be taken off and put on an Agreed Bill Consent List, which is being worked out now and being circulated... will be circulated tomorrow on a supplemental Calendar. This process is not fully worked out yet, however, by tomorrow morning we should know which Bills are on the Agreed Bill Consent List. If the Leadership removes any Bill from the Calendar for that purpose and no agreement is reached with regard to that Bill, it will go back onto the regular Calendar. So if you miss your Bill, look for the Consent Calendar which will appear as a special supplemental Calendar tomorrow morning. Representative McCracken."

McCracken: "For the purposes of an announcement. I've been asked to announce that the Self-Sufficiency Trust Reception has been extended until 10:00 pm."

Speaker Braun: "We are now going to go to page 64 of the Consent Calendar Third Reading, Second Day. Mr. Clerk, read the Bills on the Consent Calendar, please."

Clerk Leone: "House Bill 50, a Bill for an Act in relationship to immunization against mumps. Third Reading of the Bill. House Bill 372, a Bill for an Act to Amend the Illinois

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Lottery... Notary Public Act. Third Reading of the Bill. House Bill 639, a Bill for an Act to amend the Abused and Neglected Long Term Care Facility Residents Reporting Act. Third Reading of the Bill. House Bill 845, a Bill for an Act in relationship to veteran's preference. Third Reading of the Bill. House Bill 850, a Bill for an Act to amend the Public Community College Act. Third Reading of the Bill. House Bill 934, a Bill for an Act relating to public health. Third Reading of the Bill. House Bill 1087, a Bill for an Act to amend an Act in relationship to fire protection districts. Third Reading of the Bill. House Bill 1284, a Bill for an Act to amend the State Comptroller Act. Third Reading of the Bill. House Bill 1298, a Bill for an Act to amend the Emergency Medical Services Systems Act. First Reading of the Bill... Third reading of the Bill. House Bill 1332, a Bill for an Act to amend the Illinois Plumbing License Law. Third Reading of the Bill. House Bill 1336, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill. House Bill 1370, a Bill for an Act to amend the Veterans... Vietnam Veterans Act. Third Reading of the Bill. House Bill 1455, a Bill for an Act to amend the Hospital Licensing Act. Third Reading of the Bill. House Bill 1465, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill. House Bill 1646, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of the Bill. House Bill 1841, a Bill for an Act in relationship to services for certain veterans. Third Reading of the Bill. House Bill 1875, a Bill for an Act to amend an Act concerning fees and salaries. Third Reading of the Bill. House Bill 1923, a Bill for an Act in relationship to audits of accounts of municipalities, counties and certain other governmental units. Third

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

Reading of the Bill. House Bill 1934, a Bill for an Act to amend Mental Health and Developmental Disabilities Confidentiality Act. Third Reading of the Bill. House Bill 1988, a Bill for an Act to amend the Alcoholism and Substance Abuse Act. Third Reading of the Bill. House Bill 1992, a Bill for an Act in relationship to the Department of Mental Health and Developmental Disabilities. Third Reading of the Bill. House Bill 2021, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill. House Bill 2051, a Bill for an Act to revise Acts and to resolve multiple amendments. Third Reading of the Bill. House Bill 2104, a Bill for an Act to amend the Public Community College Act. Third Reading of the Bill. House Bill 2227, a Bill for an Act to amend an Act to remove obsolete references to the Illinois Veterans Commission. Third Reading of the Bill. House Bill 2228, a Bill for an Act to provide for payment of compensation to survivors. Third Reading of the Bill. House Bill 2250, a Bill for an Act to amend the State Property Control Act. Third Reading of the Bill. House Bill 3262 (sic - 2362), a Bill for an Act to amend the Illinois Food, Drug and Cosmetic Act. Third Reading of the Bill. House Bill 2401, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Braun: "The Clerk, having read the Bills on the Order of Consent Calendar, the question is, 'Shall these Bills pass?' This is final action. The voting is open. All those in favor vote 'aye', opposed vote 'no'. The voting is open. Final action."

Clerk Leone: "For the record, House Bill 2362 is a Bill for an Act to Amend the Illinois Food, Drug and Cosmetic Act. Third Reading of the Bill. There are two Bills stricken, House Bill 2387, which amends an Act requiring fiscal notes

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

45th Legislative Day

May 13, 1987

in relationship to certain Bills, and House Bill 2850, which amends the Illinois Human Rights Act. Both have been stricken."

Speaker Braun: "Have all voted who wish? The Clerk will take the record. On the Bills appearing on the Order of Consent Calendar which were read and not stricken, 114 have voted 'aye', none have voted 'no', and those Bills, having received the Constitutional Majority, are hereby declared passed. Allowing time for... Representative McPike moves that the Special Orders be continued until tomorrow at the Call of the Chair. All those in favor say 'aye', opposed say 'nay'. In the opinion of the Chair the 'ayes' have it. Special Orders of Business are continued. Allowing... Senate Bills First Reading."

Clerk Leone: "Senate Bills First Reading. Senate Bill 229, a Bill for an Act making appropriations to the Department of Agriculture, sponsored by Representatives Hicks and Mautino. First Reading of the Bill. House Bill... Senate Bill 270, offered by Representatives Rea and Deuchler, a Bill for an Act to amend Acts in relationship to the use of funds for public works. First Reading of the Bill."

Speaker Braun: "Representative McPike for an adjournment Motion. Representative McPike moves that the House stand adjourned until 9:00 a.m. tomorrow morning. All in favor, opposed. The 'ayes' have it."

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STATE OF ILLINOIS
85TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 13, 1987

HB-0016	THIRD READING	PAGE	52
HB-0048	THIRD READING	PAGE	261
HB-0048	THIRD READING	PAGE	266
HB-0048	OUT OF RECORD	PAGE	263
HB-0050	THIRD READING	PAGE	277
HB-0063	THIRD READING	PAGE	57
HB-0084	THIRD READING	PAGE	107
HB-0117	THIRD READING	PAGE	61
HB-0144	SECOND READING	PAGE	204
HB-0144	OUT OF RECORD	PAGE	205
HB-0161	SECOND READING	PAGE	205
HB-0163	RECALLED	PAGE	63
HB-0163	THIRD READING	PAGE	65
HB-0226	THIRD READING	PAGE	267
HB-0227	THIRD READING	PAGE	246
HB-0243	THIRD READING	PAGE	175
HB-0274	THIRD READING	PAGE	76
HB-0281	THIRD READING	PAGE	247
HB-0301	THIRD READING	PAGE	118
HB-0305	THIRD READING	PAGE	268
HB-0306	THIRD READING	PAGE	121
HB-0332	THIRD READING	PAGE	66
HB-0351	THIRD READING	PAGE	248
HB-0372	THIRD READING	PAGE	277
HB-0401	SECOND READING	PAGE	220
HB-0428	THIRD READING	PAGE	123
HB-0462	THIRD READING	PAGE	249
HB-0535	THIRD READING	PAGE	111
HB-0552	RECALLED	PAGE	74
HB-0552	THIRD READING	PAGE	83
HB-0552	OUT OF RECORD	PAGE	76
HB-0577	THIRD READING	PAGE	82
HB-0577	OUT OF RECORD	PAGE	83
HB-0597	THIRD READING	PAGE	260
HB-0612	THIRD READING	PAGE	250
HB-0639	THIRD READING	PAGE	277
HB-0639	THIRD READING	PAGE	278
HB-0654	THIRD READING	PAGE	268
HB-0687	THIRD READING	PAGE	257
HB-0700	SECOND READING	PAGE	95
HB-0703	SECOND READING	PAGE	101
HB-0705	SECOND READING	PAGE	101
HB-0706	SECOND READING	PAGE	105
HB-0708	SECOND READING	PAGE	105
HB-0709	SECOND READING	PAGE	113
HB-0717	THIRD READING	PAGE	131
HB-0718	THIRD READING	PAGE	112
HB-0748	SECOND READING	PAGE	220
HB-0810	SECOND READING	PAGE	140
HB-0812	RECALLED	PAGE	244
HB-0820	SECOND READING	PAGE	113
HB-0820	HELD ON SECOND	PAGE	114
HB-0823	SECOND READING	PAGE	150
HB-0840	SECOND READING	PAGE	5
HB-0844	SECOND READING	PAGE	5
HB-0845	THIRD READING	PAGE	278
HB-0848	SECOND READING	PAGE	2
HB-0850	THIRD READING	PAGE	278
HB-0854	SECOND READING	PAGE	151
HB-0857	SECOND READING	PAGE	152
HB-0858	SECOND READING	PAGE	152
HB-0858	SECOND READING	PAGE	235
HB-0858	HELD ON SECOND	PAGE	154
HB-0859	SECOND READING	PAGE	205

STATE OF ILLINOIS
85TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 13, 1987

HB-0859	HELD ON SECOND	PAGE	206
HB-0869	SECOND READING	PAGE	154
HB-0873	SECOND READING	PAGE	207
HB-0881	THIRD READING	PAGE	269
HB-0881	THIRD READING	PAGE	270
HB-0887	SECOND READING	PAGE	3
HB-0919	SECOND READING	PAGE	3
HB-0934	THIRD READING	PAGE	278
HB-0939	SECOND READING	PAGE	224
HB-0941	SECOND READING	PAGE	9
HB-0954	THIRD READING	PAGE	258
HB-0978	SECOND READING	PAGE	3
HB-0980	SECOND READING	PAGE	207
HB-0981	SECOND READING	PAGE	207
HB-1015	THIRD READING	PAGE	176
HB-1019	THIRD READING	PAGE	214
HB-1031	SECOND READING	PAGE	3
HB-1041	SECOND READING	PAGE	106
HB-1063	SECOND READING	PAGE	9
HB-1064	SECOND READING	PAGE	12
HB-1068	SECOND READING	PAGE	16
HB-1087	THIRD READING	PAGE	278
HB-1146	THIRD READING	PAGE	181
HB-1173	SECOND READING	PAGE	161
HB-1194	SECOND READING	PAGE	3
HB-1206	SECOND READING	PAGE	207
HB-1223	SECOND READING	PAGE	227
HB-1258	SECOND READING	PAGE	224
HB-1274	SECOND READING	PAGE	208
HB-1279	THIRD READING	PAGE	187
HB-1279	OTHER	PAGE	197
HB-1284	THIRD READING	PAGE	278
HB-1291	SECOND READING	PAGE	225
HB-1298	THIRD READING	PAGE	278
HB-1306	THIRD READING	PAGE	218
HB-1307	SECOND READING	PAGE	208
HB-1317	SECOND READING	PAGE	3
HB-1332	THIRD READING	PAGE	278
HB-1336	THIRD READING	PAGE	278
HB-1349	SECOND READING	PAGE	16
HB-1370	THIRD READING	PAGE	278
HB-1377	THIRD READING	PAGE	84
HB-1377	OTHER	PAGE	93
HB-1411	SECOND READING	PAGE	18
HB-1412	SECOND READING	PAGE	19
HB-1455	THIRD READING	PAGE	278
HB-1465	THIRD READING	PAGE	278
HB-1473	SECOND READING	PAGE	227
HB-1485	SECOND READING	PAGE	3
HB-1494	SECOND READING	PAGE	114
HB-1508	THIRD READING	PAGE	197
HB-1512	SECOND READING	PAGE	24
HB-1516	SECOND READING	PAGE	3
HB-1528	SECOND READING	PAGE	228
HB-1539	SECOND READING	PAGE	228
HB-1629	SECOND READING	PAGE	162
HB-1629	SECOND READING	PAGE	235
HB-1629	HELD ON SECOND	PAGE	163
HB-1646	THIRD READING	PAGE	278
HB-1693	SECOND READING	PAGE	163
HB-1730	SECOND READING	PAGE	115
HB-1737	THIRD READING	PAGE	199
HB-1742	SECOND READING	PAGE	163
HB-1763	SECOND READING	PAGE	208

STATE OF ILLINOIS
85TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 13, 1987

HB-1763	SECOND READING	PAGE	209
HB-1766	SECOND READING	PAGE	115
HB-1769	SECOND READING	PAGE	115
HB-1815	SECOND READING	PAGE	209
HB-1832	SECOND READING	PAGE	3
HB-1841	THIRD READING	PAGE	278
HB-1854	SECOND READING	PAGE	246
HB-1856	SECOND READING	PAGE	115
HB-1859	SECOND READING	PAGE	115
HB-1869	SECOND READING	PAGE	3
HB-1875	THIRD READING	PAGE	278
HB-1888	SECOND READING	PAGE	263
H3-1903	SECOND READING	PAGE	164
HB-1904	SECOND READING	PAGE	168
HB-1908	SECOND READING	PAGE	25
HB-1908	SECOND READING	PAGE	273
HB-1908	OUT OF RECORD	PAGE	25
HB-1918	SECOND READING	PAGE	3
HB-1920	SECOND READING	PAGE	209
HB-1923	THIRD READING	PAGE	278
HB-1933	SECOND READING	PAGE	228
HB-1934	THIRD READING	PAGE	278
HB-1934	THIRD READING	PAGE	279
HB-1956	SECOND READING	PAGE	3
HB-1966	SECOND READING	PAGE	116
HB-1988	THIRD READING	PAGE	279
HB-1992	THIRD READING	PAGE	279
HB-2007	SECOND READING	PAGE	232
HB-2021	THIRD READING	PAGE	279
HB-2027	SECOND READING	PAGE	3
HB-2030	SECOND READING	PAGE	26
H3-2031	SECOND READING	PAGE	27
HB-2032	SECOND READING	PAGE	31
HB-2034	SECOND READING	PAGE	29
HB-2051	THIRD READING	PAGE	279
HB-2059	SECOND READING	PAGE	209
HB-2065	SECOND READING	PAGE	209
H3-2104	THIRD READING	PAGE	279
HB-2151	SECOND READING	PAGE	3
HB-2164	SECOND READING	PAGE	169
HB-2207	SECOND READING	PAGE	31
HB-2218	SECOND READING	PAGE	213
HB-2227	THIRD READING	PAGE	279
HB-2228	THIRD READING	PAGE	279
HB-2243	SECOND READING	PAGE	116
HB-2250	THIRD READING	PAGE	279
HB-2256	SECOND READING	PAGE	3
HB-2258	SECOND READING	PAGE	4
HB-2340	SECOND READING	PAGE	107
HB-2349	SECOND READING	PAGE	117
HB-2349	HELD ON SECOND	PAGE	117
HB-2362	THIRD READING	PAGE	279
HB-2401	THIRD READING	PAGE	279
H3-2406	THIRD READING	PAGE	136
HB-2407	THIRD READING	PAGE	139
HB-2415	SECOND READING	PAGE	32
HB-2437	SECOND READING	PAGE	32
HB-2456	SECOND READING	PAGE	117
HB-2470	SECOND READING	PAGE	4
HB-2492	SECOND READING	PAGE	233
HB-2606	SECOND READING	PAGE	117
HB-2624	SECOND READING	PAGE	274
HB-2624	OUT OF RECORD	PAGE	277
HB-2655	SECOND READING	PAGE	235

STATE OF ILLINOIS
85TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 13, 1987

HB-2670	SECOND READING	PAGE	4
HB-2694	THIRD READING	PAGE	270
HB-2694	OUT OF RECORD	PAGE	273
HB-2740	SECOND READING	PAGE	265
HB-2745	SECOND READING	PAGE	46
HB-2748	THIRD READING	PAGE	200
HB-2749	SECOND READING	PAGE	170
HB-2750	SECOND READING	PAGE	213
HB-2785	THIRD READING	PAGE	201
HB-2785	OUT OF RECORD	PAGE	204
HB-2800	SECOND READING	PAGE	4
HB-2808	SECOND READING	PAGE	4
HB-2812	THIRD READING	PAGE	219
HB-2817	SECOND READING	PAGE	50
HB-2826	SECOND READING	PAGE	213
HB-2834	SECOND READING	PAGE	4
HB-2840	SECOND READING	PAGE	265
HB-2842	SECOND READING	PAGE	50
HB-2843	SECOND READING	PAGE	51
HB-2844	SECOND READING	PAGE	51
HB-2845	SECOND READING	PAGE	51
HB-2849	SECOND READING	PAGE	118
HB-2852	SECOND READING	PAGE	265
HB-2866	SECOND READING	PAGE	214
SB-0229	FIRST READING	PAGE	280
SB-0270	FIRST READING	PAGE	280

SUBJECT MATTER

HOUSE TO ORDER - REPRESENTATIVE GREIMAN	PAGE	1
PRAYER - REVEREND HOWARD MILKMAN	PAGE	1
CONSENT CALENDAR - SECOND READING	PAGE	2
PLEDGE OF ALLEGIANCE	PAGE	2
ROLL CALL FOR ATTENDANCE	PAGE	2
INTRODUCTION - MARIST H.S. WRESTLING CHAMPS	PAGE	93
INTRODUCTION - PETER GUNNING	PAGE	126
CONSENT CALENDAR - THIRD READING	PAGE	277
ADJOURNMENT	PAGE	280