

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

76th Legislative Day

October 21, 1987

Speaker McPike: "The House will come to order. Members will be in their seats. The Chaplain for today will be the Reverend William Davis, who is Pastor of Lakeside Christian Church of Springfield. Reverend Davis is a guest of Representative Karen Hasara. The guests in the balcony may wish to rise to join us in the invocation."

Reverend Davis: "Gracious Heavenly Father, we come thankful for the day that You have given us to be about Your business. Father, we also come this morning asking that Your Spirit will dwell among us as we conduct business of the state. We pray that You grant these people wisdom this morning as they seek to path this great sovereign state. We ask that You grant them wisdom as they seek to do our business. We would pray all of this in Your Son's precious name. Amen."

Speaker McPike: "Be led in the Pledge of Allegiance this morning by the Gentleman from Cook, Representative McGann."

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

Speaker McPike: "Roll Call for attendance. Representative Matijevich."

Matijevich: "Speaker, let the record reflect the excused absence today of Representative Jim Keane, away on official business."

Speaker McPike: "Representative Kubik."

Kubik: "Mr. Speaker, would you let the record reflect that Representative Barnes and Panayotovitch are excused today."

Speaker McPike: "Thank you. Take the Roll, Mr. Clerk. One hundred and twelve Members answering the Roll Call, a quorum is present. Agreed Resolutions."

Clerk O'Brien: "House Joint Resolution 126 offered by

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Representative Hensel et al; 127, Hensel et al; 128, Parke et al; 129, Parke et al; and 130, Novak."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, we have examined the Resolutions. They are all of the congratulatory type and are agreed to, and I move the adoption of the Agreed Resolutions."

Speaker McPike: "...Move the adoption of the Agreed Resolutions. All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Joint Resolution 119 offered by Representative Mulcahey; House Joint Resolution 122 offered by Representative Deuchler; House Joint Resolution 124 offered by Representative Johnson."

Speaker McPike: "Committee on Assignment. Death Resolution."

Clerk O'Brien: "Senate Joint Resolution 78 with respect to the memory of Elma H. Davis, wife of former Illinois Legislator, Corneal Davis, offered by Representative Braun."

Speaker McPike: "Representative Braun moves the adoption of the Death Resolution. All in favor signify by saying 'aye', opposed 'nay'. The 'ayes' have it and the Death Resolution is adopted. On page eight of the Calendar under Total Veto Motions, proceed right down the list. The first one is House Bill 27. Representative Stern. Representative Stern in the chamber? Out of the record. House Bill 73. Representative McAuliffe. Representative McAuliffe? House Bill 73 on an override. Out of the record. Representative Stern has returned to the chamber. Do you wish to call House Bill 27? Representative Stern? Do you wish to call House Bill 27?"

Stern: "Only to say, Sir, that after rereading the veto message I have decided I have no comeback. I will put it in again

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next year in a different form."

Speaker McPike: "Out of the record. The Lady withdraws the motion. House Bill 85. Representative Weaver. Mr. Clerk."

Clerk O'Brien: "House Bill 85. I move that House Bill 85 do pass, the veto of the Governor notwithstanding."

Speaker McPike: "Representative Weaver."

Weaver: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, the Governor's veto of House Bill 85 was based upon two points of contention on the Bill. What this Bill actually does is extend a little bit of courtesy to veterans who are having a problem repaying a student loan. It gives them about one semester grace period in which to establish and start payment on a loan program with the ISSC before they lose their scholarship. This is a Bill that has been agreed to by the ISSC, and they helped me write the Bill. The Governor vetoed it, because he indicated it might show special preference to veterans, which I believe it does, but we already show special preference to veterans by awarding them an Illinois veterans' scholarship. This Bill simply allows the vets one additional grace period in which to set up a loan prepayment plan (sic - plan), it does not excuse or forgive the loan, but instead allows them to stay in school while finalizing repayment terms. Since the loan is going to be repaid, there is absolutely no budget impact, or very little budget impact, if any, and it was in agreement with ISSC. I ask for your 'aye' vote on this motion."

Speaker McPike: "Is there any discussion? There being no discussion the question is, 'Shall House Bill 85 pass, the veto of the Governor notwithstanding?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the

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record. On this motion there are 103 'ayes', no 'nays', 3 voting 'present'. This motion, having received the required three-fifths majority, prevails. The motion to override prevails and the Bill is adopted. House Bill 93. Representative Curran. Out of the record. House Bill 192. Representative Tony Young. Out of the record. House Bill 213. Representative Cullerton. Representative Cullerton here? Out of the record. House Bill 294. Representative Currie. Representative Currie in the chamber? Out of the record. House Bill 380. Representative Hartke. Representative Hartke? Read the Bill, Mr. Clerk."

Clerk O'Brien: "I move that House Bill 380 do pass, the Governor...the veto of the Governor notwithstanding."

Speaker McPike: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. The Governor has seen to veto House Bill 380 and I object to that veto. It seems to me that our fire departments in Southern Illinois, when the snow and ice and so forth is on the road, need the capability to get to that fire in an emergency situation and therefore would request that my colleagues vote with me to override the Governor's veto on House Bill 380."

Speaker McPike: "Is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I respectfully rise in opposition to the motion. As the Governor states in his veto message, there is research having been carried out by the Department of Transportation which concludes that the relative value of these studded tires is outweighed by the potential for damage and cost resulting from damage to the highways. The Bill had been opposed and still is opposed by the Illinois Department of Transportation, and I think the Governor's veto is a prudent act in this case, and I think we should sustain it. Thank you."

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Speaker McPike: "Further discussion? Representative McNamara."

McNamara: "Thank you, Mr. Speaker. Will the Sponsor yield for a question? I'll make a statement to the Bill. I believe that this Bill, all it does is allow studded tires for fire-fighting equipment only. This is not the same as allowing studded tires for each and every vehicle in the State of Illinois. I think the safety factor in this area, because it is for fire-fighting equipment, certainly outweighs the problems that will be caused by a fire engine going to or from a fire. The use is very small, and I believe in this case it warrants the Governor's...the override of the Governor's veto. Thank you."

Speaker McPike: "Representative Hartke to close."

Hartke: "Thank you very much, Mr. Speaker. I do believe that when you take into consideration that the type of trips being made by these emergency vehicles and the lives saved and the property saved by timely arrival of that emergency equipment, and to take nothing into consideration of the amount of property damage that occurs in this situation, I think the damage to our highways would be very little. And I would urge your support for the override on House Bill 380."

Speaker McPike: "The question is, 'Shall House Bill 380 pass, the veto of the Governor notwithstanding?' All those in favor signify by voting 'aye', opposed vote 'no'. Representative...Representative Parcels to explain her vote."

Parcels: "I just wanted to explain that I'm going to vote 'no' on this. We went through this in the spring. We're talking about vehicles tearing up roads again. If you noticed all the groups that were against it, they know their roads will be torn up. They know that they're going to have to repave the roads again. The superintendents of

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highways, township officials, they're all against this, because it will tear up the roads. There are other ways that these firetrucks can be outfitted to stop. And tearing up the roads with us having to repave them is not the way to go. I ask you for your 'no' vote."

Speaker McPike: "Representative Tate."

Tate: "My light's...my voting switches are not working. I don't know whether I was on the Roll Call or what, but I can't vote."

Speaker McPike: "Representative Tate, you were not on the quorum. In order to get on the quorum, you have to come up and sign a slip, so...you weren't here this morning, and so your button is automatically turned off."

Tate: "I'd like to be recorded as 'no' then."

Speaker McPike: "Alright. It's now been open. Your switch has now been opened. And how did you want to vote, Sir? Record Mr. Tate as 'no'. Mr. Clerk, record Mr. Tate as 'no'. Mr. Tate, you'll have to push your own button, I think. The board is still open. It's the red button on your desk. Representative Hicks, one minute to explain your vote."

Hicks: "Thank you, Mr. Speaker. I just want to rise in support of this Bill. You know, if you think about your home being burned down, we just saw last week where a gentleman stood and had to watch his house burn, because he hadn't paid a twenty-five dollar fee to the fire protection district. If you've got bad weather, it's cold out there, it's snowy, it's icy, and that fire engine can't get through to your home, and you had a child die in that fire because of it, what's the cost of the road when you've got kids at stake in this. I would urge more green votes up there."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. Would you turn off Mr. Hicks

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please, Mr. Electrician? Have you taken the record? Okay.  
On this motion there are 65 'ayes', 45 'nos' and none  
voting 'present'. Representative Hartke."

Hartke: "Can we poll the absentees on this one?"

Speaker McPike: "Mr. Clerk, poll the absentees."

Clerk O'Brien: "Poll of those not voting. Dunn. Granberg.  
Preston and Williamson."

Speaker McPike: "On this motion there are 65 'ayes', 45 'nos' and  
none voting 'present'. This motion, having failed to  
receive the required three-fifths majority, is hereby  
declared lost. Representative Countryman."

Countryman: "Well, point of order, Mr. Speaker."

Speaker McPike: "Yes, let's have a little quiet. Mr. Countryman  
on a point of order."

Countryman: "You know, I thought we had some decorum in the  
House, and we have a lot of Members walking around wearing  
red hats today and having their picture taken with the  
photographers here on the floor. And I just ask the Chair  
to rule that red hats are out of order on the House floor  
and that Members shouldn't be allowed to wear red hats here  
on the House floor. I just think it takes away from the  
solemn decorum of this fine Body, and we represent the  
people of the State of Illinois, and they got some team  
that's over there in one of those other states that they  
want to root for. I just don't think it's right, Mr.  
Speaker, and I ask the Chair to rule on that."

Speaker McPike: "Well, the Chair will rule that you're out of  
order, Mr. Countryman. Representative Johnson, were you  
at the game last night? Did you want to announce the  
score?"

Johnson: "The Cardinals are on there way to a four to two win in  
the World Championship. Started out last night three to  
one and I think...no more appropriate person to have in the

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Chair than probably the number one Cardinal fan in the House. I appreciate your ruling. I think it's correct, and I appreciate your courtesy and Representative Countryman is a bad loser, but since you haven't won...been in the World Series since 1908, I understand that."

Speaker McPike: "Representative Countryman simply said to the Chair that he thought you looked very weird in that hat. I thought Representative Countryman was out of order in his motion, but I did agree with his proposition."

Johnson: "I'll try to replace it with something more appropriate."

Speaker McPike: "House Bill 394. Representative O'Connell. Out of the record. House Bill 401. Representative Matijevich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "I move that House Bill 401 do pass, the veto of the Governor notwithstanding."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, I'm not going call the Bill. I just want to rise. This is the CUB insert Bill, and I notice a lot of my supporters aren't on the floor of the House. This is probably the most important consumer Bill of this session, and maybe in years. I'm going to call it later, and I know I'm taking a chance, but I know there are a lot of...I'll welcome the support from Cardinal fans, Giant fans, Tiger fans, White Sox fans and Cub fans for the CUB Bill, but we're going to call it later in the day. Thank you."

Speaker McPike: "Out of the record. House Bill 422. Representative Younge. Representative Hyvetter Younge? Out of the record. House Bill 486. Representative Didrickson. Is the Lady in the chamber? Out of the record. House Bill 508. Representative Preston. Read the Bill, Mr. Clerk."



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Clerk O'Brien: "I move that House Bill 508 do pass, the veto of the Governor notwithstanding."

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 508 would provide that as a condition of graduation from high school that a student must have received one unit of instruction on parenting and family relations. The purpose of the Bill is twofold or I should say many faceted. One, it's to cut down the cycle of child abuse, physical abuse and sexual abuse of children, because we have found that there is such a repetitiveness where abusive parents, some sixty percent of abusive parents, were abused children. We also want to explain to children who are about to become parents, which is indeed what high school students are, they're soon to become parents, what it means to be a parent. What is expected? What is expected of a newborn? What a child behaves like? What appropriate responses are? For example, that an appropriate response to a child that's crying is not to hit the child, but to comfort the child. And many of us have really not been told those things. There is absolutely no fiscal impact to this Bill whatsoever. Since the Bill is permissive and permits a school district to do whatever they want and feel they can afford to do, it only requires them to do something, to have some instruction somewhere in the high school program on the role of parenting and family relations. Now I've had an opportunity to listen to some of the speeches of my colleagues and to read some of their literature, some of their newsletters that they put out. And I recall and many, even some leaders on both sides of the aisle, of putting their newsletters, how staunchly they support child protection legislation and how concerned they are for the plight of children. And they say that to all

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of their constituents and we're going to give them one opportunity to demonstrate that. And I'd be glad to answer any questions and I encourage and urge your aye vote."

Speaker McPike: "Representative Cowlishaw."

Cowlishaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. If any one of us were asked to make a list of all of the things that we wish our children could learn in the years that they spend in elementary and secondary schools in this State, any one of us could easily come up with a list of three hundred things. But at the top of that list would be reading and writing and mathematics and science and social studies and citizenship. Increasingly we tend to want to put more requirements upon our schools. Be not mistaken, this piece of legislation is another mandate. Our schools do not need more mandates. They need to be adequately funded to do the job that we have already assigned them to do. I beseech you to remember that when you go home, your school people will say to you, 'Why do you keep passing more mandates, but you give us no more money?' And that is a justifiable concern. I suggest that you vote 'no' on this override motion."

Speaker McPike: "Representative Piel."

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

Speaker McPike: "He will."

Piel: "Representative Preston, correct me if I am wrong, but in your opening statement you said that this was not a mandate. This is not going to cost the State any money?"

Preston: "No, I said it is a mandate, but it does not require the expenditure of so much as one single dollar from any school system. The school system can determine for itself how they will fulfill this mandate. In other words this parenting education can be included in a home economics

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course which already exists, and incidentally home economics teachers are overwhelmingly in favor of this legislation. They want to include it in their home economics instruction. It could be included in physical education, in science, wherever the school system wants to include it. It is no additional expenditure to the school system at all."

Piel: "Well, what...there is that possibility though that when you're setting up a mandate that this will cost some money. Am I correct?"

Preston: "Well, a school system can spend money if they want to, but they don't have to. If a school system determines that they have the money to spend and they want to do an excellent project, an excellent program, hopefully that some adjacent school district will emulate, they are free to do that."

Piel: "The reason I'm asking that question, because I would think that if you're going to sit here and mandate a program to a school district, one, especially when you're talking about a program of this magnitude, you'd best have somebody that's well qualified in that area...I can't really visualize a Home Ec. teacher or a science teacher or say, or a physical education teacher being an expert or a well-qualified individual on a mandate. So, Ladies and Gentlemen... to the Bill, Mr. Speaker. Ladies and Gentlemen of the House, I'd be very sceptical when the Sponsor says this isn't going to cost anything, because if you're going to put a program into effect in the school districts in the state and it's going to be a program that's going to cost or that's going to create something which is a very, very viable subject matter, obviously in this area you're going to have to have an expert teaching the course. If you do not have somebody in the science

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area who has a degree in there and now here's a person that's used to teaching general science, and he is going to turn around and try and teach this course in parenting. I think it's a little bit ludicrous. I think it's a situation where they would definitely in certain cases have to hire somebody. And when I say have to hire somebody, we are by passing this having to mandate that they do it, and they're going to have to have a person that's an expert in the field. And I would ask for a 'no' vote on the Gentleman's motion."

Speaker McPike: "Further discussion? Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. It always seems like when we are attempting to make some progress in the General Assembly, and the word 'mandate' is used in attempt to throw everybody into a tither and say, 'Well, we won't support it, because it's a mandate.' Ladies and Gentlemen, there are a lot of things going on in this state that if somebody doesn't mandate it, then we're all going to be in bad trouble. We often hear that well, such and such a kid is not progressing in school, because the parents do not know how to read or the parents are not there. If at some point in time we don't begin to teach young people how to become parents at some point in their life, then we have lost in our attempt to educate people in order to make them good, wholesome citizens. This may be a mandate. You can call it whatever you want to. I call it good kinds of education. In attempting to acquaint young people on how to become useful citizens and how to live together when they become husband and wife and have a family. This business that we have accepted, single parents as being a family in my judgement is pure nonsense. It's one of the things that has caused very serious problems in our state, including drugs, rape, theft and

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murders. If we don't begin to create a more wholesome family attitude, then we have not fully done what we should be doing as Legislators. And the point being that we need an expert. I might question every person in this chamber as to whether or not you'd ever be elected if your constituents felt you had to be an expert in every swinging issue that we deal with. That's nonsense. We aren't. We look to those people who have expertise and attempt to draw from that. We can do that through Home Ec. teachers, through P.E. teachers, through Ag. teachers, including math and science teachers. Let's support this motion to override."

Speaker McPike: "Further discussion? Representative Davis."

Davis: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I feel that in the times that we are living in in which many young parents sixteen and seventeen years old who they themselves were born to parents sixteen and seventeen..."

Speaker McPike: "Excuse me. Excuse me, Representative Davis."

Davis: "Yes, Sir."

Speaker McPike: "I wonder if the Ladies and Gentlemen on the floor could give a little attention to Representative Davis. There's a lot...an awful lot of noise on the floor this morning. Proceed, Representative."

Davis: "Thank you. I feel that the school districts have an obligation to teach parenting in the schools. According to this Bill, it is optional in the elementary school, and one credit should be offered at the high school level. As Representative Preston stated, you see young parents who will smack or slap a small child who is crying when that child has a very good reason for crying. Being a parent is not a part-time job. It isn't something that we do if we want to or don't want to, once you are a parent, you are a

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parent for life. What could be more important than teaching parenting in our schools? I certainly support this legislation, and I hope that our Body will override this veto."

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. The issue before the General Assembly, as it was before the Governor, is more than just the issue of parenting. We're going to be addressing later today, a whole series of motions to override gubernatorial vetoes on education funding. Many of you have received mail from school districts saying if you can't give us the money, then please let us out of the mandates. Pull back on some of the requirements that you are placing on schools if you are not going to fund the program. Now I know it's going to be argued, it has been argued that this doesn't cost any money. However what it does do is it tells the schools what they must do and that, Ladies and Gentlemen, as the Sponsor has admitted is a mandate. Now I think it ill behooves this Body regardless of the issue in the time in which we find ourselves to place additional mandates, regardless of how worthy, on school districts. There appears to be an assumption that the people that are running our school districts across this state don't have the good sense to do what they ought to do in their own communities. There may be many communities where this is important. In other communities it's being taken care of by the families themselves. For this reason I think the Governor properly and wisely vetoed this Bill. And I would ask that this Body sustain that veto."

Speaker McPike: "Representative Preston to close."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. We seem to be hurling the insult of the word

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'mandate' around as Representative Ropp indicated. It's not an insult. That's what we do every day. That's what our job is is to mandate the laws for this state. We mandate what schools ought to teach. We don't restrict them entirely, but we set guidelines for them. They have to teach science in school. They have to teach reading. They have to teach math, and they ought to be teaching as part of their curriculum something to high school students who are about to become parents what parenting is all about. If they are not doing that, we are just furthering and continuing a problem, not just a problem of child abuse, but also of nutritional abuse. Women who are...young women who are about to become mothers in the next two or three years ought to be told the importance of proper nutrition during pregnancy. That ought to be taught in the schools. If that is not taught in the schools, you end up with low birth weight children who are sickly children, who ultimately end up as being undereducated children, and children end up in the criminal justice system because of improper nutrition, improper care at their infancy. That is insanity to permit that to go on and to not teach alternatives to that to people who are about to become parents. That's what this Bill does. It costs nothing. It tells the schools what we as a legislative body think they ought to be teaching. And I ask for your 'aye' vote."

Speaker McPike: "The question is, 'Shall House Bill 508 pass, the veto of the Governor notwithstanding?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this motion there are 65 'ayes', 45 'nos', 2 voting 'present'. This motion, having failed to receive the required three-fifths majority, is hereby declared

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lost. The Chair was told that we have an elected state-wide official on the floor, a U of I Trustee, Ann Smith. Is she still here? House Bill 510. Representative Preston. Representative Preston on 510. Read the Bill, Mr. Clerk."

Clerk Leone: "I move that House Bill 510 do pass, the veto of the Governor notwithstanding."

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 510 is the, I believe, the final Bill in the child protection package. House Bill 510 for the first time in Illinois, it's an identical Bill incidentally that three times went to the Governor's desk in the past. This would provide for the first time in Illinois the ability to have the juvenile victims of child abuse testify in court by way of videotape rather than having to appear in court and testify against the accused offender in person. This Bill was originally drafted by the Criminal Law Committee of the Chicago Bar Association. The Chairman of that Committee was very involved in having the Committee (sic - Bill) drafted. He endorses it. The Committee is made up of both prosecution and defense counsel. They were very careful in scrutiny of this Bill to be certain that it would withstand constitutional scrutiny if it was ever challenged. It was based originally on the Texas Statute, but it was...it was changed to put in more protections in this legislation than in the Texas legislation existed for the accused to be sure that rights of confrontation of the...for the accused were preserved. This Bill would again reduce the trauma that children otherwise have to go through. If you read the paper this morning, there was a report of an instance where an employee of a school system was accused and admitted having a number of sexual acts



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with students. And because of the trauma, the difficulty of going through the court process, there will be no prosecution of this individual. He is just agreed to not be a teacher for two years and that's it, because they could not get the children involved to come to court and testify. If we had on the books the ability to introduce the videotaped statement, there may be occasions, not all occasions but a few occasions, where a child would then be able to testify in court to have his or her statement presented to the court in the prosecution of an accused child abuser. And I'd ask for your 'aye' vote. I'd be glad to answer any questions."

Speaker McPike: "Representative Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Regretfully, I have to rise in opposition to the Gentleman's motion. I would direct the Body's attention to the Governor's veto message. The Governor was very clear in his message that he vetoed this Bill based on its unconstitutionality. He points out in his message that the Texas Statute that this Bill was modeled after has in fact been struck down by an appeals court as being unconstitutional. And I would hope the Body would agree with the Governor and reject the Gentleman's motion."

Speaker McPike: "Further discussion? Representative Preston, do you want to close?"

Preston: "Thank you, Mr. Speaker. Some seventeen states..."

Speaker McPike: "Excuse me. Excuse me, Mr. Preston. Mr. Black, did you have your light on previously? Representative, I'm sorry, I did not see his light. Representative Black on the Bill."

Black: "Thank you very much, Mr. Speaker. Would the Gentleman yield?"

Speaker McPike: "Yes."

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Black: "Representative Preston, I plan to support your motion to an override even though I think we have some concerns on the Bill. And as you'll recall, I offered House Bill 2210. We worked together on it, but you could not support that, but I think it does address the Governor's objections. I plan to vote with you. I do have some specific concerns from my district about this very matter. If we are unsuccessful, I would hope that you and I could again get together and maybe a hybrid of 2210 and 510 could come up with something that not only can we pass but the Governor will sign, and I certainly join with you and I will vote with you to override."

Speaker McPike: "Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. What we're addressing here is what's considered the crime after the crime, and that's the child testimony on a sexual abuse case, children three, four and five years old being asked again and again and again to tell the story of what happened to them. It's a disgusting display and it causes many criminals to go free, because the parents will not bring their child in to go through that torture. What this does address is the concerns that an innocent victim will be accused. The child must testify if it goes to court. What this videotape is used for is pretrial and it comes up with a lot of guilty pleas, and the child then never has to go to court. So that...it's been done in Florida. In 1982 there was a case where there was thirty little children two to five years old in a day care center that were abused. Eleven of them were able to testify on videotape. They got the conviction. The people are now in jail. I would urge, please, an override vote."

Speaker McPike: "Representative Preston to close."

Preston: "Thank you, Mr. Speaker. Some seventeen states in this

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country have passed Bills like we are considering right now, laws that we are considering right now. When I indicated that it was based on Texas legislation, yes, that was the basis for it. Texas had some problems in its legislation that have been worked out, do not exist in House Bill 510. This Bill as I said was written by the Bar Association Criminal Law Committee. They endorse it. They support it, and I ask for your 'aye' vote."

Speaker McPike: "The question is, 'Shall House Bill 510 pass, veto of the Governor notwithstanding?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. on this motion there are 81 'ayes', 32 'nos', none voting 'present'. This motion, having received the required three-fifths majority, is adopted. House Bill 654, Representative Rea. Out of the record. House Bill 664, Representative Turner. Out of the record. House Bill 691, Representative Ropp. Read the Bill, Mr. Clerk."

Clerk Leone: "I move that House Bill 691 do pass, the veto of the Governor notwithstanding."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. House Bill 691 is a Bill that establishes the authorization for a summer agricultural school for high school students, primarily for those young people who are wanting to seek more than they currently receive in their vocational ag. programs. And also because there are a number of schools anymore that just do not provide those agriculture - education programs that they would like to be a part of. And so this offers that opportunity for those exceptional students, as well as those that do not have the opportunity to attend the classes in their respective schools, as we are providing now for our hopeful summer school for the

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arts and for the program that we have for our advanced young people in math and science. I welcome your support in this override and would be happy to answer any questions you might have."

Speaker McPike: "There any discussion? Representative Young."

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

Speaker McPike: "He will."

Young: "Is there a cost to this Bill, Representative?"

Ropp: "Not to this Bill, no."

Young: "Is there a companion Bill that would have a cost to it?"

Ropp: "No, we need authorization first before money would ever come, and that's not included in this year's fiscal budget at all."

Young: "Well, is this a program that can operate without a budget?"

Ropp: "To a degree. It does allow for private contributions from businesses and industry and it could begin in time without funds from the State of Illinois. But we need the authorization first."

Young: "To the Bill, Mr. Speaker, Ladies and Gentlemen of the House. The Governor's veto message is one of many that was vetoed for financial reasons. I think with the burns on the state budget, with the general state aid formula override coming up later on today, with constraints and the needs in several other areas such as general education, day care and mental health, to pass a Bill that would establish a program for agricultural summer school, even though I voted for it the first time, I think in light of the state's budget, that this is not the time for this particular Bill or program, and I have to oppose the Gentleman's motion."

Speaker McPike: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and

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Gentlemen of the House, I would like to share with you just for a moment what I find in my veto analysis book on this Bill. I find it interesting that the analysis says that the primary purpose of the proposed school is to seek out high school students interested in agriculture and immerse - i-m-m-e-r-s-e - immerse them in agriculture programs. Now I don't know if this a form of Baptism or whether it's a swimming program, and I don't know who chose that word, but I don't think that that's exactly what Representative Ropp had in mind. I do know what he has in mind, and it is a very worthy purpose, a very worthy goal. It is not timely. Right now there is not one of us that does not have within our own district public schools that are not adequately funded. We have schools in existence now, programs we have now that are without sufficient funds. This is no time to create anything, anything new no matter how worthy when we are not funding the schools we already have. Thank you."

Speaker McPike: "Representative Ropp to close."

Ropp: "A proper cleansing of all people is not unworthy."

Speaker McPike: "The question is..."

Ropp: "I welcome your support in the override."

Speaker McPike: "The question is, 'Shall House Bill 691 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this motion there are 30 'ayes', 71 'nos', 6 voting 'present'. This motion, having failed to receive the required three-fifths majority, is hereby declared lost. Representative Richmond on House Bill 700. Representative Richmond, do you want the Bill? Read the Bill, Mr. Clerk."

Clerk Leone: "I move that House Bill 700 do pass, the veto of the Governor notwithstanding."

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Speaker McPike: "House Bill 700. Representative Richmond."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 700 creates the Center for Post-Harvest Technology. And it is the centerpiece of the Harvest the Heartland package which we passed here a few months ago. And this particular Bill, there was 116 to nothing. And it had similar reaction in the Senate. Now there's no money involved in this Bill. It's a substantive Bill and the appropriations for it is...would have to be forthcoming in another session, I would assume. But it is important that this be put into place so that we can begin to accumulate some funds into the...into the funding mechanism that those funds would be coming from...it could attract some federal funds as well as from private industry. I'd be glad to try to answer any questions you might have concerning this good Bill."

Speaker McPike: "Any discussion? Being none, the question is, 'Shall House Bill 700 pass, the veto of the Governor notwithstanding?' All in favor signify by voting 'aye', opposed vote 'no'. Representative McCracken to explain his vote."

McCracken: "Thank you, Mr. Speaker. I rise in opposition to the motion. And this is another case of a very worthy idea which we just cannot fund at this time. Other forms of development are already in existence and are competing for funds. We have... a lot of our schools are competing for funds. The Appropriation Bill companion to this was vetoed because of the cost involved. And I think we just have to exercise some responsibility and say that now is not the time to undertake this new responsibility."

Speaker McPike: "Representative Richmond to explain his vote."

Richmond: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I can't disagree with the previous speaker, but we

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are not voting on the two hundred or two hundred-fifty thousand dollars that would be required if this Bill, if the Appropriation Bill were in tandem with it. We are merely putting in place a substantive Bill and there's very good valid reasons for doing it even in the absence of the Appropriation Bill. As I pointed out, it could attract some federal funding and funding from private industry and of certainly a part of the package that is aimed at helping the very sick industry that we have in this state, the great industry of agriculture. And I'm sure that you would want to help the farmers, and this is a move in that direction from the standpoint of the capabilities of state legislature. We can't do everything to cure their problems, but this is one thing that we can certainly work on to help."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are...on this motion there are 75 'ayes', 38 'nos', none voting 'present'. This motion, having received the required three-fifths majority, is adopted. House Bill 703. Representative Curran. Read the Bill, Mr. Clerk."

Clerk Leone: "I move that House Bill 703 do pass, the veto of the Governor notwithstanding."

Speaker McPike: "Representative Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As apparently this chamber understands from the past vote, one out of every four jobs in Illinois are tied to agriculture. That doesn't just mean in the rural areas. It doesn't just mean in the small towns downstate. It means all over this state. If we want to see a strong economic recovery in this state, we've going to have to adhere to that fact, understand and move on that. Because the key to economic recovery in this part of the country is

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agriculture, is renewable products and is the value added concept that we can put on here in Illinois rather than simply exporting our corn, exporting our wheat and soybeans. Now the Bill, House Bill 703, establishes an agricultural Seed Capital Fund. It does not put any money into that fund. It just simply captures money that is already in our system. There is not a ten million dollar bill associated with this. There is not a one million dollar bill associated with this. There is no new money associated with this. If we really want to do something for the backbone of this economy, if we really want to help farmers and if we really want to help our economy in Illinois, both now and in the future, then we ought to pass House Bill 703 and set up a mechanism to fund those new programs, to add value to the renewable products in Illinois. I ask for a favorable Roll Call."

Speaker McPike: "Is there any discussion? Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I think we have to remember that this authorization will inevitably lead to an attempt to appropriate money. It will inevitably lead to a cost to be borne by the state. There was a companion Bill which never passed the Legislature in the spring, H.B. 704. According to the Farm Development Authority the cost of this program would be ten million dollars. We have to stop engaging in these facades that we think are fooling our constituents. Our constituents want us to put our money where our mouths are and to do...to pass this on the hope that we can have some inter-fund borrowing or we can appropriate someday later sends out a false message. Either we do it and we do it with money which is the only thing that counts, or we don't do it. And this is not again the right time. We aren't saying that it isn't a



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good idea, but it's meaningless without money, and all we want it...it's seed money, right. And all we want to do is be truthful with our constituents. So I think we should vote 'no'."

Speaker McPike: "Representative Curran to close."

Curran: "I think the same logic and sentiment which prevailed in the last Bill ought to prevail in this one. We're simply establishing a fund to do the purpose for which we passed the last Bill over the Governor's veto. It's very important for this economy, not only in the short run but in the long run. And I ask for a favorable Roll Call."

Speaker McPike: "The question is, 'Shall House Bill 703 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', opposed vote 'no'. Representative Homer to explain his vote."

Homer: "Thank you, Mr. Speaker. I'm surprised that the numbers haven't gone well in excess of 71 green votes. I think everyone needs to realize that there's no cost associated with the program as it stands at the present time, because of the companion Appropriation Bill didn't pass the General Assembly. It's not before us. All that's before us is House Bill 703, which establishes the Seed Capital Fund. If, in the future, we're successfully able to find funding for this program, it'll be off and running. And it should also be pointed out that the program is to be self-sustaining. Those monies put into the program are to be rolled over, to be repaid in the form of loans in a self-sustaining program. What better way do we have in order to bootstrap our economy and to allow for development of the farm sector than the measure that's before us here. So I don't know why people are voting 'no'. This is not a cost item. This is something we can do to show the farm and agra-business community that we're serious about

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wanting to develop those businesses in Illinois. And I hope more of you will change your vote."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this motion there are 68 'ayes', 40 'nos', 4 voting 'present'. This motion, having failed to receive the required three-fifths majority, is hereby declared lost. House Bill 705. Representative Brunsvold. Read the Bill."

Clerk Leone: "I move that House Bill 705 do pass, the veto of the Governor notwithstanding."

Speaker McPike: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 705 is...everyone I think remembers, is a Farm Debt Mediation Act which sets up a mediation meeting, one mandatory mediation meeting, in forty-two day period. After that meeting has been conducted then the contract between the banker and the farmer can proceed however they decide to proceed. If an agreement is made, fine, if it's not made then foreclosure can proceed. The Bill was vetoed by the Governor, and his statement says that he does not think with his cutting of three hundred and sixty-three million that he needs to start a new program. This new program is valued at five hundred thousand dollars to set up the mediation program. I, of course, agree that...or I disagree, I'm sorry, I disagree with the Governor that this program should not be instituted at this time. This is when the farmer needs this program. And this is the time we ought to be passing this program. And I would simply stop there and ask if there are any questions before I close."

Speaker McPike: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Would the Gentleman yield for a few questions?"

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Speaker McPike: "Yes, he will."

Mays: "Do you have a motion filed on the Department of Agriculture's budget to restore these funds?"

Brunsvold: "Yes, I do, Representative."

Mays: "And how much is that for?"

Brunsvold: "Five hundred thousand."

Mays: "And what funds are they from?"

Brunsvold: "The Ag. Premium Fund."

Mays: "Do you...can you tell the chamber some of the purposes for which these monies would be spent should we restore them or should we enact this Bill?"

Brunsvold: "Well, just to give you an example, we added...the General Assembly added nine point nine million for the extension service. This was in the last action. Three point three million for the Du Quoin State Fair, Harvest the Heartland was at twelve point five million and Natural Resource Operations at point seven million. Now that was twenty-six point four million increase last spring to an already passed forty-eight point four million. Now the Governor vetoed out of that appropriation twelve point five million dollars which is exactly the amount of the Harvest the Heartland."

Mays: "Did...At the time we passed that if I recall there were concerns raised about the ability of the Ag. Premium Fund to absorb any additional dollars in view of the racetracks' problems and the changes that we had to make with civic centers and so on. Has anything changed since then?"

Brunsvold: "Last spring, Representative, there was ample money for this program until we included a couple of programs here, for example, Du Quoin State Fair at three point three million. Now that was left in there and that put the Ag. Premium Fund in jeopardy as one program. What has changed now however is off-track betting parlors. The first one

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has shown a receipt to the Ag. Premium Fund for one month receipt of twenty-five thousand dollars. And that's one out of twenty-five... or one out of twelve. So we have a very nice opportunity here through the OTB parlors to gain some revenue for the Ag. Premium Fund. Now that would amount to twenty-five thousand dollars for one parlor for one month, and you open twelve of them, excuse me, fourteen of them."

Mays: "Thank you very much. To the the Gentleman's motion."

Speaker McPike: "Representative Giglio in the Chair. Representative Mays, proceed."

Mays: "Thank you. I would simply rise to state that we have problems in the Ag. Premium Fund. We have had problems in the Ag. Premium Fund, loading additional obligations to the Ag. Premium Fund as this Bill would do and its companion override motion on the Ag. Bill would do is nothing but folly, and I think this Bill ought to be defeated without any hesitation at all, and then we can move to defeat the appropriation override motion later time."

Speaker Giglio: "Further discussion? The Gentleman from Bureau, Representative Mautino."

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

Speaker Giglio: "He indicates he will."

Mautino: "Representative Brunsvold, did you just state that the funding mechanism for this program was approximately five hundred thousand dollars?"

Brunsvold: "Yes, yes, Representative."

Mautino: "By definition, mediation on a farm debt is between the lending institution and the individual farmer. Is that not correct?"

Brunsvold: "The mediation program would put a neutral individual between the two, yes."

Mautino: "Alright, that's an independent contract between two

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private entities. The five hundred thousand dollars that you are proposing establishes the counsel and the geographic...in geographic areas in the state. Is that correct?"

Brunsvold: "And the training of the mediators."

Mautino: "Well..."

Brunsvold: "And setting up of the mediators..."

Mautino: "Anyone who's been involved with loaning and borrowing money on both sides of the question know what mediation means in regard to paying that loan off. I'm not certain that's a big item of training, but my point is this: If in fact, the five hundred thousand dollars is going to establish geographical counsels for farm mediation, that means to me that let's say the bank in Princeton, Illinois would be very reluctant to loan, by the way that's the second largest agricultural bank in the State of Illinois, is in central Illinois, in Bureau County, and they have loans all over this state. In talking with those individuals, they would be very reluctant to provide assistance in loans, let us say in Macoupin County out of there bank and holding company if in fact they would have to get into mediation in Macoupin County where that agricultural land is and would then therefore maintain only loans in their geographic area where they wouldn't have to be traveling for mediation if that should occur. And that's a very legitimate concern."

Brunsvold: "The mediation process does not destroy the contract between the farmer and the lender. It's simply the way for the farmer and the lender to get together, try to solve their problem."

Mautino: "My point is this, let us say that the loan is for agricultural land in Macoupin County..."

Brunsvold: "Right. Correct."

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Mautino: "...from Bureau County. Where is that mediation held if in fact there is mediation?"

Brunsvold: "The mediation would be held in the farmer's district."

Mautino: "That's exactly correct. To the Bill, if I may, Mr. Speaker. We understand very well the plights of the agricultural community, and that has been turning around in my estimation over the last year and has been on the upswing. I think the problem here in reality which will occur if we enact this legislation is there's going to be a drying up of the financial resources to the agricultural community. If there is one provision that will deter financial decisions to be made outside of a geographic area, it would be the Mediation Bill. I think that in today's real world, especially after what happened the last couple days in finances in this nation, lenders will be reluctant to provide funds for any agricultural endeavor unless you are a triple A or probably eighty percent capital asset ratio. I think that would be very unfair to our agricultural friends. And the hearings held in central Illinois, and I find this surprising that the Farm Bureau is now supporting the legislation, because in the hearings held in central Illinois with the exception of the Quad Cities, there was opposition by the farmers, the suppliers to the agricultural community and of course the financial institutions who are now operating under Chapter 11 at the Federal level in a very good manner and way. I think it would be a mistake to override this veto, because in the end result we are going to end up drying up a credit source that is certainly needed by the agricultural community and probably would be harmful to the middle range farmer as opposed to resolving a problem with those that have sales just over forty thousand."

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Speaker Giglio: "We have a five minute timer now in progress.  
Representative Ropp."

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

Speaker Giglio: "Indicates he will."

Ropp: "Two quick questions, the initial five hundred thousand that you have stated is in the Department of Agriculture budget, is this a start-up fee or is there a possibility that this might continue to increase year after year?"

Brunsvold: "I don't, Representative, see it increasing, in fact, I see it decreasing. The Federal Government, in fact, as some of you may know, is in a position now to start moving some money towards the states for funding of mediation programs in the farm community. So if anything's going to happen, the price is going to go down."

Ropp: "The next point was raised relative to the wording in the Bill that states when a farmer requests this kind of mediation that every potential person that he owes money to is notified of his direct concern with the bank, and that there is a strong feeling that this is not necessarily needed to let the world know that at least in one particular lending institution you may be needing some assistance. Do you feel that every potential person who you owe money to deserves that knowledge?"

Brunsvold: "When you're in a foreclosure situation, Representative, the persons that have loaned money to this farmer, for example, should be notified that there's going to be a meeting on mediation. It may affect them. Now the only one required or mandated to attend this meeting would be the individual that served the foreclosure notice. So there might be just the banker and the farmer in there. Whereas, the tractor dealer might have a loan, the seed dealer, the feed dealer, but they should be aware of what's happening. And they are notified about the meeting, and

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they should be aware that they may be coming under some foreclosure situations and can attend the meeting if they wish. But they are not mandated that they be there. Only the individual serving the foreclosure notice."

Ropp: "Okay, to the Bill, Mr. Speaker. It seems as the previous speaker before Representative Brunsvold spoke mentioned, I think, had some very valid points, that many of these lending institutions currently in most cases that I'm aware of go that extra mile in attempting to resolve the financial situation that some farmers are having currently. And the fact that with a quote 'a mandate or a forcing by law a certain procedure', we have been led to believe that costs of money and even the issuance of credit to the very people that we are attempting to help will be put in greater stress than without this legislation being signed into law, I think needs some strong consideration. And even though I supported this measure initially, I have given second thought in regard to the fact that many farmers who may not be in need of this may, as a result of this becoming law, might be in a position to lose their credit next year. And I think that's the tragedy of the situation."

Speaker Giglio: "Further discussion? The Lady from DuPage, Representative Cowlshaw. Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I am privileged to have as one of my constituents a man named Dick Loker who is the Pulitzer Prize winning political cartoonist of the Chicago Tribune. And because I know Dick and he lives in my district, I always very carefully read the cartoons in the Chicago Tribune, particularly when they are by Dick Loker. Shortly after the Federal Government decided to fix AT&T and improve the telephone service for every American, and of



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course we all know how well they succeeded in fixing the telephone service, there was a cartoon in the Iribune which had to do with that subject and beneath that cartoon was the simple statement, 'If it ain't broke, don't fix it'. This ain't broke, so we ought not to fix it. Thank you, Mr. Speaker."

Speaker Giglio: "You're welcome. The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. I'm not sure that if you were tell those farm families who have lost generations of farms that...through foreclosures that there circumstances ain't broke that they would agree with you. They are broke and that's why they lost their farm. And that's why they've come to us and since I've been in this General Assembly, I was a member of the Agriculture Committee when I first came here in '83, one of the first items on the agenda was an item brought forward by some farm interests that wanted a moratorium on farm foreclosures. And that was in response to circumstances all about the country including Illinois where each night on the nightly news we'd see a farm sale being held and the sheriff auctioning off a farm and farm equipment and tears in the eyes of the farmers whose all of their work was now going for naught. So we dealt with that Bill, but we decided not to pass it. Then a year or two later they brought before us a more mild proposal called the Farm Debt Mediation Act that had been utilized in other states which although much lesser than an outright moratorium on farm foreclosures, established some pretty stringent binding arbitration procedures and set up an elaborate mechanism that those of us who thought that that was perhaps an over-reaching could not support. And so that measure failed. So now in the last gasp of breath and hoping that

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the General Assembly can do something to help farmers who are losing their farms through foreclosures, Representative Brunsvold has met with all of the interest groups and put before us this Bill which does nothing other than to revive a breakdown in communications that exist between the distraught farmer and the lender. And that's frankly all that this does is to bring the parties together with a mediator, to sit down and decide whether a restructuring of that loan is workable, whether it's feasible, and if not, then the parties walk away from the table at least knowing that they've tried. But that's all that the Bill requires. That's all that we're doing for farmers. And candidly if we say no on this Bill then let's just outright say no and tell farmers not to bother us anymore with their concerns about farm foreclosures, because there's nowhere to go from here. So this, I think, is a bottom line proposal, and it ought to be supported overwhelmingly by this General Assembly."

Speaker Giglio: "Representative Brunsvold to close."

Brunsvold: "Thank you, Mr. Speaker. Thank you, Representative Homer for those kind words. I would like to answer a couple of questions in closing. I think Representative Mulcahey or excuse me, Representative Mautino is a little a head of the ball game there. The tight money is already there. Loans to farmers is very tight. This Bill simply is trying to solve that problem. In Iowa where this Bill is in effect, money has increased to farmers. They have loaned more money since this Bill took effect, not less. We have ten thousand farmers in this State right now that would...could fall under the provisions of this Bill and could use the Bill and use a mediator if a foreclosure happens. The funding, I think, is a little ridiculous to even talk about it. Three point three million dollars to

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Du Quoin State Fair. Now I'm not against the Du Quoin State Fair, but I don't know who they've got hired for entertainment this year, but if Willie Nelson is one of the individuals, I'm sure he'd give up his money to set up a mediation program for the farmers so they could solve their problems. The Governor's message said, 'I would rather have signed this proposal.' Well, he didn't, but instead he's got a proposal I'm holding up right now, the Farm Debt Management Act which is very similar to the Farm Debt Mediation Program only it's not mandatory. And it doesn't work. If it's not mandatory it won't work. It's as simple as that. This is good Bill. It's a Bill that we ought to pass. It had 89 votes in this House and the money is almost incidental in this case. Five hundred thousand dollars is a drop in the bucket as we all know to help the farmers of this state. It's not a giveaway program. It's a help program. And I ask for your override vote."

Speaker Giglio: "The question is, 'Shall House Bill 705 pass, the veto of the Governor notwithstanding?' 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 59 voting 'yes', 42 voting 'no', 8 voting 'present'. This motion, having failed to receive the required three-fifths majority, is hereby declared lost. The Republicans... or the Democrats at this time will caucus immediately in Room 114, approximately an hour. Representative McCracken."

McCracken: "And we ask for a conference in Room 118. Thank you."

Speaker Giglio: "Republicans will caucus in Room 118 immediately. We'll be gone approximately an hour. At this time the House will stand in recess until the caucuses are finished."

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Clerk O'Brien: "May I have your attention, please. Will all Democrat Members please report to Room 114. All Democrat Members please report to the Democrat Conference in Room 114 immediately. Thank you."

Speaker Madigan: "The House shall come to order. The House shall come to order. The Members shall be in their chairs. On the Subject Matter Call of Education there appears House Bill 483, motion number two on page thirty-one of the Calendar. The Chair recognizes Mr. Steczo on motion number two. Mr. Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would move to restore the dollars for state aid, elementary and secondary education state aid, that were reduced by the Governor this summer. When the General Assembly left Springfield last June, I think many of us, many of us went home thinking that our work was done and that we had passed close to a balanced budget and a budget that would fund education as adequately as possible under the circumstances. We found when we came back this week, and we found the Governor's actions during the course of the summer to do something to the contrary and actually take away from elementary and secondary education general state aid funding, more dollars than necessary and provided them with less dollars than they had had the year before. Mr. Speaker, when I looked at the actions of the Governor and I recalled the conversations that we had had with the education groups last year, there was one point that came to me that was quite glaring and by recounting the numbers, I think that will make it self-evident. When we finished the previous fiscal year, FY 87, funding for elementary and secondary education state aid was approximately 1.819 billion dollars. The State Board of Education came to us last spring and they indicated that they would like to see

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an increase to 1.9 billion. We went back to them and all the other education special interest groups and what have you, and we indicated to them that we were having budgetary problems, that at best they should expect no more than they received the year before. They indicated a willingness to go along with that and as that budget passed this General Assembly, elementary and secondary education general state aid was at the level of the year before. Subsequently this summer, actions by the Governor actually reduced that level by \$62,000,000 meaning that an area of state government that we consider a highest priority, received \$62,000,000 less than the year before. I think those education interests would question whether or not elementary and secondary education in fact, is a priority. And we have a means today to correct that. We will, by restoring these dollars, provide that the education funds will be distributed in the following manner: the City of Chicago would receive a little over \$17,000,000 in new funds, suburban Cook County would receive \$7,000,000, the collar counties almost 10,000,000... 9.7 million dollars and downstate districts would receive approximately \$24,000,000. The important thing about this is that those dollars can be used for any purpose that those school districts wish. So, if they're having difficult times in certain categories, those monies can be used in that way. We need to restore these dollars because the priorities that we set in this General Assembly fell short. The Governor has, as well as we have, always talked about education, elementary and secondary education in particular, being a priority. We've been in our districts indicating that we would try to provide necessary dollars so those schools can function. We have fallen short. And we have not provided the dollars to allow those school

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districts, those elementary and secondary districts throughout the State of Illinois, to even function adequately this next year. So, I would beg all of you to take a good hard look at the dollars that we're trying to store, realizing that everybody, every school district in this state will win and restore the dollars that the Governor reduced."

Speaker Madigan: "Mr. Tate."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The previous speaker alluded to these current fiscal condition of the state, as of July 1 of this year, when we left Springfield, as being a budget that we had passed and sent to the Governor as a balanced budget. We had two simple choices that were presented to us this spring in the General Assembly. One, we could... we could agree with current levels of spending that were not sufficient for many of us. Many of us here, I think all of us here, would agree that... that we should spend additional dollars in education. But to do that it would require raising taxes. That was one option we had last spring. The second option we had last spring, was to say, okay, Governor, okay people of this state, the children of this state, we feel that you are a priority. Let's reallocate dollars and current revenue flows and spend those dollars on education. We did see, we didn't have the guts to raise taxes. We didn't have the guts to cut spending in other areas and reallocate dollars to education. And as a result, we sent a budget to the Governor that was \$363,000,000 over available revenue sources. Now, what the previous speaker really would like to do, and I understand that, what the previous speaker would like to do is send an additional \$21,000,000 to the Chicago Public School System. I would ask each and every one of you when you entertain voting on this piece of

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legislation to start doing some soul-searching. Think about right now, what you're basically saying is, let's send an additional \$21,000,000 to a school system today in this state that has a 50% dropout rate. One out of every two public school students in the Chicago Public School System, we lose in this state. A system that right now, one out of every four students that graduate from Chicago Public Schools can't pass a minimum competency test. And you want to give 21,000,000 new dollars to a system that doesn't work. I think it's time that all of us look into our hearts and start demanding some accountability. If the system doesn't work up there, let's ask for reform. Let's change the system. Let's send dollars after children that care. We all care about children, and let's send dollars where dollars count. The fiscal condition of this state, if you look at the fiscal condition of this state, our own legislative body, the Economic and Fiscal Commission of this state, agrees with the figures that Dr. Mandeville, the Bureau of the Budget, has submitted. I, last week, sat down with the Comptroller of this state. The Comptroller has indicated that we can spend some additional dollars this year. When you ask the Comptroller how do we spend additional dollars this year when we can't currently pay. We have \$200,000,000 of bills unpaid in his office today. Today we're not returning taxes. The bottom line is, it was creative financing and the money simply isn't there. Now, if you want to reach into the cookie jar, and I think we caught you reaching today, and you want to pull some cookies out and spend some more dollars, then tell the people of this state where you're going to cut. Are you going to say, no one get's individual income tax returns. That's fine. So be it. Set your priorities there. Are you going to tell the mentally ill people in this state, we

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don't have any dollars for you, we're all out of money. We can't make your payments. We can't make the payments that we committed to you in July 1. In April of next year, are you going to tell... let me see, wait a minute, are we going to tell the people up here that care about day care in this state, they're asking us for more dollars in day care, are you going to say we don't have any money for you next spring in day care. Just tell me where you're going to set your priorities. Tell me where you're going to find some money to pay the bills because the bottom line is, the money isn't there. Now, maybe... maybe the Speaker... maybe the Speaker is confident that in... because of current events that... that he feels he knows something that the rest of us doesn't know. That maybe the stock market has convinced him and you that we're going to have a great economic boom this year, that there's going to be a lot of new dollars. Well, look at the figures. I'll tell you this is a terrible time to start spending money that you don't have. Anybody with common sense would know that right now this is not the time to spend money that you don't have, because we may be back here next spring, whether we like or not, voting for additional revenue because we might not have any choices. I agree. I think each and every one of us should sit here and work out a plan to spend more dollars for the kids in this state. I think that should be the first priority. But let me tell you this, the people over on this side of the aisle are going to have a plan. We had a plan last spring and we'll have a plan here. And we'll give money that's real money to the kids in this state. Not funny money because the money isn't there. This is a bad vote. This is fiscally irresponsible. This is smoke in mirrors. You know it. You can play the game and all I can say is I hope all of



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you are picking up the phone right now and calling your Senators over there and saying, please don't pass this Bill because you know the money is not there."

Speaker Madigan: "Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You don't have to be around this chamber too long to know when a speech has the ring of sincerity or insincerity to it. And I submit to the Gentleman who's just spoke, that his speech just now was not only insincere and facetious, it was wrong. It was wrong for the people of the State of Illinois. It was wrong for the children of the State of Illinois. It's wrong for the future of Illinois. We can not build this state unless we put our dollars in the single most important priority we have which is our children. We cannot... we cannot talk about recovery. We cannot talk about the other issues that will consume the time of this General Assembly, unless we first put our dollars where our mouth is. Unless we take care of the first things first and fund our schools. This is the single most important issue before this General Assembly, whether or not we are going to have a school system in Illinois. A school system that functions. A school system that is productive. A school system that will prepare our children for the future. Now, the Gentleman argues that the Chicago public schools has problems, he may be right. But, the point is, do you shut them down all together, give the children no education at all because there are problems with the system? We all want reform in the schools across this state, not just in Chicago. We need reform in all of our schools. But, you can't have reform without the dollars to open the school doors. I say to you, Ladies and Gentlemen, this is a correct vote to override the Governor's veto because the Governor was wrong to veto

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these dollars. I say that having supported the Governor. I say that having supported the Governor in his call for a tax increase. How many of you were there for that, because that is the real issue, Ladies and Gentlemen. We needed to have the taxes in order to pay for things like education. Well, the Governor didn't get his tax increase. But, I say to you that it is wrong for the Governor and it would be wrong for this chamber to take it out on the children, because that is precisely what will happen... that is precisely what will happen if this override motion does not prevail. I encourage your support for Representative Steczo's motion. I encourage your vote for the children of the State of Illinois. Thank you."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In 1973, I sponsored the Bill that provided the formula for the distribution mechanism for the General Distributive Fund. That formula, with modifications over the years, however, is basically the same. When we put that formula in place, took us 5 years before we were able to reach the initial goal that was in that formula, and we've moved along every year since. Every one of those years that we funded the formula, whether the Governor signed the Bill that was passed by the General Assembly, or whether the Governor amendatorily reduced that Bill, those dollars were there for that formula. Now, I'm not going to ask questions of the Sponsor because we both know the answers to those questions. And the truth of the matter is, that there is no money there. There is no money there. We made our decisions during the spring. The Governor made his decisions during the fall and since that time the numbers that we used in terms of revenue levels, has gone down. Our own Economic and Fiscal Commission has told us

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this. We must be honest. We must be honest with the people. Particularly, with the people who are providing the services and are hoping, and in many cases praying, that this money will come. This money will not come on the revenue level that we're on today. The previous speaker indicated that she, in the spring of the year, support... would support the Governor and it called for a tax increase. We know she's well traveled since then. But, we hope that she and anyone else who is going to support this override, and other ride... other overrides, will be prepared to do the same thing that she said she would do in the spring. And that is increase revenues because there is no way out. There is no way out. We can't do what the federal government does and keep increasing the deficit. We have to operate on the revenues, constitutionally by the way folks, on the basis of revenues that we expect to be there based up... based on some reasonable statistics. They aren't there. They are not there. Now, no one, no one in this House, can say that they have spent more of their time or their energy or have greater longevity in this House working for the school children of the State of Illinois, than I have. I have been there time after time after time, have voted; I was one of the people left here that voted for the original income tax. And I came back and the Governor stayed home after that. But I'm telling you, Ladies and Gentlemen, this is not a good vote. The money is not there. We're going to only complicate the problems for the people at home and the people in this chamber and the chamber across the aisle (sic - rotunda) and the people on the second floor, and the rest of the taxpayers of this state. I implore you. I beg you. Use your good sense. Use the capacity that God gave you to see the truth. And vote 'no' on this override motion."

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Speaker Madigan: "Mr. Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Representative Steczo's motion. I'm going to address my remarks to those that are concerned about Chicago because I have been concerned, as many of you know, in the last few weeks. A revolution is occurring in the City of Chicago. The parents are tired of business as usual and have begun to take things into their own hands. We had a school strike which the bureaucrats weren't able to solve. We, as public officials, weren't able to solve it. The union wasn't able to solve it. But the parents got fed up with the continuing school strike and they said, enough was enough and they were able to solve the school strike. And after the school strike, when the Chicago Board of Education bureaucracy said, we don't have enough money, so that the cuts that are going to be needed because of the settlement of the school strike, they're going to have to come out of direct services so we can keep the bureaucracy. So we don't have to gut the magnet schools and the other services. And the parents once again stood up in the last couple of weeks in the City of Chicago, and they said, we do not want business as usual. We didn't want the school strike and having settled the school strike, we don't want the schools to continue as they have before. And they forced the Board of Education to back off of their proposal, to gut the magnet schools and to gut direct services to the students. And instead, what we saw at the end of last week was the Board of Education order the superintendent to look for cuts that were not going to affect directly, the students. To look for cuts that were going to affect the bureaucrats instead. And the Mayor of the City of Chicago, hosted a forum on schools at which over 1,000 parents showed up a week ago.

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Parents committed to permanent change in the system because the system has gone on too long not providing good quality education, putting the priorities in the wrong place. And we had the opportunity last week to have a Joint House Senate Education Committee, where we had the opportunity to confront Superintendent Manfred Bird, and the others and to hear from the parents, and to hear from everybody else. And I think many of you know, I told Superintendent Bird, I would not support an override for education unless I got a commitment that the money wasn't going to be wasted, unless I got a commitment that the money wasn't going to be used simply to feather the bureaucracy, but instead was going to be used to provide direct services and to save the quality of the school. And we have gotten that commitment from the Board, in the actions they have taken in response to the pressure from the parents. And I'm standing here supporting this override motion because I was skeptical. And I wasn't prepared to vote for an override that was going to simply provide business as usual in Chicago. But, I am satisfied, as are the thousands of parents from Chicago that are here today, that this money is necessary to keep Chicago's system going until the spring when we can have the kind of permanent reform we all say we need. And what is most important is the slogan of the parents. If you look at the buttons, the buttons that the parents that are down here have, say: 'Reform with strings attached'. They share the skepticism of my downstate colleagues, but we need this money for Chicago. It's going to be well spent because the parents are going to insure that it's spent to improve the quality of education. So I urge support for the override. I think it's going to help Chicago. Obviously, we have many downstate schools that need it as well. So I commend this override effort to

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you."

Speaker Madigan: "Mr. Daniels."

Daniels: "The previous speaker talked about a revolution. He talked about a revolution in the City of Chicago, brought about by a shortage of money. A city, who has not supported its school system on a local basis since 1971, which was the last time they increased property taxes for schools in the City of Chicago. Unlike what many of you people in downstate Illinois know, when your schools need money and your people on the school boards are called upon to react, they react responsibly. They react by a demand that teachers teach, that children learn and that people participate, believe in strongly their system of education. And yet, the Gentleman, the previous speaker, talked to us in terms of Chicago's needs. He failed to mention downstate needs, suburban needs, collar county needs. He didn't seem to be too concerned that of the override motion that's before us right now for \$62,475,100, the vast majority of that will yes, yes, Ladies and Gentlemen, go to his city, the City of Chicago to cure this revolution that he turns and talks about. A revolution that he's willing to continue to send more money at, to and for, to either increase or he may think decrease without reform being placed in operation first. Ladies and Gentlemen, Republicans stand for jobs, economic development, opportunity for all and yes, helping those people that cannot help themselves either through their own circumstances or other unfortunate circumstances. We believe in less government interference and yes, we believe in no new taxes in the State of Illinois. And Ladies and Gentlemen, we believe that it's time and necessary for this state to take a strong stand on what its course will be. Last June, I participated with the other Leaders of the

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General Assembly in several series of meetings to discuss the questions relating to this budget. Last June, we sent to the Governor a budget that was tight, but we knew contained more money than the state could afford. We looked at the Governor and we said, 'Governor, you're going to have to cut out some of the money that's in there' and we expected him to do that. But, what we did not expect and what we received, without our approval, was a down turn in the economy, was less available federal dollars in medicade reimbursement and was less available dollars for our children than what we wanted. We have a funding crisis at the Math/Science Academy. We have a funding crisis for flood control for those people that could not receive the necessary governmental assistance to recover from a national disaster. And we have a funding crisis in day care and the mental health area on people that need the assistance from the State of Illinois. I believe that this government must stand strong when it talks about helping our mentally ill. I believe that this government must stand strong when it talks about assistance to those people that cannot under any of the best of circumstances, help themselves because they weren't even given the opportunity of having the intelligence that many of the people benefit from throughout the State of Illinois. And yet the action today says \$62,000,000, of which most will go to the City of Chicago for one specific purpose, that will bankrupt this state. And I quote from the Governor's letter of today, 'You should know that a vote to override the fiscal vetoes without a concurred vote to raise taxes will plunge the State of Illinois into a deficit in the midst of national economic uncertainty, and would in my judgement be the single most irresponsible action I have taken or seen taken in the 11 years as Governor of this state'. Now,

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what is it that you're saying or suggesting by supporting an override? You're suggesting that there is no cash flow crisis in the State of Illinois. You're suggesting that the supplementary appropriation discussion that the Leaders had yesterday has no basis in fact. You're suggesting that the Math/Science Academy doesn't count, that is not important to the solutions of the Super Collider Superconductor and you're suggesting that those people that are mentally ill in this state do not need help from this state in other forms or other areas. And yes, you are creating an economic crisis unknown to many of you in this state. I for one, will not participate in that action. And I for one, have studied what this means to various areas of the state. And let me cite an example of the Legislative Senatorial District 49, and what does a vote to override this veto, to supply \$62,000,000, \$21,000,000 of which goes to the City of Chicago, another 10,000,000 to the collars and another 7,000,000 to Cook County or almost half of the money north of Route 80 in this state, ignoring totally the 49th Senatorial District. I'll tell you what it means. If the Gentleman votes to override the Governor's veto, the Gentleman is telling the Carlinville school district that it will receive \$59,000 more by his actions. Where he's sending almost \$35,000,000 more up north. Let the Gentleman tell Carlinville school district that 35,000,000 in exchange for 59,000 is a good deal. Let the Gentleman tell another one of his districts and his areas in Carrollton, \$30,000 and let the Gentleman explain why this is such a great veto. And then let the Gentleman explain his position on his side of the aisle last June. Do you remember the discussion? The great thing about the General Assembly is all politicians seem to have short memories and they come out and they promise this and they



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promise that. And you promised and I promised welfare reform. And we gave the people of Illinois welfare reform. We did that through sweeping changes that were passed by this Assembly. But do you remember some of the discussions when we talked about revenues? I remember them. Do you remember your position on your side of the aisle last June? Your position was no position. What you said last June was, we haven't decided how we're going to treat this economy or these taxes. You didn't offer a plan to cut spending, we offered the plan. You didn't offer a plan of an alternative form of revenue enhancement, we offered that plan. You didn't come forth and talk responsibility about this economy, we did. And now you're coming back and saying, give us... give us \$62,000,000 more in one veto, one sweeping change. Ladies and Gentlemen of the House, I'm not for phony promises. I know the people in this gallery have traveled a long ways to talk to us about school aid funding, have come a long ways to talk to us about day care. And I'm willing to talk and I'm willing to listen, and I'm willing to ask, but I'll tell you one thing I won't do, that anyone that votes to override this veto will be doing, and that's delivering phony promises on a phony basis when this state budget cannot afford it. And Ladies and Gentlemen, it's time this government stands up and says what's true. I'll guarantee you that not a single one of my..."

Speaker Madigan: "Mr. Daniels..."

Daniels: "... Constituents was part of that crowd that just talked."

Speaker Madigan: "Mr. Daniels..."

Daniels: "... And I'll guarantee you that the people of Illinois want to know and want to stand strong."

Speaker Madigan: "Mr. Daniels, the Chair would advise our guest

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in the gallery that they should not participate in demonstrations. Mr. Daniels is like all of the other Members. He is entitled to speak to this question without interference from our guests in the gallery. So let me again advise our guests in the gallery, demonstrations and loud expressions are not permitted under our rules. Mr. Daniels."

Daniels: "I will stand with every other Republican Member of this House and talk about responsibility in state government. I will stand with every Member of this House and talk about formulating a budget that can be afforded and promises made that are promises delivered. Not promises made that will cause a pileup of additional bills on the Comptroller's desk. You know and I know that today there's \$200,000,000 in bills on your Comptroller's desk that can't be paid. You know and I know that \$62,000,000 on top of this will not be paid and cannot be sent to the people of Illinois as you are saying that we can afford. You know the facts and I know the facts, but false promises deliver false hopes. And false hopes deliver only the statement by people of Illinois that their politicians are not serving them. And Ladies and Gentlemen of the House, you want to talk about real hopes, you want to talk about real dreams then let's talk about responsible action in government. A government that cares, a government that feels and a government that responds to the needs of its people. Not ones that offer only hopes and only promises and fails to deliver. I tell you today, you override these vetoes and if it's concurred in by the Senate, two things will happen: One, the money will not be realized as you promise and for everybody listening they ought to know they aren't going to see the money because everyone on this floor knows we don't have it. And secondly, the actions that you're taking now, yes

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will cause, will encourage and will be a part of a tax increase vote. For all of you that are part of this action then you be prepared to give your plan for Illinois. I'll stick with the Governor. I think his plan is the right plan and I think he's taken the right action."

Speaker Madigan: "Mr. Huff. Mr. Huff."

Huff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise to support the override motion of restoring \$62,000,000 to the education of schools. But I would also like to caution those Members from my district, that unlike pronouncements of the previous speaker, the bulk of this 62,000,000, Ladies and Gentlemen, will not go to Chicago. Out of this 62,000,000, Chicago receives approximately 17 to \$20,000,000. This will hardly make the system of Chicago whole, Ladies and Gentlemen, far from it. But the reason I'm voting for this is so that we can get on to the next step, which is in the foreseeable future, the restructuring of that system so that we can put accountability in the Chicago school system, so that we can put quality education in the Chicago school system and turn around the deplorable reading scores and writing scores that are below the national norms. That is what I'm pushing for. It is not this step, but is the next step to follow. And unlike the previous speaker, Chicago has paid its dues. The last time we increased the Chicago property tax was in 1983, not 1971. We have paid the highest property tax per capita of anybody in this state. Make no mistake of that. At least let me say this, Ladies and Gentlemen, we will be funding an institution that does have some warm bodies. Not unlike the McCormick Place Annex, which stands empty at a cost of \$995,000,000 debt service to the people, the taxpayers of this state and not one person going in there, not one show. Think about that and

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let's get on to the business of the people and the business of this House. Thank you."

Speaker Madigan: "Mr. Stephens."

Stephens: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. As a downstate Legislator from Southwestern Illinois, I'm a little mixed feelings on this issue until I began to listen to the debate. It became rather evident to me in the pros and cons of the debate, that the discussion centered around the City of Chicago. Someone mentioned commitment from an administrator of the Chicago school system, I... down where we come from, we've got a special feeling about commitments that we get from the City of Chicago, we feel like we've been burned a few times. We talk about spending 60 some million dollars of taxpayers' money, the fact of the matter is, Ladies and Gentlemen of the House, it's not there. So, really the dis... discussion is about \$62,000,000 that we don't have. That's point number one. We don't have the money anyway, so Representative Daniels remarks are well taken in that it's a cruel hoax that we're playing on the people of the State of Illinois. But let's talk about if the money was there, if it were real money. Seventeen to twenty million dollars to the Chicago school system that has proven over the past few... past few years, that it is ineffective in producing students, first of all, graduating them, and secondly, those who do graduated being competent enough to go into the work force. But 17 to 20 million dollars for that school district and let's pick us a downstate school district, like Morris school district. Morris school district: 54, \$3,000 for your school district. Three thousand. But you get \$31,000 for Iroquois. Thirty-one thousand for your district and 17 to 20 million dollars for Chicago. Miller Township, \$6,456. Miller Township

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graduates a good percentage of their students and those who graduate go on to become productive taxpayers. They get 6,000. Chicago, 17 to 20 million dollars. Ladies and Gentlemen, as a downstate Legislator who supports education, I think what the Governor did was... he's put us in a tough position. The Governor had the choice. He could have cut that \$62,000,000 somewhere else. I wrote him a letter. I said, 'Governor, cut the money somewhere else. Cut it from the Department of Public Aid'. But the irony of that is, that if he had done that the same argument would be made now. The same speakers would be speaking. The same issue. Whether or not the money goes to Chicago, whether it's the Department of Public Aid or whether it's the Chicago school system, you are here to get the money. And I guess that's what you ought to be doing for your districts. But for those of you who don't live in Chicago, Democrats and Republicans alike, whether you're bringing home \$6,000 or \$3,000 so that you can then give 17 to 20 million to Chicago, is the issue. Go home and tell your superintendent of schools, Boy, I'm proud of myself, I voted for money that we really will run out of anyway in June, and we'll have to cut mental health and day care services, and across the board to pay for it, but I brought you \$3,000. By the way, in the meantime I've continued the trend of sending more dollars upstate to north... northern part of this state to Chicago, and they're going to really do a good job with it. Graduate 1 out of 4 and the 1 out of 4 that they do graduate is not going to be a productive member of a society anyway. Something's wrong, Ladies and Gentlemen. Let's back off of this. Let's deal with it in the spring. Let's reprioritize. Let's put more money in next years budget for education, cut Public Aid, cut the nonproductive parts of the budget and get down to the real

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issues. What are Illinois' priorities? I urge a 'no' vote."

Speaker Madigan: "Mr. Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the motion to restore these funds to the educational budget. The previous speaker referred to our priorities in the State of Illinois. At election time, each time I've run and I suspect for most of us, each time we've run we've been confronted with the question about our commitment to education. And probably to a person everyone of us has said, education is my top priority. Education is the most important investment in the future in this state. Education is what we do to our youngsters, that's where we send them during the day. We tell people back home at PTA's. We tell the American Association University Women. We tell the League of Women Voters. We tell the person on the street. We tell the teachers. We tell the administrators that we're for education, that we want to fund education. A lot of us even say that our Constitution in this state requires that the State of Illinois pay 51% or more of the cost of elementary and secondary education in this state. And one reason we do that, is because our Constitution requires it. Another is, is that it will relieve the personal property tax burden in this state if we adequately fund education. At the present time our level of funding for elementary and secondary education in this state is about 43%. Even with the restoration of these funds, that percentage point probably won't change. Educational funding costs about \$3,000,000,000 in the State of Illinois. What I'm here to say is that on the campaign trail I didn't look my constituents in the eye to say to them I'm for education but I'm going to go in a room with blue carpet and paneled

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walls and fancy ceilings over there in Springfield and rationalize to you why I don't live up to my commitment. I said I was for education. I've been elected seven times to this General Assembly each one of those campaigns I said I'm for education. I'm going to vote for every dime of education to see to it that the youngsters get educated in this state. And in conclusion, I didn't vote for any race tracks..."

Speaker Madigan: "Mr. Dunn. Mr. Dunn. Mr. Dunn. The Chair will advise our guests, demonstrations are not permitted under our rules. So please follow the rules of the House. Mr. Dunn."

Dunn: "I didn't vote for race tracks and I didn't vote for ball parks and I didn't vote for rose gardens on the executive mansion and I didn't vote for airplanes for the Department of Corrections. I want to vote for education. Let's get on with it. Put that vote up there. I'm ready. Let's vote green."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. If I could, let's... let's just for a moment, let's get away from cities. Let's get away from school districts. Let's talk about children. My children, your children, Mr. Speaker, I had the pleasure of meeting, what about two or three weeks ago. Let's not politicize the issue anymore than it's already been done. Let's not emotionalize the issue anymore than it's already been done. It's been said earlier and many good comments have been made, but it has been said earlier that education is indeed the future of this state, and I don't quarrel with that, I agree with that. If we're not to be in this position 25 years from now, debating the priorities and debating on how they'll be funded, then we need to turn our energies and attention to education so

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that those coming after us, will solve the problems we seemed to have been so bogged down in for so many years. However, I have but one question if the Gentleman would yield, and I wish that he would because in my own mind, following the debate, Representative Steczko, I need to... to have you respond to at least one question."

Speaker Madigan: "Mr. Steczko."

Black: "I think good comments have been made by speakers on both sides of the aisle and I commend all of them. My question to you, as a parent more so than an elected Representative, I want the best education for my children and yours and everyone else's, and should I follow what you've asked us to do here today, can you give me any reasonable assurance that I am not sending a false message of hope to my son or my daughter, that I'm not sending a false message of hope to the districts in my legislative area that are in serious financial condition? I believe in education. I want to help. I want to be with you. But please give me some assurance that this isn't smoke in mirrors. That this isn't politics as usual. That the money can and will be there because of the fact it is so vital that it really be there."

Speaker Madigan: "Mr. Steczko."

Steczko: "Thank you, Mr. Speaker. In response to the Gentleman's question, let me just indicate as I remarked at the opening of my own remarks, my introductory remarks, that there were those of us who last June, felt that it was doable. That providing dollars equal to the amount of dollars that were available for elementary and secondary education general state aid last year, were there and could be there. Notwithstanding all that we've heard today, there are those of us who feel that in fact it is possible to provide this \$62,000,000 and provide better educational opportunities,



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not only to the City of Chicago, but to every single district in the State of Illinois. Yes, I think it is doable."

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

Steczko: "Thank you, Mr. Speaker, Members of the House. I think that two of the terms that we've heard this afternoon, that are the most important, are the terms promise and commitment. We have always pledged ourselves to be committed to properly funding elementary and secondary education. This motion deals with general state aid, across the state, and our commitment and our promise to those units of local government, those local school districts last year, was to provide them dollars equal to the amount that we had provided them the year before. Unfortunately, this summer that changed with the Governor's action. As I indicated just a few minutes ago, we thought... we feel that providing those additional dollars is doable. We think it is doable notwithstanding some of the comments that we've heard so far this afternoon. Additionally, I cannot reiterate enough that the \$62,000,000 that we're speaking of in this motion, are dollars that will affect every single school district in the State of Illinois. We've had the Chicago red herring put before us and there are people who have indicated that every other district will lose out. I come from suburban Cook County. I do not live in the City of Chicago. Every one of my school superintendents, every one of my school board members, many of the parents who had their children in those schools have contacted me, urging me to support this motion and to put forth this motion because it is so important to the educational well-being of the students in those schools. It's our commitment and our promise to those school districts to do exactly that. And I would

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behoove every one of you to place a green vote on that board to show people that we are committed to quality education in the State of Illinois and restoring the funds in House Bill 483 will do exactly that. Mr. Speaker, I would move in the affirmative on motion #2 to House Bill 483."

Speaker Madigan: "The Gentleman has closed and the question is, 'Shall this item be restored to its original amount, notwithstanding the reduction of the Governor?' The Clerk shall proceed to take an Oral Verified Roll Call. The Members shall be in their chairs. All people not authorized to be on the floor, please remove yourself from the floor. Mr. Shaw, would you take your seat. Mr. Cullerton, would you take your seat. Would the Members please take their chairs. And would all people not authorized to the floor, remove themselves from the floor. Mr. Clerk, read the Roll Call."

Clerk O'Brien: "Ackerman. Ackerman, 'pass'. Barger. Barger, 'no'. Barnes. Barnes, excused. Berrios. Berrios, 'aye'. Black. Black, 'aye'. Bowman. Bowman, 'aye'. Braun. Braun, 'aye'. Breslin. Breslin, 'aye'. Brunsvold. Brunsvold, 'aye'. Bugielski. Bugielski, 'aye'. Capparelli. Capparelli, 'pass'. Christensen. Christensen, 'aye'. Churchill. Churchill, 'no'. Countryman. Countryman, 'no'. Cowlshaw. Cowlshaw, 'no'. Cullerton. Cullerton, 'aye'. Curran. Curran, 'aye'. Currie. Currie, 'aye'. Daley. Daley, 'aye'. Daniels. Daniels, 'no'. Davis. Davis, 'aye'. DeJaegher. DeJaegher, 'aye'. DeLeo. DeLeo, 'aye'. Deuchler. Deuchler, 'no'. Didrickson. Didrickson, 'no'. Doederlein. Doederlein, 'no'. Dunn. Dunn, 'aye'. Ewing. Ewing, 'no'. Farley. Farley, 'aye'. Flinn. Flinn, 'aye'. Flowers. Flowers, 'aye'. Frederick. Frederick,

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'no'. Giglio. Giglio, 'aye'. Giorgi. Giorgi, 'aye'.  
Goforth. Goforth, 'no'. Granberg. Granberg, 'aye'.  
Hallock. Hallock, 'no'. Hannig. Hannig, 'aye'. Harris.  
Harris, 'no'. Hartke. Hartke, 'aye'. Hasara. Hasara,  
'aye'. Hensel. Hensel, 'no'. Hicks. Hicks, 'aye'.  
Hoffman. Hoffman, 'no'. Homer. Homer, 'aye'. Huff.  
Huff, 'aye'. Hultgren. Hultgren, 'aye'. Johnson.  
Johnson, 'aye'. Jones. Jones, 'aye'. Keane, excused.  
Kirkland. Kirkland, 'aye'. Klemm. Klemm, 'no'. Krska.  
Krska, 'aye'. Kubik. Kubik, 'no'. Kulas. Kulas, 'aye'.  
Lang. Lang, 'aye'. Laurino. Laurino, 'aye'. LeFlore.  
LeFlore, 'aye'. Leverenz. Leverenz, 'aye'. Levin.  
Levin, 'aye'. Martinez. Martinez, 'aye'. Matijevich.  
Matijevich, 'aye'. Mautino."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, there are very few programs or appropriations that are fair and equitable. If there is one that is fair and equitable it is probably the state aid formula. Since it supposedly treats all school districts in a like manner. There are many individuals here that will be facing 39 individual motions. In those 39 motions will be special interests, whether that is special education, gifted, vocational education, or whatever the specific geographical area has to provide for those students. Those are the categoricals. It's impossible to do all and to at least examine all with a fairness and rationale to our voting because there is just not enough money to go around. But if there is one that is fair, it's the common school fund. As a downstate Legislator, I find that to be without a doubt the only one that is fair and equitable where there are no additional special interests involved. And I vote 'aye'."

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Clerk O'Brien: "Mautino, 'aye'. Mays. Mays, 'no'. McAuliffe.  
McAuliffe, 'pass'. McCracken. McCracken, 'no'.  
McGann."

Speaker Madigan: "Mr. McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. We have heard on the pros and cons, there really isn't any pro or con, it's a responsibility that we are taking upon ourselves this afternoon. I do agree with the Minority Leader, that it's a very irresponsible position that we are taking because the dollars are not there. I further agree that those in the galleries, those in the schools throughout the state, will probably never see the green of the dollars because they are not there. But we also have a constitutional commitment and we have a requirement to uphold what is stated in that Constitution and that is the area of funding the schools. I reluctantly have to stand before you and take this position because I know it's a very irresponsible position. But I am going in support of the Constitution because we truly have not met our commitment in the 50% funding. At this time, I will vote 'aye'."

Clerk O'Brien: "McGann, 'aye'. McNamara. McNamara, 'aye'. McPike. McPike, 'aye'. Morrow. Morrow, 'aye'. Mulcahey. Mulcahey, 'aye'. Novak. Novak, 'aye'. O'Connell. O'Connell, 'no'. Olson. Myron Olson. Myron Olson, 'no'. Robert Olson."

Speaker Madigan: "Mr. Olson."

R. Olson: "A year ago, thank you, Mr. Speaker. A year ago, I sat in this Assembly for the first time during the Veto Session. Dwight Frederick, who is no longer with us, made a statement at that time when we were debating issues and funding. And he said, fellow Members, they're all good programs, but we can't afford them. If there's a better

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program that we fund or help fund in this state than education, I don't know what it is. Like John Dunn, I am committed to education. Like many of the Members here today, since I am near my home district, I have a lot of administrators of schools in the gallery. I would like to turn around and wave to those Gentlemen and say, I'm going to give you a 'yes' vote and you're going to get your money. But this whole issue, I think we're putting - in the country vernacular - we're putting the cart before the horse. I think we should be addressing funding today and then the division of that money to the different agencies tomorrow. So, to my friends in the gallery who are here, I'm going to have to say I'm sorry, I'm going to vote 'no'. I hope this money shows up for your use. Mr. Speaker, I vote 'no'."

Clerk O'Brien: "Robert Olson, 'no'. Panayotovitch. Panayotovitch, excused. Parcells. Parcells, 'no'. Parke. Parke, 'no'. B. Pedersen. B. Pedersen, 'no'. W. Peterson. W. Peterson, 'no'. Petka. Petka, 'no'. Phelps. Phelps, 'aye'. Piel. Piel, 'no'. Preston. Preston, 'aye'. Pullen. Pullen, 'no'. Rea. Rea, 'aye'. Regan. Regan, 'no'. Rice. Rice, 'aye'. Richmond. Richmond, 'aye'. Ronan. Ronan, 'aye'. Ropp. Ropp, 'no'. Ryder. Ryder, 'no'. Saltsman. Saltsman, 'aye'. Satterthwaite. Satterthwaite, 'aye'. Shaw. Shaw, 'aye'. Sieben. Sieben, 'no'. Slater. Slater, 'no'. Stange. Stange, 'no'. Steczo. Steczo, 'aye'. Stephens. Stephens, 'no'. Stern. Stern, 'aye'. Sutker. Sutker, 'aye'. Tate. Tate, 'no'. Terzich. Terzich, 'aye'. Tuerk. Tuerk, 'no'. Turner. Turner, 'aye'. Van Duyne. Van Duyne, 'aye'. Wait. Wait, 'no'. Weaver. Weaver, 'no'. Wennlund. Wennlund, 'no'. White. White, 'aye'. Williams. Williams, 'aye'. Williamson. Williamson, 'no'."

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Wojcik. Wojcik, 'no'. Wolf. Wolf, 'aye'. Anthony Young.  
Anthony Young, 'aye'. Wyvetter Younge. Wyvetter Younge,  
'aye'. Mr. Speaker. Mr. Speaker, 'aye'."

Speaker Madigan: "Yes, just one second. Mr. Ackerman? Record  
Mr. Ackerman 'no'. Mr. Capparelli wishes to be recorded  
as 'present'. Any further changes? Mr. McAuliffe? 'Aye'.  
For the kids. Any further changes? On this question,  
there are 70 'ayes', 44 'nos', 1 person voting 'present'.  
This motion, having received the Constitutional Majority,  
prevails. And the House restores the item. On the subject  
matter of Mental Health there appears House Bill 783,  
motion #4 on page 31 of the Calendar. The Chair recognizes  
Mr. Bowman. Mr. Bowman."

Bowman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the  
House. This is probably the second most important veto  
motion that we will be considering on the budget. I took  
it upon myself to file this particular motion because of  
the peculiar history of this initial appropriation. The  
motion pertains to various lines in the budget for the cost  
of living adjustment for Mental Health and Developmental  
Disability Programs. And also for Mental Health  
initiatives. The total amount is 10.7 million dollars.  
Now, this may seem like a small sum compared to the motion  
that we have just considered, but it is not to these people  
who depend upon the programs funded by these line items.  
Now, I will make my remarks brief, but we seem to have a  
little disruption in the gallery. I wondered, Mr.  
Speaker, could you maybe bring the chamber to order?"

Speaker Madigan: "Would the Members please give their attention  
to Mr. Bowman. Would the Members please give their  
attention to Mr. Bowman. Mr. Bowman."

Bowman: "Thank you very much, Mr. Speaker. Like I say, I think I  
can be brief about this because I think we all understand

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the issue here. The issue was fought out on the House floor on several occasions. In fact, it was a Republican Amendment that added money to these line items. We were brought back into Special Session by the Governor because there was a disagreement between the House and Senate as to how much money to add. And we asked the Governor for guidance. We said, give us your bottom line on these items and we will respect that. The Governor declined to give us any guidance on this subject despite our request. And so we did the best we could. We stayed here an extra day in July when we all wanted to go home. And we came up with a budget for Mental Health that we thought was a good budget. We passed it and the Governor rejected our handy work. I believe that the Governor did not act in a timely fashion. This money, we all know is desperately needed. It was added by Republican Amendments in the House and in the Senate. The Democrats supported those Amendments. These are bipartisan programs. They deserve our support now even as we supported them then. I urge your support of this motion to override and restore the items to the original amounts."

Speaker Madigan: "Mr. Daniels. Would the Members please give their attention to Mr. Daniels? Can we have order in the chamber, please? Would the Members please give their attention to Mr. Daniels. Mr. Daniels."

Daniels: "Well, Mr. Speaker, Ladies and Gentlemen of the House, there's nothing that I care more about in the State of Illinois than the Mental Health budget and the problems of our mentally ill and handicapped and those people that cannot, due to circumstances beyond their control, care for themselves or provide for themselves. Those people that haven't had the same opportunities in life that we have enjoyed. The opportunities to make a decision based upon a

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rational understanding of all the facts, upon our future and yes, indeed, it's true, that government has a responsibility to assist those fine citizens. But now we are faced with the second request to override the Governor's vetoes. This request contains \$10,713,500, of which 9.4 million dollars is for a 4% COLA or cost of living for community providers. People, that to each one of us is a very, very important constituency. But when I review this and look at the actions that this House just took, an override motions of 62,000,000, and add to this the request for 10,000,000 in overrides, easily put together we are now at the sum of \$72,000,000. It's easy to understand that this Assembly through its irresponsible action, is moving quickly, decisively and by the majority vote, yes, irresponsibly towards either tax increase or fiscal bankruptcy of the State of Illinois. Well, you be part of that. And you explain if a Special Session is called and you tell your constituents why you're for a tax increase, why you think you want to take more money out of their pockets to support the \$22,000,000 you just gave to the Chicago schools, ignoring the amount of money that downstate schools or suburban schools need. Why no supplemental can be passed to keep open the Math/Science Academy or to provide flood control needs of the people of the Chicago or suburban Cook or collar counties, and how you turned their (sic - your) backs on their needs by this irresponsible action. This motion, as irresponsible as it is, as uncanny as it is, that's designed by people that want to spend, spend, spend, that have a twisted sense of priorities, that don't care for the real needs of the people of Illinois that you provide best for those people that need help by a stable environment and economic condition by providing opportunities of jobs, not by



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providing fiscal bankruptcy. I'm going to oppose this as I believe the vast majority of Republican Members will oppose this, as difficult as it is. And yes, we'll run on this record. You may say you're going to run on the record because you provided the funding but you know and I know that once again not a single dollar, not a single cent will be seen in reality. Because what you're doing is increasing the crisis that is upon us right now. You're causing the Democrat Comptroller of this state to be unable to pay his bills, to be unable to send out the checks to the providers that have cared for the mentally ill and you're providing the very crisis that some of us are trying to oppose and some of you are trying to bring about in this state. And yes, a revolution in Chicago may exist by one of the previous speakers on the previous Bill but there isn't a revolution in the State of Illinois that should respond in the sense of spend, spend, spend. And if Black Monday of recent date taught us anything it's that we are in a very unstable environment. Majority rules and that's what may happen today. But I predict that your action will come back and haunt you. And you will no longer be the majority but in fact, the people of Illinois will speak strongly that they are against your promises that are never kept and your statements that are never realized. And I'm going to stay with the Governor because I know that the budget that he has enacted, as tough as it is, is the only course that this state can follow."

Speaker Madigan: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I rise in some ways to echo the remarks of the previous speaker, perhaps not as powerfully, probably not as effectively. But you see, if there was one organization, if there was one department during the spring that could easily be granted most favored status, it had to

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be the Department of Mental Health and Developmental Disabilities. If you recall, they started out at a level higher than anyone else. We added money to their budgets. The Senate added money to their budgets in Committee and on the floor. And in fact, we came back on July 1st to provide additional funds to this budget. If you look at all the budgets that were proposed by the Governor, which included the anticipation of tax increases, this is the one budget that came the closest to reaching that optimum budget. We didn't have a tax increase, that's obvious. As a result, this budget, the Department of Mental Health and Developmental Disabilities came closer, in fact surpassed all other budgets as receiving more dollars, being better treated than any others. There was no tax increase and therefore the Governor made the vetoes that he did. And I find that regrettable because I also joined with both of the speakers who preceded me, to indicate that the Department of Mental Health and Developmental Disabilities needs our help. There's no question that they need more funds than they've received at this time. There's no question that in the event that we were to spend those funds, that they could be used and used effectively by the community Mental Health folks who are providing a wonderful service. A service that is most needed and most appreciated by those such as myself, who had an opportunity to see how they've been treated. But the fact of the matter is, to make promises without being able to keep them, to make those empty promises knowing that without tax increases, without additional revenues, those promises are empty, is far more cruel to those who need these funds. So we can put the votes on the board if you wish. We can make the promises with smoke in mirrors if you wish, but I regret that those who are to receive these dollars would be

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treated in such a shabby fashion. And I would regret that we find it necessary to come here with a very cold dash reality and say the funds are simply not present to do all that we would like to do, to do all that we need to do, to do all that we want to do. I regret it. I'm sure that all of those who will join with me in opposing this, regret it. But reality requires, reality tells us there's no money to spend and to appropriate it without it, is a very, very bitter sham. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Dunn."

Dunn: "Well, Mr. Speaker, Ladies and Gentlemen of the House, sometimes you get an invitation to an event which says R.S.V.P. and sometimes regrets only. And I think what we are hearing here is a lot of regrets only. And what we need is more R.S.V.P. that we will be there. These funds are badly needed for our community Mental Health agencies. They do yeoman work, excellent service, have been doing so for a long, long period of time. Back in the early years when I was here in the General Assembly, the level of funding was totally inadequate for the community agencies. We led a fight to increase the funding. It improved for a number of years, but now we're on the backslide again. A dollar invested in the community is matched by not only local dollars but by local volunteer efforts. There are lots of volunteers in almost everything you can mention that goes on in the community, including the mental health services, there are a lot of volunteers involved in those programs. A dollar spent in the community is a very wise investment and I would urge that we all vote to restore the funds which have been vetoed out of this Bill by the Governor, because they should never have been taken out in the first place. They're badly needed. The people who need these services are in need of treatment and they

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should not be cast to the winds by this General Assembly. We should be there to catch them, to support them and to help make them better and to restore them to active lives as good citizens in the State of Illinois. And I urge a green vote on this motion."

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

Bowman: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House, we've heard a lot of speeches about what the state can and cannot afford. But using the Governor's own numbers, the Governor's own numbers which we were supplied this... with... with... this week, he is planning to build up the cash balance above the \$200,000,000 level by \$66,000,000, right off the bat, right off the top. When asked why he was building it up more than the Comptroller indicates is necessary for smooth bill payment, they said, 'Well, we needed to reserve this money for Supplemental Appropriations.' Now, Ladies and Gentlemen of the House, that is what the issue is. The Republicans are attempting to protect the Governor's vetoes so that the money can be secure for later Supplemental Appropriations. Now, we have to be very careful about these Supplemental Appropriations, they have gotten away from us in past... in the last few years. And they have given the Governor extraordinary control over the budget process. And what this debate is all about is legislative control over the budget process. If we assert our legislative priorities now, with this veto... these veto overrides we will deny the Governor the opportunity to make some of these Supplemental Appropriations later. And we do have a priority list. We're not going after every veto override in the book. And that is why we are calling these motions in a very carefully controlled sequence. So we have a plan and we think we can stay within the real budget, the real budget,

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and not have to indulge in spurious Supplemental Appropriations. The Gentleman from DuPage tipped his hand when he spoke of twisted priorities. He spoke of twisted priorities and what did he mean, he meant Mental Health, he was speaking against Mental Health. And yet, in his same speech he said that he was going to support Supplemental Appropriations for the Math/Science Academy, Supplemental Appropriations for flood control projects, and where are those flood control projects? In his backyard, in the backyard of the Republican Legislators. So the real issue here is legislative control over the budget process. The real issue is whether we're going to control the budget through veto overrides on the spring budget or whether it will be done through the Supplemental process in which the Governor and his Republican allies in the Legislature have far, far more control. So I urge my colleagues to stand with me on this in supporting the restoration of these funds for community Mental Health projects which are in the districts of all us, Ladies and Gentlemen, all of us."

Speaker Madigan: "Mr. Mays, Mr. Bowman has closed the debate. Could you explain your vote? Thank you. The question is, 'Shall this item be restored to its original amount, notwithstanding the reduction of the Governor?' Those in favor of the motion will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. McCracken to explain his vote."

McCracken: "Just to seek a verification if it appears to receive the requisite number of votes."

Speaker Madigan: "Have all voted who wish? The Clerk shall take the record. On this question, there are 65 'ayes' and 49 'nos'. There has been a request for a verification. The Chair recognizes Mr. Homer."

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Homer: "Thank you, Mr. Speaker. Leave to be verified."

Speaker Madigan: "Mr. McCracken, is there leave? Leave is granted. Representative Young? Leave to be verified. Mr. McCracken? Leave is granted. Mr. Clerk, read the names of those voting in the affirmative."

Clerk O'Brien: "Berrios. Bowman. Braun. Breslin. Brunsvold. Bugielski. Christensen. Cullerton. Curran. Currie. Daley. Davis. DeJaegher. DeLeo. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hartke. Homer. Huff. Jones. Krska. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich."

Speaker Madigan: "Mr. Clerk. Mr. McCracken, is there leave to verify Representative Braun? And Mr. Ronan for the same purpose? Mr. McCracken? Leave is granted. And Representative Satterthwaite, Mr. McCracken? Leave is granted. You're verified. Proceed, Mr. Clerk."

Clerk O'Brien: "Mautino. McGann. McNamara. McPike. Morrow. Mulcahey. Novak. O'Connell. Phelps. Preston. Rea. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Steczo. Stern. Sutker. Tate. Terzich. Turner. Van Duynes. White. Williams. Williamson. Wolf. Anthony Young. Hyvetter Young and Mr. Speaker."

Speaker Madigan: "Mr. McCracken, do you have any questions? Mr. McCracken."

McCracken: "Thank you. Representative Breslin?"

Speaker Madigan: "Is in the aisle."

McCracken: "Representative Sutker?"

Speaker Madigan: "Mr. Sutker. Is down in the press box."

McCracken: "Representative Saltsman?"

Speaker Madigan: "Mr. Saltsman? Remove Mr. Saltsman."

McCracken: "Representative Wolf?"

Speaker Madigan: "Mr. Wolf? Remove Mr. Wolf."

McCracken: "Representative Shaw?"

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Speaker Madigan: "Mr. Shaw? Mr. Shaw? Is Mr. Shaw in the chamber? Remove Mr. Shaw."

McCracken: "Representative Richmond?"

Speaker Madigan: "Mr. Richmond? Is Mr. Richmond in the chamber? Mr. Richmond has just returned."

McCracken: "Representative Ronan?"

Speaker Madigan: "Mr. Ronan was verified and restore Mr. Shaw to the Roll Call."

McCracken: "Yes. I'm sorry. Representative Martinez?"

Speaker Madigan: "Mr. Martinez? Mr. Martinez is in the aisle."

McCracken: "Okay. Nothing further."

Speaker Madigan: "There being no further questions, on this question, there are 63 'ayes' and 49 'nos'. This motion, having received the Constitutional Majority, prevails and the House restores the item. On the subject matter of Public Health, there appears House Bill 792 on page 33 of the Calendar and there is a motion #1 by Representative Currie. Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This motion would restore dollars cut by the Governor in the Experimental Organ Donor Transplant Program. Last year this program supported thirty-one patients in need of organ transplants if they were to survive. The Governor's cut, more than a fifty percent cut in the program, means that there will only be eight new patients admitted to the program in the coming year, including two carry-overs. It means that only ten people can be helped across the State of Illinois by this important program. In fact the only way additional people can join the program, will be if some of those who are awaiting operations die in the meantime. This Legislature, this Assembly, this government of the State of Illinois has, it seems to me, an especial responsibility to people who are in desperate straits,

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people who are at the very, the very end of their tether. Those are precisely the people that are the subject of motion 1 on House Bill 792. The dollar amounts are not great. We are talking about under a million dollars. My colleagues in the House of Representatives, I would be happy to answer your questions and I urge your support to restore the dollars cut by the Governor in this line item of House Bill 792."

Speaker Madigan: "The Lady has moved that the item be restored to its original amount, notwithstanding the reduction of the Governor. Is there any opposition? Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. This veto amounts to nine hundred and twenty-five thousand. Now it's pale in comparison to the ten million that this House just overrode, ten million seven hundred thousand, and it's certainly pale to the twenty-one million that we just sent the Chicago school system in revolution, which adds up to sixty-two million state-wide, but it is another approximate one million dollars. So now if we're adding numbers, as we have to in this process, we've gone up now to approximately seventy-three million dollars in overrides. Seventy-three million dollars that the state can't afford. And I've heard a lot of Members on the other side of the aisle say: 'Well let's not worry, the Senate will take care of the problem. We know that our vote is only a political vote and we're counting on the Senate to hold the line on spending.' Well isn't that darn responsible of you? Isn't that real nice to do to your Member of the Democratic Party, President Phil Rock, and tell him that he's got to take the heat for your lack of responsibility. Well I'll tell you, when the numbers are added and the votes are counted and the people of Illinois speak, they will know that it's the Republican Party that stood strong for fiscal



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sanity. And they will know that it's the Majority Party that cares not a bit about their hard earned taxes and has turned its back once again on the people of this state. You should oppose this. I intend to oppose it and I'm sure the vast majority of responsible thinking Legislators will also oppose it."

Speaker Madigan: "The question is: 'Shall this item be restored to its original amount, notwithstanding the reduction of the Governor?' Those in favor will signify by voting 'aye', those opposed by voting 'no'. This motion will require sixty votes. Have all voted who wish? Have all voted who wish? Mr. Bowman, to explain his vote."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The issue is legislative control over the budget process. And by using veto override motions in a judicious fashion as we are doing now, we are taking these in a clear priority order, we are establishing the budget priorities. If we do not do this, we will leave the Governor with a fairly substantial pot of money which he will then use at his discretion as supplemental appropriations process, and that is when he has the upper hand in the budget process. I strongly urge my colleagues who believe in the integrity of the legislative process, to exercise their legislative prerogatives and support this motion to restore the funds to this line item and tell the Governor that this is our priority, this is the way we wish the money to be spent."

Speaker Madigan: "Mr. McCracken. Mr. Hays. Mr. Matijevich."

Matijevich: "Mr. Speaker, I was going to explain my vote. The more and more I hear these issues that we are considering today, I sense this undertone on the other side of the aisle that somehow Legislators are going to be defeated in elections, because they support these human services. I have never seen one Legislator be defeated in an election,

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because that Legislator supported education, because that Legislator supported mental health, because that Legislator supported the developmentally disabled, the handicapped and in this instance to try to support organ transplants. In fact I thought yesterday I heard on that side of the aisle, that someone got up and talked about the importance of organ transplants. Ladies and Gentlemen of the House, we are talking about human interests, we are talking about human services, about human concerns. I have served here too long and heard too much about brick and mortar. I have heard too much about a build Illinois program. You know nobody yet today, has brought up the issue about where our dollars are going. Nobody has even talked about a build Illinois program that has fallen flat on its face. Nobody has talked about the fact that we had a Governor come to the electorate in an election year, with a build Illinois program with bricks and mortars and then after the election, come up with a hundred million dollar loan. Now we are telling that Governor today, that if you can float a one hundred million dollars, we are telling you today that if it means human services, if it means education, if it means the mentally ill in Illinois, maybe you might have to rollover that hundred million dollars. That is not going to be the end of the world. We're saying to him, that if you are going to bring supplemental Bills, which we know you are, that we think that this is a higher priority. We are telling him and we are telling everybody in the State of Illinois, that we think we can provide the same amount of dollars for education as we did last year. Is that a crime? Can we not afford that? I think yes we can. And I think that more Legislators ought to surely get on this human, human appropriation right here for organ transplants. I don't know how you can do it. If that will

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defeat me in an election, I deserve to be defeated."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 56 'ayes' and 54 'nos'. The motion fails. On the subject matter of Public Health, House Bill 792. There appears a motion on... there appears a motion #2, by Representative Currie. Representative Currie, on motion #2."

Currie: "Thank you, Mr. Speaker and Members of the House. This item is a three hundred thousand dollar override of an item veto by the Governor, to provide for a program adopted by this Assembly two years ago, signed by the Governor two years ago to provide a program of support for youngsters and adults with chronic rheumatic diseases. The three hundred thousand dollars is a commitment we made in 1985, a commitment we have so far failed to fund. The dollars obviously are not great. The need is real. There are young people in the state, victims of rheumatic disease who will have trouble leading their lives, growing into productive adults without some kind of support. Three hundred thousand dollars is this price tag. This is not millions of dollars for flooding, it isn't three plus millions for a math-science academy. It's three hundred thousand dollars for children who need our help. Ladies and Gentlemen of the House, I hope you will vote your conscience on this motion to override the line item veto for rheumatic disease treatments under House Bill 792."

Speaker Madigan: "Mr. Tate."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Lady rises for a good cause, but unfortunately you've already heard the arguments. There's no money. It's funny money. However, I think all the Members should pay close attention to this motion, because this is actually a new

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program that was not funded in the last year. So this is funding that... would be funding for the first time this year."

Speaker Madigan: "Is there any further discussion? The question is: 'Shall this item pass, the veto of the Governor notwithstanding?' Those in favor of the motion will signify by voting 'aye', those opposed by voting 'no'. This motion will require seventy-one votes. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 55 'ayes', 53 'nos', the motion fails. On the subject matter Public Health, House Bill 792. There appears a motion 83, by Mr. Terzich. Mr. Terzich."

Terzich: "Yes. Mr. Speaker, Ladies and Gentlemen of the House, my motion requests the restoration of a total abolition of the hemophilia medical care program, in the amount of \$539,000. The hemophilia program was put into effect approximately ten years ago. The hemophilia program provides for the financial assistance to eligible patients according to the program rules and regulations. At the time that the program... by eliminating the hemophilia grants, the Governor has as good as signed a death sentence for approximately 100 hemophilia grant recipients for the year of 1987. The Department of Public Health covers the cost of the factor product missing in a person's blood so that it will not clot. Although the only factor product that's covered for children under the age of 21, the department also reimburse outpatient care for adults. The hemophiliacs are generally unable to purchase insurance and have depended upon the department to help save their lives. And the Governor has eliminated this lifesaving assistance provided by the department. This is really a terrible thing, that the program for the last ten years have helped

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over 100 hemophiliacs throughout the state. In addition, by eliminating this program, the... Dr. Turnock stated that they have no alternative resources of any additional grants, whether it's a federal government or not. And the many people that have received this, has stated that one of the recipient's, that they were appalled that the program was reduced, not only reduced, but taken completely out of the budget for funding to zero. The program has enabled their family to stay off public aid. The program pays for clotting factors after the recipient has paid for, either by some insurance or some other resources and it's only given to those people who are in the dire need. This is a very, very worthwhile program that should never have been reduced at all. Let alone, not only was it just reduced, but it was totally eliminated. And I would appreciate your support in restoring \$539,000 for this worthwhile program."

Speaker Madigan: "The Gentleman has offered his motion. Is there any opposition to the motion? Okay. Mr. Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Just briefly I rise in support of this motion. It is my understanding that the purpose of this program as it presently exists, is to provide for the most part, essential blood clotting medicine to those who suffer from hemophilia and to pay for it for those whose insurance coverage doesn't provide for payment for the cost of the medicine. If this override does not succeed, society in the State of Illinois may still very well provide for treatment. However, what society will be saying to those unfortunate individuals who suffer from hemophilia, is that what you'll have to do is to spend all the money out of your savings account for blood clotting medicine; if you have any stocks left that have any value to them, you'll have to sell them to buy medicine; you'll have to draw down

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all of your assets until you're eligible to become a public aid recipient; ruin your own life, ruin that of your family and then society will begin buying medicine for you. It's a cruel, harsh message to those people out there, many of whom today are functioning in productive jobs, raising families, but who cannot afford the extraordinary costs for their own health care that you and I don't have. We should not send such a message to them. It's not a lot of money compared to our total state budget. This is important to them. It's an important signal to the people of the State of Illinois, that we do care. If we vote to override we will be sending a message to them that we do care, that we mean what we say when we say we're going to look out for the best interests of our citizens. If we don't, it's just another cold, hard message to unfortunate people in this state who don't need such a message. Please vote green."

Speaker Madigan: "Mr. Daniels."

Daniels: "Well I think the previous Gentleman has spoken for every single override effort and we're happy to understand his orders of priorities. The fact of the matter is, that we are now faced once again with a serious question. The question is whether or not this state, this Assembly, will offer to people real help. A valid statement of promises that are kept, not promises made, only to shift in the night, because a politician says: 'I'm so worried about people back home, I'm going to send twenty-one million dollars to a city in revolution, ignoring the needs of my own district.' I'm for promises kept. You know and I know, the small amount this is and it is small, that this is something once again we cannot afford. I intend to oppose it. As tough as it is and as strong as that statement may be, but you know and I know that's the only thing that in the current financial situation we can do.

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But in doing so, I look with curious observation at the previous speaker and how he can stand up and speak on behalf of the people he claims to represent; the hard-working, hard-earning taxpaying citizens that send their money to this state and then say that he doesn't care that much about them, because he's going to speak for every override issue, every override dollar amount and he'll send the millions of dollars to Chicago, but ignore the real priorities of this budget. I vote 'no'."

Speaker Madigan: "The question is... The question is: 'Shall this item pass, the veto of the Governor notwithstanding?' Those in favor of the motion will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? This motion shall require seventy-one votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 67 'ayes', 45 'nos'. Mr. Terzich. Mr. Terzich."

Terzich: "May I have the poll of the absentees?"

Speaker Madigan: "The Clerk shall poll the absentees."

Clerk O'Brien: "Poll of those not voting: Virginia Frederick. No further."

Speaker Madigan: "On this question there are 67 'ayes' and 47 'nos'. The motion fails. On the subject matter of Public Health, there appears House Bill 792, a motion #4, by Representative Currie. Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This is a restoration in the chronic renal disease program. He just voted not to give people the opportunity for organ transplants. Unfortunately the Governor's cuts for those people who are surviving by virtue of kidney dialysis means that there...fifty-four percent fewer people will be served in the present fiscal year than were served in the last.

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Some people may be able to survive while we wait for the wherewithal to help them with the transplant program, if we can keep them alive in the meantime. The total dollars here are about \$700,000, well under a million. I would appreciate your support for the restoration of these dollars so that people who need kidney dialysis in order to stay alive, will be able to do so at the present time. The program monies run out by about this time, the program monies that were suppose to be available until July 1st, 1988. I ask you again to vote your consciences and to see to it that this important public health need does not go unmet in the State of Illinois."

Speaker Madigan: "Mr. Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. I'm sure that everyone of us here have been touched by somebody that has to have the use of a machine to keep them alive, because of the failure of their kidneys. We just... we just told people that we aren't going to allow them to have kidney transplants. But I don't think we can have the heart to tell people that we aren't going to keep them alive. Now I realize that you have been in caucus and that you are following a caucus position. I realize that. But I think on this issue that you should walk away from your caucus, because we are really talking about life. We are talking about protecting life. I don't know how anybody here can turn their backs on somebody who needs that machine to keep alive. I don't think anybody can have the heart to do that. I think that you should proudly walk away from your caucus, saying: 'On this one, I can't do it. I have to provide that person who needs that machine, that dialysis to keep alive.' I know somebody, I know people and I know you do too. Can you look that person in the eye again and say that you walked away from that person? I



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hope not. I would hope that everybody votes green on this one. And I mean that. This has nothing to do with elections, nothing to do with politics. This has to do with people in life. And I urge an 'aye' vote."

Speaker Madigan: "Mr. Tate."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this. It is just your basic issue again. Unfortunately, when you have limited dollars to spend, it's been proven time and time again that you get much more... it's much more efficient to spend your dollars on prevention rather than treatment. That is the rationale of the veto and I encourage the Members to vote 'no'."

Speaker Madigan: "Mr. Richmond."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in strong support of this effort. The previous speaker talked about treatment rather than... prevention rather than treatment. The treatment that was provided through a renal clinic in Carbondale kept my son alive for four additional years. And that... the future of that clinic is in jeopardy as a result of the Governor's action. During that four years I visited the clinic on many, many occasions and saw people from all over southern Illinois who took advantage of this treatment and were able to perform at least in a limited way the rest of their life. And it was a very touching situation. But certainly it touches me very deeply, because I've had the actual experience. And I would ask my colleagues to help us restore this fund."

Speaker Madigan: "Mr. Dunn. Mr. Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I too rise in support of this motion. And I would just like to say to my friend Bud Reilly, Bud, I'm embarrassed that we're hear debating this issue. I'm sorry

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that you have to take an interest in this issue and I'm sorry that people you have come into contact with are also interested in this issue. And all I can do the next time I see you, if this override doesn't pass, is blush and tell you that at least I put my vote up there green for you and people like you. And I hope that some day we will get our priorities in order and do what's right for the people of this state."

Speaker Madigan: "The question is: 'Shall this item be restored to its original amount, notwithstanding the reduction of the Governor?' Those in favor of the motion will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? This motion shall require sixty votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 60 'ayes' and 49 'nos'. Mr. McCracken has requested a verification. Mr. Clerk, poll the absentees."

Clerk O'Brien: "Poll of the absentee. Matijevich. No further."

Speaker Madigan: "Record Mr. Matijevich as 'aye'. Mr. Clerk, are there any other absences? Thank you. Mr. Clerk, read the names of those voting in the affirmative."

Clerk O'Brien: "Berrios. Bowman. Braun. Breslin. Brunsvold. Bugielski."

Speaker Madigan: "Mr. Clerk. Mr. McCracken, would you verify Mr. Hicks and Mr. Phelps? Thank you. Proceed Mr... And Mr. McNamara? Proceed, Mr. Clerk."

Clerk O'Brien: "Christensen. Cullerton. Curran. Currie. Daley. Davis. DeJaegher. DeLeo. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Hartke. Hicks. Homer. Huff. Jones. Krska. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. McGann. McNamara. McPike. Morrow. Mulcahey. O'Connell. Phelps."

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Preston. Rea. Rice. Richmond. Ronan. Saltsman.  
Satterthwaite. Shaw. Steczo. Stern. Sutker. Terzich.  
Turner. Van Duynes. White. Williams. Wolf. Anthony  
Young. Hyvetter Younge. And Mr. Speaker."

Speaker Madigan: "Mr. McCracken. Turn on Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. Representative Huff?"

Speaker Madigan: "Mr. Huff? Is Mr. Huff in the chamber? Remove  
Mr. Huff. Representative Stern, for what purpose were you  
seeking recognition?"

Stern: "I just wish to be verified, Sir."

Speaker Madigan: "Mr. McCracken would you verify Representative  
Stern? Representative Stern is verified. Mr. McCracken,  
further questions?"

McCracken: "Thank you. Representative Hartke?"

Speaker Madigan: "Mr. Hartke? Is Mr. Hartke in the chamber?"

McCracken: "Okay. I see him, he's back."

Speaker Madigan: "Representative Hartke is in the rear."

McCracken: "Representative McGann?"

Speaker Madigan: "Mr. McGann? Is Mr. McGann in the chamber?  
Remove Mr. McGann."

McCracken: "Representative Mautino?"

Speaker Madigan: "Mr. Mautino? Mr. Mautino? Mr. Mautino is  
voting present. And restore Mr. McGann to the Roll Call."

McCracken: "Representative Richmond?"

Speaker Madigan: "Mr. Richmond is in his chair."

McCracken: "Representative Turner?"

Speaker Madigan: "Mr. Turner is in the rear of the chamber. Mr.  
Ronan. Would you verify Mr. Ronan?"

McCracken: "Yes. Representative Saltsman?"

Speaker Madigan: "Mr. Saltsman? Is Mr. Saltsman in the chamber?  
Remove Mr. Saltsman."

McCracken: "Representative Williams?"

Speaker Madigan: "Mr. Williams is in the chamber."

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McCracken: "Representative Bugielski?"

Speaker Madigan: "Mr. Bugielski is in the chamber."

McCracken: "Is Representative Lang here?"

Speaker Madigan: "Mr. Lang is in his chair."

McCracken: "I don't know him, can he stand up?"

Speaker Madigan: "Could you stand up Mr. Lang and let Mr. McCracken look at you?"

McCracken: "Nothing further."

Speaker Madigan: "Mr. Granberg wishes to be recorded as 'aye'. Any further changes? On this question there are 60 'ayes' and 48 'nos'. This motion, having received the Constitutional Majority, prevails and the House restores the item. On the subject matter of Public Health, there appears a motion 05, by Mr. Bowman. Mr. Bowman."

Bowman: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This motion is for the alzheimer's disease program that this General Assembly began a couple of years ago. The Governor in his original budget request grossly underfunded these programs. They were funded, if I remember correctly, below the level of the previous year. So, the Legislature in reaffirming its commitment to eradicate alzheimer's disease added 1.029 million dollars. The Governor used his veto pen to restore the... to cut it back to \$171,000. Ladies and Gentlemen, you can't do anything to eradicate alzheimer's disease on \$171,000. You know the Governor just went way overboard. And it seems to me that the Governor is flaunting the will of the General Assembly in this particular program. It's one that he signed himself with a great deal of fanfare at a ceremony in Chicago which I attended and attended by many of my colleagues here. And yet it seems like the commitment on the part of the Governor was for one year. But Ladies and Gentlemen, this is a long-term problem and requires a

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long-term solution and we have to maintain our commitment and that's what this motion does. I ask you to stand with me in restoring the money."

Speaker Madigan: "Mr. Tate."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this measure. This money is essentially research money. Currently even if we restored this funding, the Department of Public Health would not be able to utilize all the dollars and probably the majority of the dollars would lapse in the next year. If you're really committed to some of the overrides that you've already made over on that side, I would suggest to you, this would be some good money to save for some of those bills that you're going to have to pay later on this year."

Speaker Madigan: "Mr. DeJaegher."

DeJaegher: "Thank you, Mr. Speaker. Very seldom do I rise to debate a Bill, but I think this is a special occasion. Oftentimes during my periods on the House floor I hear specific Members refer to another Member that basically you promised this, you were going to be supportive of this. And basically what you try to do is instill into a person memories. Memories are a beautiful item. Now we're talking about people that basically are losing those memories. People that I feel would like to remember your birthday, or perhaps your grandchild's birthday. We supported an extensive alzheimer's program, one of the foremost in the United States, something that we have been bestowed honors upon. And someone saying: 'Why don't we implement the program as you dictated that we should implement the program?' At the present time we are knowledgeable of the fact that there are over a hundred and fourteen thousand people in the State of Illinois afflicted with this terrible disease, waiting for assistance. Not so

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much them, because possibly hope for them are lost. But when we talk about research, we talk about a possibility of abating that terrible, dreadful disease. And you are reluctant to do so. You've taken issue with it. I realize that this is a difficult session for you and also myself, because we must pick and choose. But I think that those people that basically can't come to the front and basically promote the program themselves, it's a tragic shame that basically we can address ourselves to a Bill, but when the funding mechanism is a necessity, we're reluctant to do so. Please review your conscience as you vote green on this Bill or no on this Bill. The option is yours. Do we continue to find an avenue of possible recover for some of those that will no longer have that opportunity. Thank you."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I just want to throw for the sake of it out, the fact that the spending as proposed by the Governor is...even after his action is almost twice that which it took place on this issue the year before. And it would just seem that when we have been asked to override on such important things as, and all of them have been important, as education, mental health, hemophiliacs, renal dialysis and so on. And here is a research thing, which I think we've even put in jeopardy of funding the minimum amount that the Governor wants to fund, because we've overridden to the degree that we have today. So I would simply state, even at the Governor's level, we will be able to spend almost twice as much as we spent the previous year on this single item. And for that reason I would oppose the Gentleman's motion to restore."

Speaker Madigan: "The question is: 'Shall this item be restored

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to its original amount, notwithstanding the reduction of the Governor?' Those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Mr. Bowman, to explain his vote."

**Bowman:** "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In response to some of the allegations that have been made on this floor, let me say that the money that we appropriated in prior years was for five months, start of funding. And so the money that this motion contemplates if it is restored, is for a full year of funding for what the Legislature had intended in the first instance."

**Speaker Madigan:** "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 62 'ayes' and 49 'nos'. This motion, having received the Constitutional Majority, prevails and the House restores the item. On the subject matter of Lobbyists, there appears House Bill 1924. The Chair recognizes Mr. Cullerton."

**Cullerton:** "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I don't think that this should be very controversial, because the Governor vetoed a Bill that passed without any negative votes here in the House. I've read in a newspaper article that a former Member, as a matter of fact, was quoted as saying: That the House didn't know what they were voting on when we passed this Bill. I think that that is really unfair and untrue. I think that the reason why this Bill did not cause much controversy when it was passed, was because it seemed so obvious that that is what the law should be, that no one found it to be alarming or controversial. I'll be happy to tell you once again, as I did back in June, what the Bill does. The Bill declares the classification of the Illinois statutory law that the state adopted, at state expense, as far back as

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1874 to be official and that it is in the public domain and that the Illinois Legislative Reference Bureau should continue to assign official chapter and paragraph numbers to newly enacted statutes and to... from time to time revise, simplify and arrange them. That's basically what the Bill does. As you can see, when you explain what the Bill does, it does not become controversial. It's only when the monopolist, West Publishing Company, found out what... that the Bill had passed, hired some lobbyists to further their cause, that the Bill became controversial and the Governor vetoed it. Now let me just give you a little background. I think this is important. Back in 1874, a fellow by the name of Harvey Hurd was hired by the state to classify the laws of the General Assembly and he did that. And he gave chapter and paragraph numbers and titles to the statutes. The state has continued to do and to use that basic system to the present. Now further... a little further history: The publisher of the Illinois Revised Statutes, which is West Publishing Company, bought out some competing companies in the '20's and '30's and they were the sole and exclusive publisher of the state statutes. Then in 1968, an arrangement was worked out with the Reference Bureau. Now let me just tell you that what... what this monopolist is basically claiming as the publisher of the revised statutes, is that they own some of the chapters and paragraph numbers that Mr. Hurd developed back in 1874. And as a result, these state public acts with their numbering system are its private property and they cannot be used by anyone without its permission, including the state. So in other words, when Stan Johnston in the Reference Bureau wants to get a copy of our state statutes, he has to call West Publishing Company and send them some money so he can get a copy of the statutes that the



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Reference Bureau is putting together at state expense. So that's what's happening. Now I want to emphasize for those of you who are aware of the fact that West does have other publications, they do other functions and I am only saying that this Bill addresses only the laws themselves and its identifying numbers and chapter headings. It has no effect upon the valid and legally protectable rights that the publisher might have with regard to editorial matters or case annotations. Now let me just point out that there is by the way, a public interest involved with this Bill. It's not just a fight as most of you might at this point in time feel, a fight between two giant corporations, although we have plenty of those fights enough in the Legislature. What this Bill stands for is full access to the text of the Illinois Statutes. And once we have that full access, there will be an increase in competition as well as I think, lower access fees for Illinois citizens and Illinois lawyers. If the Reference Bureau, as this Bill states, owns or we in the state own the classification system for the laws, then we would have a number of publishers who want to publish our statutes, come in and bid on the publication of those statutes. Right now we do all the work and we send the laws over to West. When you go into the Reference Bureau and ask for a Bill, you get that Bill, it already has the chapter and number on the Bill. It has the section number on the Bill. They don't call West and say: "What chapter and section shall we put these Bills in?" They do it in the Reference Bureau. If we owned those, the Reference Bureau then would send out for bid the publication of the Illinois Revised Statutes and a number of different publishers can come in and bid on it. Perhaps a number of them will get that award. The state then will make money, not spend public dollars to have some one

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company that has a monopoly make enormous profits. And we know they make enormous profits, because they've had a lot of people working for them around here the last few days. Now I think you should keep that in mind. There are some people I think in the General Assembly who are concerned about what this does as far as the public good. And I think that it's pretty clear that there is an interest here, just other than the interest of individual corporations. Now the Governor's veto message tries to say that this is a private copyright fight between a monopolist and these other legal publishers. I don't think it's fair for us to leave this issue up to the courts. There's a public interest here that we have. And I think that it's clear, and it's very clear I think that we're on the right side of the issue, when we say that we own the statutes and the way in which they're organized. As far as potential litigation is concerned, I think that Representative Tuerk and I, you may be aware of this, Representative Tuerk and I sent a letter to the Attorney General, who would be the one who would defend the state if there was litigation and he sent back a letter to us. The Attorney General's position is that West holds no copyright or protectable interests in the Illinois system of statutory classification. The state and its agencies are immune from any copyright infringement suit and most probably any suit for damages arising out of the enactment of this Bill. And as a result then, the argument that the Governor makes that there'd be litigation is really a phony one. I would be happy to answer any questions when I conclude. I know that this... as everyone here knows, that there's been... everyone's been contacted probably by both sides of the issue. I think however, that when you... all the dust settles and you realize just what it is that we're saying here, that we in the state own our

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own laws and we don't have to send off... some money off to some publisher up in Minnesota in order for us to read our own Bills, that an 'aye' vote is the right vote. Appreciate your support on the motion. Be happy to answer any questions."

Speaker Madigan: "Mr. Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The previous speaker really did an eloquent job in laying this issue out. I think maybe he got a little heavy into the questions of who was making money where. Both of the people who have been lobbying us on this issue are making a lot money in the lawbook business and the computer business, but I don't think that's the issue. And we both have friends that are lobbying on one side or the other of this issue. The issue before us is the public policy of this state and whether or not in that public policy the people of the State of Illinois have the right to really go look up the law. Now we sit down here and pass another law continually, we amend a law continually and we have to have a system of organization. And as the Sponsor said back in the 1800's, we paid this fellow Hurd to come up with a system of organization. And then we kind of fell apart a little bit, because we should have had somebody out there who probably kept up that system of organization. We never should have let this fall into private hands in any way. But in 1967 we went back to really doing it in the Legislative Reference Bureau. But those aren't even really the compelling reasons. The compelling reason is that the people of this State of Illinois be they the lawyers who represent people or the individual who wants to go to the statute, has the right to go and find an organized system of law. And he has a right to look at an index and find out what the law is so that he can live up to that burden

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which we tell him he must and that is that he is presumed to know the law of the State of Illinois. Now most of us who sit down here, know that we could not know that entire body of law at any one point in time. We have to rely upon those books. And we also know that we've moved into a computer age and we know that the computer age has moved us into a different era entirely of how we're going to access that law. And now we get this issue back before us, because two groups or two corporations are competing for it and we have to look at it and say: Well which side are we going to go with? Are we going to go with the side that somebody says has a monopoly, or are we going to go with the other side and open it up as something else. I say to you, that really isn't the issue. The issue is the public policy. If we the State of Illinois or the people of the State of Illinois, owe West Publishing something for having taken something that they have a right, then let's pay them and let's do it and let's put it in the public domain and let's give it to the people of the State of Illinois. This is a tough issue. It's a tough issue for those of us who practice law and rely upon these books and the access to it. But it's really the peoples' right to know what law it is. It was a right we established some years ago. And if we've made that mistake, then let's rectify it by overriding this veto. Thank you."

Speaker Madigan: "Mr. Homer."

Homer: "Thank you, Mr. Speaker. I rise unlike the prior two Gentlemen, to oppose the Bill and oppose the motion to override the Bill and I think I do so for very sound reasons. There have been discussions made here today about monopoly and I know there's an appeal to that argument that we shouldn't allow monopolies and all the rest of that. Let's face it, this is not an issue where the consumer or

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some agreed party came to us and asked us to rectify something that they were unsatisfied with. No lawyers have written to me about this issue. No constituents have written to me about this issue. It's a very simple contest here today. It's a contest between Mead and its lobbyists and West and its lobbyists. Now there is a complex legal issue involved and the experts in the legal community cannot agree on the outcome. There is the Attorney General who issued an opinion saying that the Attorney General feels there is no protected copyright interest of West. However, the Chicago Bar Association Legislative Committee refuses to take a position on that issue, saying that they are complex legal issues and that they deserve to be litigated in the judicial field, not in the form of legislation. Now our reconciliation of how to vote on this issue, I would submit, is a very simple one, because after all there are only two possibilities; either West does have a valid copyright interest and in that event, if their interest is valid, then in fact the action that this Bill would ask us to take would be in deprivation of West's constitutional rights. If on the other hand the legal view is that there is no legal copyright, then in fact this legislation is unnecessary. Why would we need to pass a Bill to allow Mead to do what they already can do? So in either event, the outcome should be the same, that is that we should not pass the Bill. If there is a copyright, then we're taking away rights from West that we shouldn't be meddling in and subjecting ourselves to liability for depriving them of a right without compensating them. If in fact they do not have a legitimate copyright, then the Bill is unnecessary. And Mead should not try to involve us or get our attorneys, the Attorney General involved, litigating an issue that they should be litigating. But

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aside from all that, I think there's a bigger and more paramount issue that we have to deal with in the... in how this matter comes before us today. A Conference Committee Report was put on our desks on June 30th. It didn't go through the Committee process, there were no public hearings, but Mead hired lobbyists to put together a Conference Report to ambush its competitor and arch foe West, and we were the stooges Ladies and Gentlemen, we were the stooges who voted for it. And in fact Representative Cullerton says that there were no negative votes. There was one present vote, that was mine, not because I had any special insight, but because I was a member of the Conference Report... Committee. That report was brought to me, I looked at it. It was the first time that report had ever been brought to anyone to my knowledge. It was done covertly. It was done in my view, without due regard for the legislative process. And I think it's incumbent on us to send a loud and clear message, not just to Mead, but to others and others involved in this particular dispute, but to anyone who would come before us and ask us to act honorably. We expect them to be up-front with us, to submit their proposals through the legislative process, to allow hearings to be held, to allow negotiations to take place and to afford us the common ordinary decency that we try to afford each other as we go about our legislative duties. Not to encourage as an affirmative vote would be here, the procedure whereby a major issue is lurking involving a lot of dollars, a major controversy. And if you vote on this Bill today to approve it and it becomes the law, then you're sending a signal to all who would come to us to wait until June 30th to get a Conference Committee Report on our desks, to ramrod it through before your opponents know that it exists. And that's exactly what's

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at issue here today. So on the merits of the Bill, vote 'no'. On the procedure that was utilized in this case, vote 'no'. And let's put this thing back into its original posture. Let me come forward with a Bill this spring, force the parties to sit down to negotiate an equitable resolution to this matter. And let's leave the State of Illinois and the taxpayers out of the business of private litigation. Let's not force us into a situation that we open up ourselves to liability on this issue and force the Attorney General to step in and defend a matter that belongs with private litigants between West and Mead. Thank you."

Speaker Madigan: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I rise in support of this motion. I think it's the correct position to be, but I like many others find myself in a position in which I happen to have friends on both sides. So it puts us in an unusual circumstance of being able to decide it on its merits. And I think the merits make it easy to decide this issue. It's difficult for me to go back to my district and indicate that on a day when unfortunately I had to vote not to provide money for school children and I had to vote unfortunately not to provide money for mental health, that I'm being asked to allow a foreign privately held corporation, holding a monopoly on Illinois laws, to continue that monopoly. In fact I'd like to address the litigation problem. In fact I'd like to know who it is that I'm suing and I could go to the Secretary of State and ask the Secretary of State how it is that I get to sue West Publishing Company, but they don't have a registered agent, because you see, West Publishing Company is not registered to do business in the State of Illinois. There is no use tax paid by them, nor any franchise tax. On the merits, it

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appears that we should adopt the policy of allowing those who create the laws, ourselves, to allow the issues to have public exposure and in the public domain. There's a free issue, a library issue, a public domain issue that I think Representative... one of the speaker's before brought to our attention. But how do you explain that if you go home? If you don't override this veto, how do you explain that to the business groups that are in support of this issue? How do you explain that to all of the other people that are in support of this issue, because there's no one else that you have to explain it to? There's nobody here that owns that stock, they're all in another state. And they are not contributing those franchise taxes to the State of Illinois. As some political person once said, 'Some of my friends are for it, some of my friends are against it and I stand with my friends.' On this one, the merits indicate that we should override the Governor's veto, that we should allow free competition, that we should allow public domain on the laws that we've been paying to have organized and published. And I would ask that the Governor's veto be overridden."

Speaker Madigan: "Mr. Klemm."

Klemm: "Thank you, Mr. Speaker. I totally disagree with the other speaker. This Bill should never have even appeared before the General Assembly. You know, we've created in the Federal government laws for copyright, patents, trademarks, and they in effect are a monopoly granted to those that receive them. For us to sit here now and say that we'll get into the issue of who has a copyright and who doesn't, which company wishes to either infringe or to erroneously claim copyright, should be our domain of determination would be wrong. Because a publishing company wishes now at this point in time to say, 'Hey, I can make



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some money if I can do this, let's throw out the other person's copyright,' would be a...an incorrect public policy we should make. Now I used an example to one of the lobbyist's, I said, what if Caterpillar Tractor, an Illinois corporation, saw a Ford Motor Company in Michigan having a patent on some tractor or trailer or something, and they could say that, hey, why don't we go to the General Assembly and void that patent that Ford Motor Company has, because it would be good for Caterpillar and it would be good for Illinois highways and we would save money, etc? And that would be wrong, because you would know that wouldn't be the domain of this General Assembly. So whether they have a copyright by West Publishing, that's fine. And if they don't have a valid copyright as the Attorney General says they don't, that's fine too, because then that publishing company who wishes to do it, should go ahead and do it and let West sue them. Let that be a litigation in civil court and not in the General Assembly for us to decide. The Governor was absolutely correct, this issue shouldn't be here. We should sustain his veto and vote against this motion."

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

McPike: "Excuse me, Mr. Speaker, Mr. Cullerton is going to close."

Speaker Madigan: "Mr. McPike. Did you wish to speak? Mr. Cullerton, to close."

Cullerton: "Yes. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to answer if I could, briefly some of the points that were raised. You know, I don't think when a public access to statutes is at stake, we should just sit on the sidelines and say, 'Well why don't you boys go into court for five years and litigate.' That's not the response, the responsible response that we should give."

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The problem here is, that the numbering system that was initially drafted by the state, which for some strange reason West says they have a property interest in, is intricately tied to the actual statutes themselves. You can't read the statutes without knowing the numbering system. And so, if you really want public access, you have to own the numbering system as well. It shouldn't be... there shouldn't be any question that we own the numbering system. Just because they've had a monopoly on the publishing of that numbering system doesn't mean that we don't own the system, or shouldn't own the system. The copyright argument, if you want to get into it, sure there might be two sides to the story, but I think it's clear when you realize the history of it and you read the Attorney General's opinion, that that is not the case that they do not have a copyright. But in either case, we have to make a statement that we have access to our own laws. We passed a Bill a couple of years ago saying that we have access to our own laws and the West Publishing Company has fought with the Reference Bureau in an attempt to implement that Bill. This Bill is necessary to do so. I would urge an 'aye' vote."

Speaker Madigan: "The question is: 'Shall this Bill become... shall this Bill pass, the veto of the Governor notwithstanding?' On that question those in favor of the motion will signify by voting 'aye', those opposed by voting 'no'. Representative Currie, to explain her vote."

Currie: "Thank you, Mr. Speaker. Not to explain my vote, but to announce that I have a potential for a conflict of interest in this legislation. And so I will vote 'present'."

Speaker Madigan: "Have all voted who wish? Mr. McPike, to explain his vote."

McPike: "Well thank you, Mr. Speaker. I'm not sure that we're

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going to get seventy-one votes here. I hope we do. But to say that this was rammed down our throat in a Conference Committee Report is a little disturbing. I introduced a Bill two years ago, the request of a lobbyist in town, that wanted to have access to LRB. It was in 1985. And we passed the Bill through the Committee, off the House floor and we had one 'no' vote on the House floor, passed it out of Senate Committee and off the Senate floor with no opposing votes and the Governor signed the Bill. We tried to provide access to individuals to LRB's computers and West came in and stopped us from doing it. This was simply trying to implement the Bill that this General Assembly overwhelmingly passed in 1985. I have never seen a Bill like this in my eleven years in the General Assembly. No one in your district cares about this Bill. No one has ever heard about his Bill. No one will ever write you a letter on this Bill. No one will ever know how you voted on this Bill, but the lobbyists are going to know, the lobbyists are going to know. So West went out and hired all the powerful lobbyists they could find and they went to the Governor. And it was just a contest to see which lobbyist was the strongest with the Governor. And I guess West hired the right lobbyist, because the Governor vetoed the Bill. Head then turns around and has to hire another group of lobbyists to try to pass this Bill. There should be no lobbyists working this Bill whatsoever. It was passed unanimously in 1985. It was passed unanimously in 1987. And there should be no discussion of the Bill, there certainly shouldn't be any controversy over this Bill. Everybody in the General Assembly has already voted for it twice and now it's something that somebody snuck through. I would ask you to for once in your life, not pay attention to 25 lobbyists, unless you're just trying to create the

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full employment Act for lobbyists in 1988. Just vote for the Bill."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. Mr. Cullerton."

Cullerton: "Yes. I... does this need sixty-nine votes? I think maybe we better have a poll of the absentees."

Speaker Madigan: "The Clerk shall poll the absentees."

Clerk O'Brien: "Farley. No further absentees."

Speaker Madigan: "Representative Flowers, are you seeking recognition?"

Flowers: "I would like change my vote to 'aye', please."

Speaker Madigan: "Record Representative Flowers as 'aye'. Mr. Black."

Black: "Thank you, Mr. Speaker. Please record my vote as 'no'."

Speaker Madigan: "Record Mr. Black as 'no'. Mr. Huff. Mr. Huff."

Huff: "Yes. Mr. Speaker, how am I recorded?"

Speaker Madigan: "You're recorded as 'present'."

Huff: "Vote me 'aye'."

Speaker Madigan: "Record Mr. Huff as 'aye'. Mr. Bowman."

Bowman: "I just wanted to explain my seatmate's vote."

Speaker Madigan: "Jones. Mr. Kubik."

Kubik: "Yes, Mr. Speaker. I thought as long as we're waiting, maybe we could have Representative Phelps sing a few bars of God Bless America while we're waiting."

Speaker Madigan: "Mr. Phelps. Mr. Kirkland. Mr. Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I rise on this very important issue, because the people in Lawndale are really concerned and committed about who writes the statutes in the State of Illinois. More importantly, I'm one of those who've been polled all day for the last couple of days and I thought this was the week for dealing with educational funding. I've heard more

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people talk to me about the statutes than anybody has questioned me about the kids in school. I just proposed a question recently to one of the lobbyist's about how many minorities does West or does Mead have working for them. I was told that, 'Well you know in Minnesota there aren't any blacks. So we know that West doesn't have any working for them in the State of Minnesota.' Well for my... I do... you know I had a chance to go to Minnesota and I've seen a few blacks up there and I know there are a lot of Indians up there, so I would hope that West has its quota of minorities. I don't know what Mead is doing here in Illinois. They say it's 700 jobs or more involved here in this... and I'm certain that there's more money than there is jobs that's being discussed. But I'm going to change my vote from 'no' to 'yes' and only with the hope... I'm sending a message to Mead that we're definately going to be looking at affirmative action programs to see how many minorities are going to benefit from this proposal. You know I don't think again, that some of the people in Lawndale are more concerned about reading these statutes as they are having the ability to print them. And to Mead, I would certainly like to let them know that I will be sending applications to their offices just as soon as I hit this green button. For that reason I will change my vote to 'yes'."

Speaker Madigan: "Record Mr. Turner as 'aye'. Mr. Rice wishes to be recorded as 'aye'. Mr. Kirkland."

Kirkland: "Vote me 'no', please."

Speaker Madigan: "To be recorded as 'no'. On this question there are 71 'ayes' and 37 'nos'. Representative Williamson."

Williamson: "Change to 'no'."

Speaker Madigan: "Record Representative Williamson as 'no'. Mr. McCracken, are you requesting a verification? Mr. Van

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Duyme."

Van Duyme: "Mr. Speaker, should we have a fifteen minute recess?"

Speaker Madigan: "Mr. Morrow. Mr. Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am also in agreement with my colleague, Representative Turner, in the issue of this Bill. I have been lobbied more on this Bill than any other Bill since I've been in office. And I think it's a shame that so much interest is placed on this Bill, which has nothing to do with the 32nd district, than any other Bill. I think we need to be ashamed of this Bill. I will change my vote to 'aye', but I want to be on the record that I am appalled at the conduct of some of our Members and some of the lobbyists concerning this matter. Change my vote to 'aye', Mr. Clerk."

Speaker Madigan: "Record Mr. Morrow as 'aye'. So on this question there are 71 'ayes' and 37 'nos' and there has been a request for a verification. Mr. Clerk, read the names of those voting in the affirmative."

Clerk O'Brien: "Bowman. Braun. Brunsvold. Bugielski. Capparelli. Christensen. Countryman. Cowlshaw. Cullerton. Curran. Daley. Davis. DeJaegher. DeLeo. Didrickson. Dunn. Flinn. Flowers. Frederick. Giorgi. Granberg. Hannig. Harris. Hartke. Hasara. Hicks. Huff. Hultgren. Jones. Krska. Kubik. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. McGann."

Speaker Madigan: "Mr. McCracken, would you verify Mr. Flinn? Right here. Thank you."

Clerk O'Brien: "McNamara. McPike. Morrow. Mulcahey. Novak. O'Connell. Myron Olson. Phelps. Piel. Preston. Rea. Rice. Richmond. Ropp. Ryder. Saltsman. Satterthwaite. Sieben. Stange. Steczo. Sutker. Tuerk. Turner. Van

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Duyme. Weaver. White. Williams. Wojcik. Wolf. Anthony  
Young. Hyvetter Younge. And Mr. Speaker."

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

McCracken: "Representative Rice, Mr. Speaker?"

Speaker Madigan: "Mr. McCracken, I missed your question. Did  
you have a question?"

McCracken: "Yes. Representative Rice?"

Speaker Madigan: "Remove Mr. Rice."

McCracken: "Representative Saltsman?"

Speaker Madigan: "Is in the front of the chamber."

McCracken: "Representative Krska?"

Speaker Madigan: "Mr. Krska is in his chair."

McCracken: "Representative Jones?"

Speaker Madigan: "Representative Jones is in the center aisle."

McCracken: "Representative Davis?"

Speaker Madigan: "Representative Davis is in the chamber."

McCracken: "Representative Piel?"

Speaker Madigan: "Mr. Piel is in the front of the chamber."

McCracken: "Representative Myron Olson?"

Speaker Madigan: "Mr. Olson is in the chamber."

McCracken: "Representative Hicks?"

Speaker Madigan: "Mr. Hicks? Mr. Hicks is in the center aisle,  
in the rear of the chamber."

McCracken: "Representative McGann?"

Speaker Madigan: "Mr. McGann? Is Mr. McGann in the chamber?  
Remove Mr. McGann."

McCracken: "Representative White?"

Speaker Madigan: "Mr. White? Is Mr. White in the chamber? Mr.  
White is in the chamber."

McCracken: "Representative Weaver?"

Speaker Madigan: "Mr. Weaver is on the side."

McCracken: "Nothing further."

Speaker Madigan: "Restore Mr. McGann to the Roll Call. The Chair

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recognizes Representative Breslin. The Chair recognizes Representative Breslin. One second Representative. Mr. Tuerk are you seeking recognition?"

Tuerk: "This is probably the toughest thing I've ever done in my nineteen years down here; for the simple reason that I was on the Legislative Reference Bureau some years ago and we began discussing this problem and it was never clear to any of us exactly where we stood. And I said I'd help put the Bill in, get it through as best I could. Now we come to the point where we're down to the nitty-gritty and I'm a Cosponsor of this doggone Bill. This sort of pressure shouldn't happen to a guy who just got out of open-heart surgery. But at the moment I'm going to change my vote to 'no'. And I'll tell you that is a tough, tough thing to do, believe me."

Speaker Madigan: "...Mr. Tuerk to 'no'. Mr. Cullerton."

Cullerton: "Yes, I just wanted to indicate, Mr. Speaker, that I'm the other Cosponsor with Representative Tuerk and it's not my intention to change my vote. I'm going to vote for the Bill that I sponsored."

Speaker Madigan: "Representative Stern."

Stern: "Mr. Tuerk. Mr. Tuerk, and Members of the House, Mr. Houlihan, I rather reluctantly change... ask to change my vote from 'no' to 'aye'."

Speaker Madigan: "Record Representative Stern as 'aye'. Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, the reason I vote 'no' is primarily not on the issue of the Bill because I think the issue of the Bill is quite frankly very complicated. And there are merits on both sides. I vote 'no' because I disagreed with the process by which it passed this Assembly in the first place. It is important for people to know that in spite of the various banter that



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has gone on on this House floor, there was a concerted attempt by lobbyists and by Members to keep the majority of this Body uninformed as to what this Bill did. And it went through the entire process until it went to the Governor. For those who care about representative democracy, it is important that your Legislative Bodies know what is in the Bills. With the commitment that that will not happen again, to this Assembly, I will change my vote from 'no' to 'aye'."

Speaker Madigan: "Mr. Hultgren."

Hultgren: "I would like to change my vote from 'aye' to 'no'."

Speaker Madigan: "Change Representative Breslin from 'no' to 'aye'. Then change Mr. Hultgren from 'aye' to 'no'. Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. The conflict to which I earlier referred, is the kind of conflict that I think means one is better off not voting on either side of an issue like this. However, the statute is quite clear, if I am voting against a perceived economic interest, there is no question that a vote is appropriate. While that was not my initial preference, a 'yes' vote on this issue would clearly deny, obviate any potential conflict of interest I may have. On those grounds I change my vote from 'present' to 'yes'."

Speaker Madigan: "Record Representative Currie as 'aye'. Representative Wojcik."

Wojcik: "After considerable thought I'd like to change my vote from 'aye' to 'no'."

Speaker Madigan: "Record Representative Wojcik as 'no'. Mr. Dunn."

Dunn: "Could the record show that I haven't been running around here trying to help either side?"

Speaker Madigan: "On this question, there are 70 'ayes' and 38

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'nos'. The motion fails. On page 11 of the Calendar there appears House Bill 1848. Mr. Cullerton on motion #1."

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

Speaker Madigan: "Mr. Cullerton, we'll take this out of the record for one minute. Representative Wojcik will be in the Chair for an announcement, ceremonial function. Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker. I've waited five years to get up to this podium. It's kind of nice to look out there at all of you after all the stress and strain of the day. I'm waiting for the rest of the troops to come here. There's a joy about being a woman and having children. And the most precious joy is when your children get to know and go to school with such a delightful lady to my left. Cindi Hodgkins, is a friend and a dear girl. She lives in Schaumburg. She went to Schaumburg High School and she is now Miss Illinois. Not only is she Miss Illinois, she's also a very sweet lady. So, I have the great pleasure of being up here and saying that it's a wonderful happening for myself and my family to have known Cindi and to be a part of this wonderful occasion. And because of her becoming Miss Illinois, I have prepared a Resolution and for all of the August Body to listen to, I'd like to present it to Cindi."

WHEREAS, The members of this body are delighted to recognize the outstanding talents of Cynthia Ann Hodgkins, Miss Illinois 1987; and

WHEREAS, A resident of Schaumburg, Cindi Hodgkins is currently enrolled in acting classes at the Jane Brody Audition Centre and Act 1 and she attended Illinois State University and Columbia College; and

WHEREAS, As a full time model, actress and singer, Cindi

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Hodgkins has appeared in fashion shows, print ads, commercials and trade shows and she has appeared in television shows as well as a new John Hugh's film; and  
WHEREAS, In 1982, Cindi Hodgkins was Miss Schaumburg; in 1984, Miss Kankakee; in 1984, Miss Illinois Swimsuit Preliminary Winner; in 1984, 1st runner-up to Miss North Region; and in 1986, 1st runner-up to Miss Chicago; and

WHEREAS, Cindi Hodgkins is a member of Phi Eta Sigma and Alpha Lambda Delta, national scholarship (sic - scholastic) honorary sororities; and

WHEREAS, Throughout her high school and college career, Cindi Hodgkins has received various honors and she continues to be active in gymnastics, horseback riding, bike riding and voice; and

WHEREAS, As Miss Illinois, Cindi Hodgkins participated in the Miss America pageant in September and she hopes to go on in acting and eventually land a role in a soap opera or television series; therefore be it resolved, by the House of Representatives of the 85th General Assembly of the State of Illinois, that we congratulate Cindi Hodgkins on her various accomplishments; that we commend her on her hard work and her dedication; and that we extend our best wishes to her for continued success in her future endeavors; and be it further resolved, that a suitable copy of this Preamble and Resolution be presented to Cindi Hodgkins, adopted by the House of Representatives on October 20, 1987. Micheal J. Madigan, Speaker of the House. Representative Wojcik and Representative Parke. I think we'd like to hear a little bit from Cindi and it does give me pleasure to present her to you."

Cindi Hodgkins: "Thank you. Thanks. I would just like to thank you all very much for having me here... you don't have to vote on this do you? Thank you very much for having me

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here today. It's certainly a pleasure and quite thrilling. I've never experienced anything like this before and it's certainly a pleasure. I'd like to also introduce you to the executive director of the Miss Amer... or Miss Illinois pageant for the Miss America Scholarship program, Mr. Jack Collins and of course, his wife, Ruth."

Wojcik: "Thank you all and I guess now back to work."

Cindi Hodgkins: "We're adjourned."

Speaker Madigan: "Returning to House Bill 1924, Mr. Cullerton."

Cullerton: "Not 1924, Mr. Speaker. Although if Miss Illinois... if Representative Giglio knew that Miss Illinois was here, maybe he would have made it here for the vote."

Speaker Madigan: "You're correct, Mr. Cullerton, it would be House Bill 1848."

Cullerton: "Right. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This... The Bill which passed 106 to 0, prohibited compulsory retirement for state employees and state judges at any age. I think the veto of the Governor was inadvertent. What the Governor was saying in his veto message is, is what we agree with that we want to prevent confusion with regard to the state and federal laws on compulsory retirement. But, in order to achieve that, what the Governor should have done was to, to be consistent with federal law, was to sign the Bill. The federal law recently eliminated the compulsory retirement for most, well there were a few exceptions, but for most employees. This change in federal law had the effect of invalidating compulsory retirement plans in the state and this Bill was just consistent with eliminating the compulsory retirement plans. So, for that reason, I would ask for the motion to override the veto. I don't think there's anything controversial about it."

Speaker Madigan: "The Gentleman has moved that House Bill 1848

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shall pass, the veto of the Governor notwithstanding. And on that question, the Chair recognizes Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

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

Hoffman: "My... my analysis of the Bill refers to a Senate Bill 256 that had been signed by... by the Governor. And apparently there is some conflict involved here, would you clarify that conflict for me please, if it does in fact exist?"

Cullerton: "Yes. If you give me... give me a second on... finding Senate Bill 256. I should have alluded to that because I think that's right that the Governor did. Yes, Representative, I believe that the... that... this is the crux of the... of the contra... of the confusion that the Governor had. My understanding that what that Senate Bill did, was to remove the cap of, I think it was 70, in the Human Rights Act and for... in an effort to bring a action for age discrimination. So, the Governor signed that Bill. But, the... but this Bill, what this Bill does is to prohibit compulsory retirement for state employees and judges at any age. So, the two are not... the two actions are not consistent. There's no conflict between the two, if he was to sign... had he signed this and signed the other one there would have not have been a conflict even though that's what his message states."

Hoffman: "My understanding is, according to LRB, that if this is overridden and Senate Bill 256 is still on the books, that you're going to have a conflict in the statute that also relates to the federal requirements..."

Cullerton: "Okay, I'll tell you what, I didn't think that there was any conflict. If there is, I think what I should do is take it out of the record. We'll talk... I see you have

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some staff people there next to you, I have the same and we'll throw our staffs together in a room and they'll put their heads together and form a rock garden."

Hoffman: "Fine. Good suggestion."

Cullerton: "So, fine. So, Mr. Speaker, If I could take this out of the record at this time so we can clear up the... Speaker, if I could take this Bill out of the record, we'll confer with the staffs."

Speaker Madigan: "The matter shall be taken from the record. Page 9 of the Calendar on the Order of Total Veto Motions there appears House Bill 708. Mr. Hannig. Mr. Hannig."

Hannig: "Thank you, Mr. Speaker, Members of the House. This Bill brings us back to the AG package that we started to debate earlier this afternoon. It's a one page Bill which passed this House earlier with an 89 vote margin and obviously received bipartisan support. It's a very simple concept that was brought about by a disclosure by some of the Springfield media last year that in the state prisons in this state, we were purchasing farm products while at the same time the Illinois farmers were struggling to make ends meet. This Bill simply says that in those areas where the State of Illinois has farmers, or where the United States has... has agricultural production, that we will buy United States products. It does not restrict us to Illinois products. But, it does restrict us to United States products in those areas where we do produce those goods. Now, it's unfortunate and I think in many cases, ridiculous that the State of Illinois in some ways are working to try to help solve the plight of the farmer and in other ways can be contributing to the plight of the farmer by going way out of our way to buy products abroad when we, without question, are the most efficient producers of agricultural products in the world. So, what this Bill simply says, is

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that we will send a message to the farmer and a message to the State of Illinois that we will buy agricultural products grown here in the United States whenever that is feasible. I can't believe that anyone could oppose that concept. I know that some may. But to me it makes perfectly good sense that the American farmer, the most efficient farmer in the world, ought to be supported in his own state and his own country. And I would ask for your 'yes' vote in an override motion."

Speaker Breslin: "The Gentleman has moved to override the Governor's veto of House Bill 708. And on that question, the Gentleman from Vermillion, Representative Black."

Black: "Thank you very much, Madam Speaker. Will the Gentleman yield?"

Speaker Breslin: "He will."

Black: "Representative, let me just ask you a question and I have voted with you on two previous occasions on this Bill and I know that the farmers in my district would expect me to vote with you again. But, since we last voted on this issue a couple of questions have come up, perhaps you could clarify it. Those questions are... the question... the basic question is as follows: What happens if upon passage of this Bill, we get ourselves into a position where a third world country or a current customer of the State of Illinois, a major importer of our soybeans, our wheat, our corn, whatever that might be, might misinterpret this rule? I think I know where you're headed and I agree with you. But, if there's a misinterpretation and a world market is cut off for our farmers, will you then stand with me to either refine or repeal this law?"

Hannig: "Yes, absolutely, Representative, the thrust of the Bill is to try and help the American farmer. And if it can... and if this somehow and someday is detrimental, I'll be the

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first to come here and ask to repeal that, those provisions. But I don't believe at this point that that would be a problem."

Black: "Thank you very much."

Speaker Breslin: "Any further discussion? The Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Madam Speaker and Members of the House. If the intent is to help the farmers let me assure you that large support to do whatever you can to reverse situations that might be incurred by the passage of this Bill, do not come easy. And let me go back to a number of trade embargoes that we had here in the United States. We have still not retained those markets that we had prior to those embargoes. I certainly don't want to be placed in a position that we will be placed in should this Bill become law. And we again, see other countries beginning to place their barriers up on American products, that would ultimately be the detriment to the American farmer rather than the enhancement. The way we expand and help farmers in this country is to expand our markets, to be more aggressive, to be more efficient and produce the kind of quality products that we have done in the past. Don't start this kind of a buy America food product, and as a result, you're going to be the first ones to start the border around Illinois and other states from which countries will not purchase our products because of this endeavor. Trade is a two way street. We must continue it and please don't start to develop this barrier."

Speaker Breslin: "Any further discussion? There being none, Representative Hannig, to close."

Hannig: "Yes, thank you, Madam Speaker. Just to reiterate what I said in the opening, this Bill got 89 votes and we passed it earlier in the year. And I don't see any reason why we



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shouldn't give it 89 votes again today. We're trying to simply say to the American farmer and to the American people that we don't believe that they should be subject to unfair competition. The real problem existed in this specific case because a country that does not even believe in the capitalist way, where there is no free enterprise, where there is no free exchange of ideas or services, brought their products into this country and simply undercut our markets. Now, if you take the American farmer and put him up against any other farmer in the world, I dare say that he will be the most efficient producer of agriculture, whether it be hogs or whether it be cattle or whether it be corn or beans or what have you, and when we give him the fair shake he's going to win out. And all we're doing with this piece of legislation is saying, let's not subject our farmers to unfair competition from systems that don't recognize free enterprise and free trade and not put them in an unfair position when it comes to trading. It's a good piece of legislation for American farmers and I'd ask for a 'yes' vote."

Speaker Breslin: "The question is, 'Shall House Bill 708 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This motion requires 71 votes to carry. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 74 voting 'aye', 41 voting 'no', and none voting 'present'. Representative McCracken requests a verification? Representative McCracken does request a verification. Poll the Absentees, Mr. Clerk and then proceed with a Poll of the Affirmative."

Clerk Leone: "There are no Members that are presently not voting."

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Speaker Breslin: "Proceed with the Poll of the Affirmative."

Clerk Leone: "Poll of the Affirmative. Berrios. Black. Bowman. Braun. Breslin. Brunsvold. Bugielski. Capparelli. Christensen. Cullerton. Curran. Currie. Daley. Davis. DeJaegher. DeLeo. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Goforth. Granberg. Hannig. Hartke. Hasara. Hicks. Homer. Huff. Hultgren. Jones. Krska. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McAuliffe. McGann. McNamara. McPike. Morrow. Mulcahey. Novak. O'Connell. Phelps. Preston. Rea. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Slater. Steczko. Stern. Sutker. Terzich. Turner. Van Duyne. Wait. Weaver. White. Williams. Wolf. Anthony Young. Wyvetter Younge and Mr. Speaker."

Speaker Breslin: "Do you have any questions of the Affirmative Roll, Mr. McCracken? Proceed."

McCracken: "Thank you, Madam Speaker. Representative Giglio?"

Speaker Breslin: "Representative Giglio? Frank Giglio is not in the chamber, remove him from the Roll Call."

McCracken: "Representative Flinn?"

Speaker Breslin: "Representative Flinn? Monroe Flinn? The Gentleman is not in the chamber, remove him from the Roll Call."

McCracken: "Representative Richmond?"

Speaker Breslin: "Representative Richmond? The Gentleman is not in the chamber, remove him from the Roll Call."

McCracken: "This is too easy. Representative Hicks?"

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

McCracken: "Representative Shaw?"

Speaker Breslin: "Representative Shaw? Bill Shaw? The Gentleman is not in the chamber, remove him from the Roll Call."

McCracken: "Representative Ronan?"

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Speaker Breslin: "Representative Ronan? The Gentleman is not in the chamber, remove him from the Roll Call."

McCracken: "Representative Rea?"

Speaker Breslin: "Representative Rea? Jim Rea? The Gentleman is not in the chamber, remo... the Gentleman is on the Republican side of the aisle, not permanently."

McCracken: "Representative... Representative Huff?"

Speaker Breslin: "Representative Huff? The Gentleman is not in the chamber, remove him from the Roll Call."

McCracken: "Representative Hartke?"

Speaker Breslin: "The Gentleman is in the chamber. On your side of the aisle."

McCracken: "Okay. Representative Morrow?"

Speaker Breslin: "Representative Morrow? Representative Morrow? The Gentleman is in the chamber."

McCracken: "I see him. He's right there. Representative DeJaegher?"

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

McCracken: "Representative Sutker?"

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

McCracken: "Representative Giorgi?"

Speaker Breslin: "He's here."

McCracken: "Nothing further."

Speaker Breslin: "On this question, there are 68 voting 'aye', 41 voting 'no', and none voting 'present'. And this Motion fails. With leave of the Body, I would like to go back to the Bill that Representative Cullerton just took out of the record, House Bill 1848. Is there any objection? Hearing none, Representative Cullerton on House Bill 1848."

Cullerton: "Yes, thank you, Madam Speaker, and Ladies and Gentlemen of the House. Fortunately, we did take that Bill out of the record before because there was a potential misunderstanding as to what we were trying to do with this

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amendatory veto. Let me refer to the... this Bill which says, 'No compulsory retirement age shall be established or maintained for or applied to any person in the employment of the state government.' That is Section 1 of House Bill 1848. The concern is with Senate Bill 256, which was signed by the Governor. And in Section 2-104(5)(c), it reads: 'That until January 1st, 1994, nothing in this Act shall be construed to prohibit compulsory retirement of any employee who's attained 7 (sic - 70) years of age, and who is serving under a contract of unlimited tenure, or similar arrangement providing for unlimited tenure, and an institution of higher education.' It's our intent by overriding this veto, that this section, the one I just read, is still going to be the law. In other words, this is in the Human Rights Act and that will still be the law. That would not be con... deemed to be in conflict with Section 1 of this Bill that we are passing. If there's any need for any further clarification, I'd be happy to answer any questions, but I think that we've cleared up the issue that was raised by Representative Hoffman and I would urge an 'aye' vote."

Speaker Breslin: "The Gentleman has moved to override the Governor's Veto of House Bill 1848. And on that question, the Gentleman from Dupage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. I wonder if the Sponsor would yield for a couple of questions?"

Cullerton: "Yes."

McCracken: "In parts, House Bill 1848 repeals what is known as the Compulsory Retirement of Judges Act. Is that correct?"

Cullerton: "That's correct."

McCracken: "And the intent of the Bill is not to supersede Senate Bill 256, which is currently on the Governor's desk or may have already been signed?"

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Cullerton: "That is absolutely correct."

McCracken: "So, this applies only to judges regardless of the language regarding state employees?"

Cullerton: "I think that... yes, I think that's correct."

McCracken: "Okay. That's fine. Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall House Bill 1848 pass, the veto of the Governor notwithstanding?' 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 108 voting 'aye', 7 voting 'no', and none voting 'present'. And this Motion having received the required 3/5ths Majority, is adopted. We'll now go back to page 9 on your Calendar where we left off. That's Total Veto Motions, page 9 on your Calendar. House Bill 718 is the next Bill. Representative Hicks. Clerk, read the motion."

Clerk Leone: "I move that House Bill 718 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Hicks."

Hicks: "Thank you, Madam Speaker. Madam Speaker, due to the day's activity and all the motions that we have before us today concerning education and many other issues, I would like to withdraw my motion to override the Governor on this Bill."

Speaker Breslin: "The motion is withdrawn. Next Bill, House Bill 819. Representative Flowers. Representative Flowers. Out of the record. House Bill 842. Representative Sutker. Clerk, read the motion."

Clerk Leone: "I move that House Bill 842 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Sutker."

Sutker: "Madam Speaker, House Bill 842 has been incorporated in

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Senate Bill 524. Totally and completely. Therefore I move to withdraw my motion."

Speaker Breslin: "Withdraw the motion, Mr. Clerk. Next Bill, House Bill 848. Representative McGann. Clerk, read the motion."

Clerk Leone: "I move that House Bill 848 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative McGann."

McGann: "Thank you, Madam Speaker, Members of the Assembly. I move to override the total veto... veto of House Bill 848. This is a Mental Health legislation. It's not a new mandate. It has specific staffing targets. The Bill was in response to findings of the Governor's task force on the future of mental health in Illinois; which found that the facilities, particularly in the Chicago area and throughout the state, are facing many critical problems, including overcrowding, poor quality of care. The League of Women Voters concluded with the staff level of these facilities were the bare minimum. This no... there is no cost to the plan. It's a plan to be sure to have the proper staffing within these facilities. And during our subcommittee work we found the problem to be very, very serious and we are losing federal dollars from de-certifying through our actual in neglect in making sure that we have certain guidelines in the work loads and standards for its personnel. So I'd ask a favorable vote to override House Bill... to override the veto on House Bill 848."

Speaker Breslin: "The Gentleman has moved to override the Governor's Veto of House Bill 848. And on that question, is there any discussion? Hearing none, the question... The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. As I understand, oops, would the Gentleman yield for a question?"

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Speaker Breslin: "He will."

McCracken: "Does this create a caseload standard to be met by the department? That is, is it discretionary or are they required to meet this?"

McGann: "There is no mandate here. What it's doing is it's setting guidelines on what the staffing should be."

McCracken: "So, it is... it is not a mandate?"

McGann: "It's discretionary. It's not a mandate."

McCracken: "As I understand it, there was a Senate Amendment which was ultimately withdrawn, which would have made this discretionary and that according to our analysis, it is currently mandated under this form as you propose in overriding the veto. Isn't that right?"

McGann: "This is correct. Maybe I could just read this paragraph from our staff. This came out... this Bill came out of... Representative McCracken, this Bill came out of the subcommittee in which Representative Ryder was the Spokesperson for your side of the aisle and the subcommittee worked very hard to try and work along the guidelines to satisfy the department and also to satisfy the need to have these guidelines. The department proposed Senate... number one to clarify the specific language. And such an Amendment would have been acceptable. Even with such a clarification, the intent and specific language do not represent any new mandate or cost. The department would not be obligated to hire anymore staff than it could afford within available appropriations."

McCracken: "Okay. Thank you."

Speaker Breslin: "Any further discussion? Hearing none, the question is, 'Shall House Bill 848 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? This requires 71

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votes to override. Have all voted who wish? The Clerk will take the record. On this question, there are 71 voting 'aye', 38 voting 'no' and 3 voting 'present'. Representative McCracken asks for a verification of the Roll Call. Poll the Absentees, Mr. Clerk."

Clerk Leone: "There are no Members who are not absent, who are not voting."

Speaker Breslin: "Poll the Affirmative. Excuse me, Representative Saltsman?"

Saltsman: "Record me as 'aye'."

Speaker Breslin: "Record Representative Saltsman as voting 'aye'. Poll the Affirmative, Mr. Clerk."

Clerk Leone: "Poll of the Affirmative. Berrios. Bowman. Braun. Breslin. Bugielski. Capparelli. Christensen. Cullerton. Curran. Currie. Daley. Davis. DeJaegher. DeLeo. Didrickson. Farley. Flinn. Flowers. Virginia Frederick. Giglio. Giorgi. Goforth. Granberg. Hannig. Hartke. Hasara. Hicks. Homer. Huff. Jones. Kirkland. Krska. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McAuliffe. McGann. McNamara. McPike. Morrow. Mulcahey. Novak. O'Connell. Myron Olson. Preston. Rea. Rice. Richmond. Ronan. Ropp. Ryder. Saltsman. Satterthwaite. Shaw. Steczo. Stern. Sutker. Terzich. Turner. Van Duynes. White. Williamson. Wolf. Anthony Young. Hyvetter Younge and Mr. Speaker."

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

McCracken: "Representative Christensen?"

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

McCracken: "Representative Richmond?"

Speaker Breslin: "Representative Richmond is not in the chamber, remove him from the Roll Call."



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McCracken: "Representative Hartke, oh he's right here.  
Representative Flinn?"

Speaker Breslin: "Representative Flinn? The Gentleman is not in  
the chamber, remove him from the Roll Call."

McCracken: "Representative Giglio?"

Speaker Breslin: "Representative Giglio? Frank Giglio? The  
Gentleman is not in the chamber, remove him from the Roll  
Call."

McCracken: "Rep... Representative Ronan?"

Speaker Breslin: "Representative Ronan is not in the chamber,  
remove him from the Roll Call."

McCracken: "Representative Levin?"

Speaker Breslin: "Representative Levin? Ellis Levin? The  
Gentleman is not in the chamber, remove him from the Roll  
Call."

McCracken: "Representative Brunsvold?"

Speaker Breslin: "Representative Brunsvold? Joel Brunsvold? The  
Gentleman is not in the chamber, remove him from the Roll  
Call."

McCracken: "Representative Leverenz?"

Speaker Breslin: "Excuse me, Representative Brunsvold was voting  
'present'."

McCracken: "That's fine."

Speaker Breslin: "So leave his vote as recorded."

McCracken: "Representative O'Connell?"

Speaker Breslin: "Representative O'Connell? John O'Connell? The  
Gentleman is not in the chamber, remove him from the Roll  
Call. Representative Leverenz asks leave to be verified?  
He has leave."

McCracken: "Okay. Nothing further."

Speaker Breslin: "Representative Phelps wishes to change his vote  
from 'present' to 'aye'. On this question...  
Representative Ronan has returned to the chamber, add him

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to the Roll Call voting 'aye'. On this question, there are 68 voting 'aye', 38 voting 'no' and 2 voting 'present'. And the Motion fails. The next Bill is House Bill 866. Representative Terzich. Out of the record. House Bill 934. Representative Didrickson. Clerk, read the Motion."

Clerk Leone: "I move that House Bill 934 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Didrickson."

Didrickson: "Thank you, Madam Speaker, Members of the House. I hope that I can remain calm with this Bill. This is alternatives to breast surgery. In explanation, it's a Bill that passed out of this House 114 to nothing, flew out of the Senate 51 to nothing. There was agreed to language by the docs and don't know how many of you have been lobbied by the docs here on this House floor, but I will tell you that if you have, have you asked them why they are opposing this Bill now? I haven't heard a good explanation from them. And I will tell you right from the beginning before I explain the Bill, that when I explain the Bill the language that I am explaining is language that was agreed to by the lobbyist for the Medical Society, with Senator Berman and myself. And what that does is, we put in there a disclaimer so that if indeed a physician didn't make this pamphlet available to women, who are faced with the decision of alternatives to a specific type of surgery for breast cancer, that there would be made available for them in that physicians office, a pamphlet. The doctors also objected to the fact that they were going to have to pay for the printing of that pamphlet. So we put the onerous burden on the Department of Public Health. That cost is estimated to be about \$17,000 a year. This pamphlet that will be made available explaining the different alternative surgical forms, does not have to have a verbal explanation,

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but it does need to be made available to them, just as we are now going to be making available a brochure which will be printed by the Department of Public Health on whooping cough. That Bill was also vetoed by the Governor on taxpayers day because of the cost. And the Senate has just overridden that. Senator Schuneman is the Sponsor in the Senate and my seatmate, Representative Ryder is the Sponsor in the House. What we are talking about is an issue here, whereby women will be made informed that a lumpectomy is just as successful in terms of treatment of breast cancer as is a radical or a modified radical mastectomy. Now, this may not concern either anybody on this floor specifically, I really don't know who has or hasn't been touched personally by this kind of surgery. But certainly all of us know a loved one or a good friend who has been. Because recent statistics are showing that one out of ten women are going to be faced with this decision. The Governor didn't veto this Bill because he didn't want women to be informed. In fact he said nothing about his reason for vetoing this Bill other than the fact that it cost \$17,000 and he was going to save taxpayers \$17,000. Well I submit to you, that this \$17,000 cost, if indeed it is that, is a small price to pay to allow the women across the state to know that they have these options available to them. For if you're in rural small town America, rural small town Illinois, or if you're in a certain medical complex of a major city... major medical complex in a certain part of one city and not in another, you may never know about the recent research that was printed in the New England Journal of Medicine about your alternatives and your choices. That's all this Bill does. A hundred and fourteen of you voted for it again... before. I ask for you to vote for it again to override the Governor's veto

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and let the women in the State of Illinois have that brochure, that pamphlet made available to them in the doctor's office just as we do for whooping cough or for tetanus or for a whole host of other surgeries. None in my mind, as important as this one. I ask for your 'aye' vote to override."

Speaker Breslin: "The Lady has moved to override the Governor's veto on House Bill 934. And on that question, the Gentleman from Lake, Representative Matijevich."

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House, I rise in support of the Lady's motion to override the Governor's veto of House Bill 934. This is an important Bill that would provide patients with informed consent and I think it's a matter of a right to know. And so I would urge the Members of the House to support this. It's a very important Bill."

Speaker Breslin: "The Lady from Lake, Representative Stern."

Stern: "Madam Speaker, and Members of the House, I would just reiterate that knowledge is power in this case in the area of breast cancer. We have learned in recent years that there are very many options not just one. And I urge us to send a bipartisan message to the Governor on this question. Vote 'aye'."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the Ho... Shall House Bill 934 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Seventy-one votes are required to override. The Lady from Cook, Representative Currie, one minute to explain your vote."

Currie: "Thank you, Madam Speaker, Members of the House. There have been enormous medical advances in the treatment for this dreadful disease. I'm sure that the President's wife

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was fully alerted to the options that were available to her, when it was discovered that she herself was suffering from breast cancer just a week ago. In order to make sure that all the women in this country and certainly all the women in the State of Illinois have access to that full range of appropriate medical alternatives, the overriding of the Governor's veto of this Bill is absolutely critical. We're talking very little in the way of dollars, \$17,000. It isn't the kind of sum upon which the ship of state will sink or swim. I would appreciate it, as I am sure all of the... of the constituents, your constituents in your home districts would appreciate it, if you would help make sure that women, one out of every ten of whom will suffer from breast cancer at some point during her life, will have access to the..."

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

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. In all seriousness, this is not a lot of money and it is most unfortunate that women who are in need of this kind of information, this kind of education are left to the eleventh hour, fifty-ninth minute of our session, to get so little. I would encourage all of the Members on both sides of the aisle to join in a bipartisan support for this legislation and for this Motion. It is \$17,000 as previous speakers have indicated. It is of great importance to women, particularly women of the age of the Ladies with whom you serve. It is of great interest to women. Well, that's correct, that's correct. It is of particular importance to women who are... who are over the age of 30 and we are, I think, including myself, and I encourage your support for this legislation. We only need 2 more votes if 2 Members, 3 more votes, 3 Members could see their way

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clear to support this Motion it would be greatly appreciated."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? Seventy-one votes are required to override the Governor's Veto. Have all voted who wish? The Clerk will take the record. Representative Didrickson asks for a Poll of the Absentees. Poll the Absentees, Mr. Clerk."

Clerk Leone: "A poll of those not voting. Representatives Hasara and Steczo."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 70 voting 'aye', 38 voting 'no'... Representative... The Gentleman from Cook, Representative Piel changes his vote from 'no' to 'aye'. On this question, there are 71... 71 voting 'aye', 37 voting 'no', and 5 voting 'present'. Representative Hasara."

Hasara: "Please record me as voting 'aye'."

Speaker Breslin: "Record Representative Hasara as voting 'aye'. There are 72 voting 'aye', 37 voting 'no', and 5 voting 'present'. And this Motion, having received the required 3/5ths Majority, is adopted. House Bill 941. Representative Steczo. Clerk, read the Motion."

Clerk Leone: "I move that House Bill 941 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. House Bill 941 is a Bill that we've heard in this House before and provides a \$3500 annual stipend to 21 elected county recorders. Those are recorders in counties over 60,000 and under 2,000,000. We in the State of Illinois, we in the General Assembly, quite often require county officials to do certain things that are mandated or that we mandate to them. In some of those cases, some of those county

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officials receive stipends. In this case, this is the county recorders requesting the same. We in the Legislature, we in the State of Illinois, require them to police mortgage declarations, to be responsible for special billings and to pay special attention to plats lying within flood plains and other... and other chores. And those people feel that because the responsibility lies heavy on them that the stipend, in fact, should come to them. Now, the Governor vetoed the legislation, I should make it known to the Members of the General Assembly that there was no appropriation for this. The county recorders feel that they would like to have this language in the statutes if there is no accompanying appropriation and no appropriation next year, then they would be willing to wait until there is some... there is money available. However, they feel on principle that they would like it to be known that they in fact, should be due this money because they are... because we do mandate them to do the tasks. I would answer any questions, Madam Speaker, I move to override the Governor's veto."

Speaker Breslin: "The Gentleman has moved to override the Governor's veto on House Bill 941. Is there any discussion? Hearing none, the question is, 'Shall the House... Shall House Bill 941 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Seventy-one votes are required to pass this Bill over the Governor's veto. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 57 voting 'aye', 51 voting 'no', and 3 voting 'present'. And the Motion fails. On page 10 on your Calendar appears Senate Bill... House Bill 942. Representative Steczo. Clerk, read the Motion."

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Clerk Leone: "I move that House Bill 942 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. I would move to override the Governor's veto of House Bill 942. House Bill 942 addresses a looming crisis in the State of Illinois and a crisis that will come home to roost in about 4 or 5 years from now. In my local papers last week, there was a headline that indicated that in Cook and Will Counties, that the landfills there have approximately 2 to 3 years of life left. Last week a report was issued by the state EPA, which indicated that landfill capacity in the State of Illinois may be used up with... all used up within the next 5 years. As I indicated there is... there is a crisis in the State of Illinois at the present time. We're trying to deal with it in House Bill 942 by planning 4 or 5 years in advance. House Bill 942 would provide for waste energy facilities which would be facilities where we could incinerate our solid waste rather than having to totally rely on landfills in this state... throughout the State of Illinois in various areas in the state. To make those landfills operative and to allow those landfills to break even there is a condition in there that before a solid waste facility, before an incinerator can be sited, it must go through siting plans, that incinerator must go through public hearings or the siting of such should go through public hearings. There's a provision that there's a goal of a 25 percent recycling which would have to be taken into account. In addition to that, the utilities, because these incinerators would in fact generate electricity, those facilities would then sell there electricity back to the public utility in order to gain revenue. To the extent that there's an artificial ceiling in the Bill and the



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utility is required to purchase at a higher rate than normally required under federal law, then that utility would be able to take a tax credit, a tax credit that would be paid back by the cogeneration facility or by the solid waste incinerator. This Bill has been worked upon by Representative Churchill and myself for the last 2 years and only last... at the end of last Session, we were able to come to agreement with most of the... of the parties involved. The reason that this Bill is so important is that this General Assembly in this state, has very, very little time to waste. Landfills that currently handle the solid waste from Cook County, from Will County, from DuPage County, Lake County, McHenry County and surrounding counties, currently are filling to capacity very rapidly. We are fast approaching the point where the tipping fees for these facilities are reaching a point that are... where they're almost unaffordable. For instance, we've all heard about the barge from New York, that sailed for weeks and weeks and months and months without a place to go. In five years the State of Illinois may in fact, be in that same position. We enjoy right now tipping fees above... of about 20 or \$25 per ton as opposed to 60 and \$100 per ton out on the East coast. In 5 years we may be at that level and it may be in fact, unaffordable for us even if we could find a place to dispose of the refuse properly. The answer or part of the answer is contained within House Bill 942. I should also make mention that in the Governor's Veto Message he indicated a cost to the state. It's important for me to point out to the Members of this House that any cost to the state would not impact the state for at least 4 to 5 years. This is a Bill that allows the planning process to proceed right now so in 4 to 5 years, instead of the crisis hitting as it has out East, we'll be prepared

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for it. I would answer any questions that Members of the House might have. I would certainly encourage you to stand up and save the state from real potential problems that we will face, truly 4 or 5 years down the road."

Speaker Breslin: "The Gentleman has moved to override the Governor's veto on House Bill 942. And on that question, the Gentleman from Warren, Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker Breslin: "He indicates he will."

Hultgren: "I have some questions because I'm not sure I totally understand. We're going to give a tax credit to utilities that buy cogenerated power. Is that right?"

Steczo: "Representative Hultgren, the way the Bill would work, the Federal Government currently sets a stan... a rate by which the utility can buy back electricity. In the Bill, we've provided for a formula that would... that would possibly require a higher rate, a buy back rate than that. To the extent that those differ, the utility would be able to take a tax credit, the amount of which, after the capital was paid off for the incinerator facility, would be paid back to the state by the incinerator facility. So, it would be so... almost in essence like a loan up front and which would be then paid back."

Hultgren: "So, it's conceivable here that... that... for example, Commonwealth Edison or Illinois Power might have some or all of their state income taxes forgiven under this... if they would buy a sufficient amount of cogenerated power?"

Steczo: "I should indicate to you that it would be a credit taken against the public utility tax not the income tax. And secondly, we can't conceive of an amount of... buy back that would negate taxes paid. In fact, we've seen projections over the next five years, in fact, projections until 1992, which indicate that even with the so-called

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credit being taken, that the public utility funds still will be dollars ahead, a lot of dollars ahead every year, so it will not... so it will not cause a decrease in the numb... in the amount of dollars that are available to the state. Those funds will still increase."

Hultgren: "The purpose is to encourage municipalities to develop plans to... to dispose of their waste products in some fashion that's going to result in electrical generation, is that right?"

Steczo: "That is correct because..."

Hultgren: "...it's not because we need more power right, we've got an excess supply of power now, don't we?"

Steczo: "We... in some cases you may have excess supplies of power but the fact is, is that we have no landfills. And the landfills are filling up. The estimate would be that you would have to open five landfills every year from now on to be able to handle the amount of solid waste that we're generating in the State of Illinois. And not only is that not going to happen, but the ones that we do have are filling up and it seems that it's going to be impossible to be able to handle a solid waste stream unless something is done. It's been an accepted fact now that cogeneration is in fact a means by which to be able to stem the need for more landfill space."

Hultgren: "If I understood your answer to a prior question it was that, this is going to be a credit against the public utilities tax but the state really is not going to have any net loss of revenue. Now, the public utilities tax is what, like our third largest source of revenue, is that right? How is that money going to come back in from the solid waste disposal..."

Steczo: "When the facility is built the first dollars will be used to pay off the capital expenses in building the

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facility. Once those capital expenses are paid off then revenues after that will be returned to the state to pay off whatever... whatever amounts have been taken as credit."

Hultgren: "So, there will be a loss of revenue for a period of years that will then subsequently be refunded?"

Steczo: "That will be the case, however, because public utility tax funds, funding monies, will increase so dramatically that the state will experience in those years no decline in the amount of available dollars from those funds. In fact, the fund will still be able to increase and allow more money to the general revenue fund."

Hultgren: "You don't think there would even be a temporary shortfall of revenue as this thing got started?"

Steczo: "No. In fact, far from it."

Hultgren: "Thank you."

Speaker Breslin: "Any further discussion? Hearing... Hearing none, Representative Steczo, to close."

Steczo: "Thank you, Madam Speaker. Just a... I think the issues have been... have been pretty much discussed. Just to reiterate again, the... this is an opportunity for the General Assembly to be able to act before the crisis is here. This is a very very important issue. It's been worked on by myself and Representative Churchill for over 2 years, and the time to deal with it has come. And I think the citizens of the state will benefit and I would encourage your 'aye' votes."

Speaker Breslin: "The question is, 'Shall House Bill 942 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 71 votes are required to override the Governor's Veto. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there

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are 111 voting 'aye', 1 voting 'no', and 1 voting 'present'. And this Motion, having received the required 3/5ths Majority, is adopted. House Bill 1001. Representative Bowman. Clerk, read the motion."

Clerk Leone: "I move that House Bill 1001 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1001 provides for an experiment to be conducted by the State Board of Education, to provide for a program for children who are found to be in need of special education services. But at the present time, those children can be served in only one of two ways, only one of two ways. Either they are served in their local school district and at 3:00 they go home for the day and they may be latchkey children or they are put into residential programs, 24 hour care, which is extremely expensive. Such care can cost 50,000 - 70,000 dollars per child. Ladies and Gentlemen, House Bill 1001 was designed to fill the gap between the school programs and the residential programs with the intent to see if we can bring some of the children, who are in these residential programs, back to be with their families and to be educated in their home schools. If we are able to achieve this goal with even one child we can save \$50,000 for a local school district. And with that \$50,000 we could very easily run an after school program for that child and even some of his classmates who attend that school who might be in need of some extra services. So, the Governor exercises veto power saying that this is going to cost money. But I would point out that, number one, this is an experiment. Number two, the Bill clearly says that if there is no appropriation, the experiment does not go forward. Number three, the

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experiment is designed to see if it is possible to save money like this. And we all are very aware of the escalating costs of residential placements for special ed children. Ladies and Gentlemen of the House, I ask for your support in overriding the Governor's veto because I think the Governor's veto does prevent us from saving money in the future. And I think we need to look to an experiment such as this, to see if we cannot save money and I might add, serve the children with special needs better than they are now being served. So, I ask your support in overriding this veto."

Speaker Breslin: "The Gentleman has moved to override the Governor's veto on House Bill 1001. On that question, is there any discussion? Hearing none, the question is, 'Shall House Bill 1001 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? 71 votes are required to override. Have all voted who wish? Vote your own switches. Have all voted who wish? The Clerk will take the record. On this question, there are 61 voting 'aye', 49 voting 'no', and 1 voting 'present'. And the motion fails. House Bill 1034, Representative Wyvetter Younger. Clerk, read the motion."

Clerk Leone: "I move that the House... that House Bill 1034 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Younger."

Younger: "Thank you very much, Madam Speaker and Members of the House. House Bill 1034 would establish the Illinois Jobs Opportunity Act. The Governor vetoed this Bill which would provide work opportunities for youths 16 years and older, for 32 hours a week, at minimum wage, in... on public works type of projects. He vetoed the Bill as a num... and

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a whole package of other Bills because he said it was a new program. He said further that the cost would be \$12,000,000. The Bill specifically limits the scope of it to one pilot project and that pilot project, if and when the Legislature would decide to hold it, would cost only \$700,000. We're not voting on that, we're voting on the substantive Bill in reference to establishing this program. I think that this program will be a very important policy alternative for the people of Illinois. And I think it would be good for this Legislature to pass this Bill because it would say, that if a person became unemployed as a result of a plant closing, they would not go into unemployment compensation collection and then to public aid or to DOLE. That they would have available the opportunity to work on a public works project for a minimum wage. In my district there have been 55,000 people who have lost their jobs as a result of heavy industry moving out and going to foreign countries. Many of those people who lost their jobs experience a disintegration of their personalities and of their humanness and many of them committed suicide and became very, very ill and drifted and became just nothing, became alcoholics. I believe if there was some alternative to work, some works type of project, we could hold the most valuable asset that this state has in that it's human capital, it's human ability to work. I have experienced a lot of plant closings and I know that one of the most important thing we could do here in Illinois, particularly after the slide that occurred last Monday, would be to enact and put on the books a work opportunity type of program that changes the theory from public DOLE and public assistance to gainful employment. And this Bill, I believe, is very important and I ask you to please override the Governor's veto and support my

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effort to put it on the books. It will cost no money. We're not voting on an appropriation only on the substantive legislation for this program."

Speaker Breslin: "The Lady moves to override the Governor's veto on House Bill 1034. And on that question, the Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I reluctantly rise in opposition to this particular Bill. I know that Representative Younge as with all of her legislation is very, very well intended. The plain fact of the matter is we are creating another program, another new program. Now Ladies and Gentlemen, we've been spending most of the day overriding vetoes on programs that are currently in existence. Programs that we aren't properly funding now. And now we're going to talk about creating a brand new program. And again, while Representative Younge points out that this is not an appropriation, it is a substantive Bill. It will create a process by which we'll have to fund it. It creates local councils, that bureaucracy, that local council will look to the General Assembly for financial assistance to carry out this program. The plain fact of the matter is, it's got a \$12,000,000 cost. It's a new program and however well intentioned, we ought to oppose this Bill. It's just not a timely piece of legislation. And I would urge a 'no' vote."

Speaker Breslin: "There being no... the Lady from Cook, Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I've been here long enough to have seen ideas and concepts and programs that Hyvetter Younge has come up with, die in the General Assembly and get resurrected down the line, in the future, when the need becomes clear and



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evident to even the most thick-headed of us, that she was on the right track. Now, I'd like to point out for those of you that didn't notice the stock market went out of the world backwards the other day. And there's a very good opportunity that we may well, unfortunately, be headed toward a recession in this country. If that happens, mark my words, we will need the program that Representative Younge has had the foresight and the vision to bring to our attention today. So, my advice to the Members of this General Assembly is save yourself the problem. Let us set up the mechanism now, so that we can provide jobs, so that we can provide employment and help people break out of a cycle of perpetual poverty and go with this good idea. I think it's a good idea and I encourage your support for her motion."

Speaker Breslin: "Representative Younge, to close."

Younge: "Thank you very much, Madam Speaker. I think this is a very good Bill and I ask for your support because the frame of reference is that a person has to go back to school, a person has to have an economic education. And I think that the Bill is well written and we need it. It is not true that the Bill would cost \$12,000,000. There is no appropriation for this. The Bill specifically limits this subject matter to a pilot project. There is no appropriation request and at this time we are merely trying to establish the substantive legislation. I... with the growing unemployment in Illinois, I ask for your help and support in this matter."

Speaker Breslin: "The question is, 'Shall House Bill 1034 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', and all those opposed vote 'no'. Voting is open. 71 votes are required for passage. Representative Matijevich, one minute to explain your

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vote."

Matijevich: "Madam Speaker, I think only a word ought to be said about how irresponsible the Governor has been on so many of these matters where he has estimated the fiscal cost. What does our Fiscal Note Act really mean? When Hyvetter Younge had a fiscal note request adhered to when it was said that it would cost a little over a million, then there was an Amendment after that that restricted the Bill even farther than that. And along comes the Governor and he says it's going to cost 12,000,000. You know, all of this inflated cost estimate really makes a mockery out of this whole process. And I'm... I'm telling you, the Governor downstairs that... or really what is he doing? You know he's making a mockery of both... of, you know, both the executive and legislative system. I hope that we don't see any of this in the future. It's really making it all laughable. And I think something's got to be said about that."

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

Younge: "Right. We need in this state an alternative to public aid and general assistance. Unemployment is a fact of life in our state and the numbers are growing. It is important that we put in the statute an alternative to a person dropping off into public aid. One way we can do that is through a guaranteed jobs opportunity program that would put people out on public sites at a minimum age. I have seen the heartache. I have seen the deterioration of the human personality when a person is subject to a plant closing. I ask you to consider this alternative and give the possibility of a person working in a public works job opportunity type program until they can make an adjustment, until they can make a readjustment in their life and in

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their psyche, so they can go on and be retrained and go into some other line to... in the western world that has not worked out how a person shifts from a plant closing to gainful employment..."

Speaker Breslin: "Bring your remarks to a close, Representative."

Younge: "...And it is important that we have this tool available on the statute. And I'd ask you please to give me the remaining 9 votes to make this a reality."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 63 voting 'aye', 46 voting 'no', and 1 voting 'present'. And the motion fails. Ladies and Gentlemen, we are going to... Representative Younge, for what reason do you rise? Mr. Clerk, were there any people not voting on that motion? Who were the five that were not voting?"

Clerk Leone: "Representatives Barger, Capparelli, Deuchler, Didrickson and Terzich were not voting."

Speaker Breslin: "Ladies and Gentlemen, we are going to try to move along as quickly as we can, right down this Calendar to get as much business done as possible. We are going to try to finish by 7:30 this evening as planned. As you know, this... we only have today and 6 hours tomorrow to finish all of our actions on this Calendar. So, please be in your seats, be prepared to call your motion. I cannot guarantee that if you take your Bill out of the record that we can get back to it and have it called again. So, if we could have concise explanations of the override motions and healthy but short discussions, it would be appreciated. The next Bill, is House Bill 1041, Representative Ropp. Clerk, read the motion."

Clerk Leone: "I move that House Bill 1041 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Ropp."

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Ropp: "Thank you, Madam Speaker and Members of the House. House Bill 1041 is a Bill that is attempting to address a problem that is not another new program. It is an idea and a concept that has been around for more than 17 years. It is an attempt and a good one, to provide an opportunity by which grain standards in the United States can be changed to more accurately deal with the quality of grain. And I use for example, soybeans. Under our current standard, soybeans grades are based on moisture, foreign matter and what it really it should be addressing is the fact the percentage of protein, the percentage of oil that make up that particular commodity, so that in fact we can really get a true price for American farmers and for the buyers to be able to purchase quality grain based on their final usage. This Bill, though not exactly accurate as so is indicated in your veto message, is a Bill that would allow the Department of Agriculture and the University of Illinois, through Doctor Lowell Hill, to come up with new kinds of standards that would be presented to the United States Department of Agriculture so that they can, in fact, make the changes that would affect all grains throughout the United States. A number of you, Members of this Body, recently attended a two day session, in which Dr. Hill presented a number of these ideas. I urge your support in overriding this Bill so that, in fact, we can provide avenues for Illinois and American farmers to receive better prices for their corn, their soybeans and their wheat, so that in fact we don't have to begin to create legislation that would put borders around our exports. I urge a favorable support of this override motion."

Speaker Breslin: "The Gentleman has moved to override the Governor's Veto of House Bill 1041. On that question, the Gentleman from Cook, Representative O'Connell."

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O'Connell: "Question of the Sponsor?"

Speaker Breslin: "Proceed."

O'Connell: "Representative, I was one of those Legislators that attended that conference at the University of Illinois and being an urban Legislator it was very informative. One of the things that I thought was addressed to us, was that the grading... the grain grading issue was primarily a federal one. Is that not correct?"

Ropp: "That's true, it is a federal, but what we're attempting to do with this legislation is to come up through added research emphasis so that we can take to the federal government and say, this is what ought to be done. We have the facts, figures and the proof to substantiate it. And it will in fact provide farmers with greater income."

O'Connell: "Well, I also was led to believe that the improvement of the grain grading would be of primary benefit to a lot of private interests in this state, wouldn't it be more logical to have the cost of the \$100,000 that the state would have to pay, in light of the fact that the primary beneficiaries would be the grading companies themselves... grain companies themselves, whatever level they're at, couldn't this improvement be obtained through private grants?"

Ropp: "As near as I can understand your question, farmers today are being paid on the grade that we currently have, which does not include determining oil content or protein content. It's based on foreign matter, cracked kernels and moisture content which in my judgment, is not the method in which we should be determining the price or the value of a product. And so we, as farmers, are the victims of a grading system that is all too old and needs changing and some of us have been working on this for some time and think that this is a method by which we can begin to put

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more and greater emphasis on the need of this necessary change."

O'Connell: "Well, what does the Department of Agriculture feel about your motion to override? Do they support it?"

Ropp: "Well, I think you can probably read in your own book, I think they say..."

O'Connell: "Well, they... they say they do not support the override, which is... and they put on this conference and Dr. Hill, of course, is a Professor at the University of Illinois and while he's a very creditable man, the very Department of Agriculture for which represents us, is opposed to your override."

Ropp: "Well, let me say that this Bill is a result of communication with Dr. Hill and there may be times the Department of Agriculture is not on this particular issue as they were a number of years ago, and it's still a very important issue. And it's just kind of tragic that the Department of Agriculture is not attempting to improve the income of Illinois farmers through improving the grading of grain."

Speaker Breslin: "Representative Hannig."

Hannig: "Just a very brief question, if the Sponsor will yield?"

Speaker Breslin: "Proceed."

Hannig: "I can't recall, although we had this Bill in Committee, did the Farm Bureau and Farmers Union support this, do you recall?"

Ropp: "To the best of my knowledge I think they have supported it. I don't see it on the list here and I don't recall in our analysis that we had back in June, whether or not they supported it, but, I think generally they have supported the improving and changing grain quality standards to improve income for farmers."

Hannig: "Thank you."

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Speaker Breslin: "There being no further discussion, the question is, 'Shall House Bill 1041 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Lady from Champaign, Representative Satterthwaite, one minute to explain your vote."

Satterthwaite: "Madam Speaker and Members of the House. As the Sponsor of this legislation has indicated, there are ways in which we can specify certain characteristics of grain that are above and beyond those federal grading systems. And these are more marketable because the customers particularly in foreign countries has specialized needs that we would like to try to address. By being able to give some kind of standardization to this procedure and developing markets for those specific standards, we could in fact increase the exports that we have from the State of Illinois. I think that it is the wrong message to send in saying that we should not attempt to put some regulation into those characteristics and be able to provide the products that..."

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

Hartke: "Thank you very much, Madam Speaker. I rise in support of Representative Ropp's attempt for the override. You know, we in Illinois ship a tremendous lot of grain overseas. And if our customers are not satisfied with that product, because of a grading technique that we use and is antiquated, then I think we owe it to our farmers in Illinois to spend a little money and try to upgrade those standards so we can deliver a quality product to them and help the Illinois farmer. If you help the Illinois farmer, you help local communities and you help everyone in the State of Illinois. And I would like to encourage my colleagues here to support Representative Ropp in this good

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idea and good Bill."

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

Ropp: "Thank you, Madam Speaker. Just in addition to the previous comment, the Japanese country is currently buying soybeans from South America based on oil and protein content, because that's what they do down there. They provide that standard by which the Japanese can purchase knowing that they're going to get high oil or high protein, whatever they want. We have lost that market in this State and in this country, because we do not provide those same standards. Illinois has the highest oil and the highest protein beans in the country. We have proven that fact. We are losing money, because we do not have this measure by which we can sell exported grain. And I urge a favorable support of this. And once again..."

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

Hicks: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, you know just a couple of weeks ago there were quite a few of us who went to Champaign and looked at ways that the University of Illinois has said that we can improve our markets here in Illinois. We can improve the farm situation here in Illinois. And I'm somewhat amazed that we've only got 53 votes up there for something that's going to help the farmers in this state, because what we've been doing certainly has not been working. We've seen it, we've got the farmers down here in bad shape. And what's working... what's happening now is not working. And I would think at leastwise we'd try to do something that's going to be a little different, that's going to help the situation as it currently is."

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



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wish? The Clerk will take the record. On this question there are 65 voting 'aye', 47 voting 'no' and 1 voting 'present'. And the motion fails. House Bill 1047. Representative Jones. Lou Jones. Clerk, read the motion."

Clerk O'Brien: "House Bill 1047. I move that House Bill 1047 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Jones."

Jones: "Thank you, Madam Speaker, Members of the House. I move to override the Governor's veto of House Bill 1047 which asks the Board of Election (sic - Education) to study the closed campus policy in District 299 in Chicago. Contrary to what the Governor says that it will cost \$50,000, I have talked about this with the Superintendent and also with the Board, and this Bill will not cost the state any money. The study will be conducted by the teachers, principals and community people in the district of the school and also parents. I ask you for support to override this...the veto."

Speaker Breslin: "The Lady moves to override the Governor's veto on House Bill 1047. Is there any discussion? Hearing none, the question is, 'Shall House Bill 1047 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Seventy-one votes are required to override. Have all voted who wish? Representative Williams, one minute to explain your vote."

Williams: "As we look at this problem in the city, it's a question of whether or not the individuals speak...it's a study. And it's just to determine what effect the closed campus issue has. For those of you who may not be aware, closed campus is a system whereby the individual's children are kept on the campus during the lunch break and they come out with an earlier day. In our areas we deal with a lot

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of gang problems, and it comes about when children wander away from the schools. We're not saying that that's good or bad and there are other issues involved, but we want this studied simply because it has a drastic effect on the life of young people. And when young people are forced off campus, because of the fact that they don't have such policy. They're forced to go on the streets, to go home for lunch when in fact their safety could be assured by staying on campus. It was a very good Bill that we have here and I encourage that you allow us to do this study. It doesn't cost much money, and it'll do a lot of good. I urge more 'aye' votes."

Speaker Breslin: "Have all voted who wish? Representative Cowlshaw, one minute...Representative Braun, one minute to explain your vote."

Braun: "Thank you, I was going to ask Representative Cowlshaw...No, Ladies and Gentlemen, this is a very real issue for campuses in the City of Chicago. It is a safety matter, particularly when we have young people who literally take their lives in their hand when they leave the schoolyard. The closed campus issue is of particular concern in Representative Jones' district. She represents Dusable High School; she represents other schools that you may have read about in the newspaper. Help us at least begin to understand and address this kind of an issue. Put the additional vote up there so that we can override. This is not a lot of money and this could save a life."

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

Cowlshaw: "Thank you, Madam Speaker. Thank you, Madam Speaker. This Bill requires a certain type of study to be done by the Chicago Public Schools. In the school districts that most of us represent, if we need a study done, we do it.

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We don't have to have a state law that requires us to do it. And when you have a state law that requires it to be done, then the state has to pay for it. I suggest that if you don't represent Chicago, a 'yes' vote on this is suicidal."

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

Jones: "Thank you, Madam Speaker. Again I repeat that the reas...this is a study only and the reas...and as a result of the study, they will report it back to the State Board as to what schools that they think should have closed campus. Again I ask you for...to override this veto, because it does not cost any money. The study is being done basically by the community. Thank you."

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

Davis: "Yes, thank you, Madam Speaker. Ladies and Gentlemen of the General Assembly, this is a Bill that will simply allow the Board of Education without any cost to the State of Illinois to study those schools that are not now on closed campus. Meaning they will look into those schools and see if there are any problems that are different from schools that are on closed campus. It will not require one extra dime of appropriation. We certainly hope that you will consider the children whose lives might be affected where...and it's not costing you anything. And just agree that the state should mandate that the Board have this study. Thank you."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. Representative...Have all voted who wish? The Clerk will take the record. On this question there are 68 voting 'aye', 47 voting 'no' and none voting 'present'. And the

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motion fails. House Bill 1058. Representative Satterthwaite. Clerk, read the motion."

Clerk O'Brien: "I move that House Bill 1058 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Satterthwaite."

Satterthwaite: "House Bill 1058 is a Bill to give incentive grants to school districts to have them upgrade their library systems. The Bill would have no fiscal impact until 1990 or beyond. And only then of course if there were any funds appropriated by the Legislature. We believe that this will be an incentive so that school districts will see the value of having an appropriate library system with someone in charge of that library to catalogue the material and help the children know how to utilize it. It's a very small amount and only as I say if the Legislature at some future time would determine that it was wise to put some money into this. I would urge that you support me in a override of the Governor's veto."

Speaker Breslin: "The question is, 'Shall the...' Rather the Lady has moved to override the Governor's veto on House Bill 1058. Is there any discussion? Hearing none, the question is, 'Shall House Bill 1058 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Seventy-one votes are required to override. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 64 voting 'aye', 43 voting 'no' and 3 voting 'present'. And the motion fails. House Bill 1068. Clerk, read the motion."

Clerk O'Brien: "I move that House Bill 1068 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Leverenz."

Leverenz: "Thank you, Madam Speaker. The Governor vetoed House

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Bill 1068, and in the veto message it said that there was a fiscal cost of \$4,000,000 to the state, to the Bill. That is grossly incorrect. The federal fund or the federal formula that exists now under Disasters Declared By the President has a formula of seventy-five percent federal, twelve and a half percent state, twelve and a half percent unit of local government cost. This would have the state pick up the full twenty-five percent and join with the seventy-five percent from the Feds. Units of local government as we have experienced again, especially in Cook and DuPage Counties, have been inundated with flooding. This would pick up those costs only under a federally declared disaster. I would ask for your 'aye' vote to override the veto of the Governor."

Speaker Breslin: "The Gentleman has moved to override the Governor's veto on House Bill 1068. And on that question is there any discussion? Hearing none, the question is...the motion is, 'Shall House Bill 1068 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Seventy-one votes are required. Representative Williams, one minute to explain your vote."

Williams: "Just curious, this I hope is not a DuPage County Relief Bill in any sort. I don't really know exactly what disaster relief state reimbursement means, but I'm assuming that the Sponsor's a good Sponsor so I'm just...know that in my heart of hearts it must be a good Bill, so I'll vote 'aye'."

Speaker Breslin: "Seventy-one votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 64 voting 'aye', 46 voting 'no' and 1 voting 'present'. Representative Leverenz."

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Leverenz: "I don't know if there's absentees to poll. I'd like to poll any absentees and the..."

Speaker Breslin: "Poll of the absentees."

Leverenz: "...present vote."

Clerk O'Brien: "Poll of those not voting. Capparelli. Huff. McAuliffe and McCracken. No further."

Speaker Breslin: "There being no further changes in the Roll Call, the motion fails. House... Representative Capparelli did wish to be recorded as voting. He voted 'aye'. So there's 64 voting 'aye'...65 voting 'aye', 46 voting 'no' and 1 voting 'present'. And the motion fails. House Bill 1093. Representative Mulcahey. Clerk, read the motion."

Clerk O'Brien: "I move that House Bill 1093 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Mulcahey."

Mulcahey: "Thank you, Madam Speaker and Members of the House. This is the Reclassification Principal Bill, House Bill 1093, and as we discussed last June, it simply involves the performance evaluation once every two years of principals, not once a year as it has been in recent years. That evaluation is to be held in the school year preceding the proposal of reclassification. The reason, of course, is to review and discuss the deficiencies which may form the basis for reclassification. If the reclassification is recommended, notice is given prior to seven...in seven days. It is given to the principal as to the reason why he has been reclassified. The board hearing is closed and ten days after this hearing or May 1st, the principal is notified of any reclassification if it should take place. And finally Administrative Review Law shall govern all proceedings. And I might point out also that this classification and evaluation is based on a written job description, a job description that is written by the local

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school board. And I would..."

Speaker Breslin: "The Gentleman has..."

Mulcahey: "...move for the adoption of the motion."

Speaker Breslin: "The Gentleman has moved to override the Governor's veto of House Bill 1093. And on that question, the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. If you were to ask the people who live in your own district, who are not employed by any school system, who are just the parents and the taxpayers and the people who care about education, if you ask those people what is the major problem with our schools? What is the one thing that you would most like to see changed about our schools? And they will always tell you that one thing is teacher tenure. The teachers ought to have to perform year by year, and they should not simply be continued because they have this wonderful job security called teacher tenure. And during the eleven years that I served on a school board, I remembered that principals and assistant principals came before us when they had to justify which teachers they wanted to give promotions to or which teachers they wanted to have salaries increased for, in particular, for some of the merit provisions and so on. And they always said, 'Well, you know, we really can't do anything about this person or that person who isn't doing a very good job, because of tenure. And tenure', they said, 'is really a very bad thing.' My friends, no matter what they call it, 'A rose by any other name is still a rose and smells as sweet.' House Bill 1093 is defacto tenure for principals. And I would submit to you, if that is a principle problem among teachers, we ought not to extend it to becoming a problem for principals and assistant principals. And finally I would say that among those principals and

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assistant principals who are doing a very good job, who are performing very well, for them, this Bill is not needed. It's a protection for incompetence. And we ought not to be doing it."

Speaker Breslin: "Representative Mulcahey to close."

Mulcahey: "Boy, how do you follow that? Boy. If you look at the Governor's...the veto message, Ladies and Gentlemen, he says that House Bill 1093 mandates detailed hearing procedures. Now what's wrong with that? For reclassified principals which are similar to hearing procedures for tenured teachers. Similar, okay? Similar to procedures for tenured teachers. Now tenured teachers, of course, agree to contracts for negotiation and collective bargaining. All the principals are asking for is similar to tenure, not tenure at all. They're simply asking for a written job description by which their evaluation takes place. And there's nothing wrong with that. It's something that each one of us, you and me, would like to have on any job we may be on. And I would ask for an 'aye' vote. It's a very...it's a very fair Bill for everybody involved. And it is not tenure; it is not tenure."

Speaker Breslin: "The question is, 'Shall House Bill 1093 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Seventy-one votes are required to override. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 69 voting 'aye', 41 voting 'no' and 2 voting 'present'. Representative Mulcahey asks for a poll of the absentees."

Clerk O'Brien: "A poll of those not voting. Bowman. Huff and Levin. No further."

Speaker Breslin: "There being no further changes or additions,



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there is 69 voting 'aye', 41 voting 'no' and 2 voting 'present'. And the motion fails. House Bill 1109. Representative Sutker. Clerk, read the motion."

Clerk O'Brien: "I move that House Bill 1109 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Sutker."

Sutker: "Madam Speaker and Ladies and Gentlemen of the House, House Bill 1109 was one of a series of powers of attorney Bills which came out of the House and through the Senate. However the Governor signed House...Senate Bill 524 which includes all the terms and conditions and substantive elements in House Bill 1109. Therefore I, at this time, move to withdraw my motion."

Speaker Breslin: "Withdraw the motion. House Bill 1113. Representative Countryman. Clerk, read the motion."

Clerk O'Brien: "I move that House Bill 1113 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Countryman."

Countryman: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 1113 had the effect of providing that jury lists should be made up first, not from election voter registration lists, but rather from drivers license lists or a combination of the drivers license list and that of registered voters. The basis of that idea was that people many times will say I'm not going to register to vote, because I don't want to get called for jury duty. In addition to that some Members of the General Assembly in the past few years, and I've supported these concepts, have said we should increase the pool of jurors. And in order to do so, we need to look to other methods of creating the pool of jurors. So we passed this Bill. And I think it passed here 116 to nothing and in the Senate 58 to nothing. Now the Governor vetoed it. In the Governor's veto message

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he says that that people who do not register to vote are the people that you don't want to call to the jury system. And that just defies logic in my mind. In essence he's saying because you might have moved and you might not currently be registered to vote, then you shouldn't be called to jury service. Jury service is a burden and yet it's one of the real rights we have in this country. We need to identify people. If we had to go through and take a census, the only problem is we have such a mobile population. People change their name and address with a drivers license. Most people have a drivers license, or if they don't have the drivers license then they still would be included in that group who has the identification cards. This is a good piece of legislation. The Governor's overriding veto is without logic, and I would ask you to override the Governor and vote with me on this."

Speaker Breslin: "The Gentleman has moved to override the Governor's veto of House Bill 1113. On that question, the Gentleman from Madison, Mr. McPike."

McPike: "Thank you, Madam Speaker. I rise in opposition to the motion. I think the Governor makes a good point. I think it's very difficult and certainly Representative Countryman could easily argue the other side, but I think it...to serve on a jury is a very, very important duty, rather it's a civil case or a criminal case. And I would think that if you have enough concern to register to vote..."

Speaker Breslin: "Proceed, Mr. McPike. Members, would you please give Mr. McPike your attention."

McPike: "I think that if you have enough concern to register to vote that you have enough concern about society and what is going to happen to society and what is going on in politics in the world around you. I think at least it is some symbolic indication that you are concerned enough to be a

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conscientious citizen. And I think those are the type of people that should serve on juries. I think that if a person goes out of their way not to serve on a jury and the reasoning behind that is that well, I'm not going to register to vote, and therefore I won't be on a jury. I'm not sure that I would want that type of individual to serve in judgement of me if I was the defendant either in a civil or a criminal case. So I think the Governor makes a good point, and I would further add that there are a number of counties that currently do not have the sophistication to use drivers license, and it would be a burden placed upon them. I know there's a limit in the Bill, I think it's 60,000. But there are still those counties where it would place a burden on those individuals...on those individual counties to change their method of jury selection and a added cost to them that we're not going to fund. So we have an added cost again on local government that we're not going to fund, and we also have the question as to what kind of people do we want to serve on juries. So I stand in support of the Governor's veto."

Speaker Breslin: "The Gentleman from Fulton, Representative Homer."

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

Speaker Breslin: "He indicates he will."

Homer: "Representative Countryman, the Governor made another point other than the...other than the one that Representative McPike has addressed. And I think it's a point I'd like to hear you answer, provide an answer for. And he points out that there are registered voters who are not licensed drivers. And he's concerned that you would be disqualifying registered voters from their right to serve, or right to be considered for jury service, simply by virtue of the fact that for whatever reason they are not

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licensed drivers. I think that's a good valid point. What is...what's your response to that?"

Countryman: "Well, there's two things. First of all that those people can go get an identification card at the drivers license station, and matter of fact, many of them do for check cashing purposes and other purposes. And the second thing is if he'd read the Bill, which I don't think he did, you would have found that it says they can use a combination of the drivers license list and the registered voter. So they can use both. But the registered voter list wouldn't...which is presently the first priority, the law right now says registered voters and/or combination of registered voters and drivers licenses. It would change that to say the drivers licenses list and/or a combination of drivers license and registered voters. So there's a way of bringing the registered voters into it, and he really didn't read the entire legislation."

Speaker Breslin: "Any further discussion?"

Homer: "Well, Madam Speaker, thank you. To the Bill just briefly. I appreciate that response. My concern however persists in that some counties may opt to go strictly with the drivers license list in order to avoid complications and overlapping and duplicity of their lists. And if they did that, then conceivably those individuals who are registered voters, but perhaps because they're senior citizens or perhaps unable to afford to drive a car for whatever reason, have no drivers license. And I think to disenfranchise those people from their right to be considered for jury service is something that's undesirable. And so, I think, rather than go into this new unchartered waters that we're much better off leaving the system as it is, using the list of registered voters, and so I rise in opposition to the Gentleman's motion."

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

Kirkland: "Thank you, Madam Speaker. We have voted for a couple of Bills over the last couple of years to take away exemptions to get out of jury duty, and I think that encour...you know, in a sense forces people to be called for jury duty and not be able to get out of it. It seems to me that we're killing two birds with one stone with this Bill and that we should override the veto. Being able to get out of jury duty by not registering to vote both discourages people not to register to vote and discour...and gives them an opportunity to get out of jury duty. And I think by taking away that opportunity, we're really going to encourage more people to do both of those things which I think we want to do and want them to be more involved in those citizenship activities. So I think we ought to support the override."

Speaker Breslin: "Representative Countryman, to close."

Countryman: "Thank you, Madam Speaker. In response to a couple of the remarks that were made, you know, these issues were not raised last June. This is a Bill we debated, went through Committee, did all the process. But I really don't see those as being real issues. And with all respect to the Majority Leader and the other Gentleman on the other side of the aisle who oppose this Bill at this time, it really doesn't make any sense. In fact what we want to do is increase the pool of jurors. We want to get a better base of jurors so that we can have fair and adequate juries of our peers in this country, and that's how you do it. And in fact people who don't register to vote, don't do it for those reasons. Many times they do it for the reason that they moved, and their voter registration's cancelled. They're no longer at that address. They don't live in that

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county. And that those are reasons why you don't have such a large pool. The other thing which I failed to note in my opening remarks is that the Bill also raises the minimum size of counties required by statute to have jury commissioners from forty to sixty thousand, and in essence it makes it an option of either retaining or eliminating the jury commission...commissioners in the counties between forty to sixty thousand. This would be a reduced cost to county government. The Governor nowhere in his veto message talks about cost to county government. In fact it really wouldn't cost anything. You've either got to use one list or the other. And if you...it's not going to cost any more to go from one list or the other. So the cost argument is really not a valid argument. And I really think that this is the sort of thing that it makes good, sound governmental policy, and we ought to vote to override and I'd ask for your support."

Speaker Breslin: "The question is, 'Shall House Bill 1113 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Seventy-one votes are required. Have all voted who wish? Seventy-one votes are required to override. Have all voted who wish? The Clerk will take the record. On this question there are 52 voting 'aye', 50 voting 'no' and 12 voting 'present'. And the motion fails. House Bill 1149. Out of the record. House Bill 1351. Representative Cullerton. Clerk, read the motion."

Clerk O'Brien: "I move that House Bill 1351 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Withdraw that motion, please."

Speaker Breslin: "Withdraw the motion. House Bill 1415. Representative McCracken. Out of the record. House Bill

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1567. Representative Petka. Clerk, read...Out of the record. I will remind you, I cannot guarantee that we will get back to these motions, Ladies and Gentlemen. The next Bill is House Bill 1581. Representative Hicks. Is the Gentleman in the chamber? Representative Hicks? Do you want this motion called? Read the motion, Mr. Clerk."

Clerk O'Brien: "I move that House Bill 1581 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Hicks."

Hicks: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1581 is a School Code Bill dealing with special education. The Governor, I believe, is incorrect in his veto. He said that this Bill was going to be of cost to the State of Illinois. What this Bill actually does is simply defines the cost involved between special education districts only. It is of no cost to the State of Illinois. We had a fiscal note on this Bill at that time, and it was shown then it was no cost to the State of Illinois. I think the Governor is in error in his veto of this Bill, and I would ask for the override of his veto."

Speaker Breslin: "The Gentleman has moved to override the Governor's veto of House Bill 1581. Is there any discussion? Hearing none, the question is, 'Shall House Bill 1581 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Seventy-one votes are required. Have all voted who wish? Vote your own switches. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 69 voting 'aye', 43 voting 'no', and 1 voting 'present'. Representative Hicks asks for a poll of the absentees."

Clerk O'Brien: "Poll of those not voting. Capparelli and Huff. No further."

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

Hartke: "Yes, I am supporting this measure, because like Representative Hicks says, this is not a cost to the State of Illinois. It's a transfer of those dollars between the special education districts. What we're saying is that those dollars should follow that child wherever that child is educated. I think we ought to, maybe someone ought to reconsider their vote and put a couple more green votes up there."

Speaker Breslin: "We have already taken the record, Representative Hartke. Representative O'Connell."

O'Connell: "Change my vote to 'aye'."

Speaker Breslin: "Change Representative O'Connell from 'no' to 'aye'. Representative McCracken will ask for a verification. Does anyone else wish to vote on this proposition? Hearing none, on this question there are 70 voting 'aye', 42 voting 'no' and 1 voting 'present'. And the motion fails. House Bill 1585. Representative Mautino? Read the motion, Mr. Clerk."

Clerk O'Brien: "I move that House Bill 1585 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. The Governor's... vetoed 1585 and his comments were the cost included which was \$250,000, that appropriation for establishing the Institute of Entrepreneurship Education was deleted and vetoed out of the higher education budget of Northern Illinois University. I will make no attempt whatsoever to reinstitute that funding so there is no state funding. This is substantive language establishing the institute of...which is supported by industry and commerce in this



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state. The reason I'm moving for the override is we have been informed with the substantive language in law in the State of Illinois, Sears Roebuck and others will donate the private sector money and this provides the avenue for them to do it. And there is no state funds involved, and there will be no Amendment provided on the Northern Illinois budget for same. Therefore, I believe that the reason for the override is now removed, and I move to override the Governor's total veto on 1585."

Speaker Breslin: "The Gentleman moves to override the Governor's veto on House Bill 1585. On that question, the Gentleman from McLean, Representative Ropp. Please be brief, all of you."

Ropp "Thank you, Madam Speaker. I would just like to say that I have attended several national conventions this past several months in which the whole program of entrepreneurship from Illinois is beating the front-runner in the country, is being revered and attempted to be emulated. And it's kind of ironic that if this Bill isn't overridden, it just won't play too well. It's a super good program, we're being looked to as one of the leaders in the nation in terms of these kinds of programs. And the people from Northern Illinois University have done an outstanding job, and we ought to support this override."

Speaker Breslin: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker. It is my understanding, as well as my recollection of this legislation when we considered it last spring, that it provides that the state's financial obligation to this program shall not exceed \$250,000 annually. Although we have not appropriated any money, when we put an amount in the statute that says that is the maximum that we may provide

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annually, the pressure to provide it will be there. We do not adequately fund the programs to teach children to read, write and compute. I suggest that a 'no' vote is the correct vote on this motion."

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

Countryman: "Thank you, Madam Speaker. Let me state that first of all, I stand in support of this motion and the Representative Mautino and this program. This...there's a commitment here not to spend any state money on this program. It will be private money. This is entrepreneurship. This is what makes small business go. This is what makes this country great. And what we need to do is take this pilot program and expand it and improve small businesses in this state. So if you're for economic development, if you're for improvement of small business in this country, you'll vote to override it. It won't cost us anything. Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 1585 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 'Shall this Bill pass, the veto of the Governor notwithstanding?' Seventy-one votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 85 voting 'aye', 26 voting 'no' and 1 voting 'present'. This motion having received the required three-fifths majority is adopted. House Bill 1623. Representative Curran. Out of the record. Representative Black, for what reason do you seek recognition?"

Black: "Madam Speaker, my switch was inadvertently hit. I should have been recorded a 'no' on that vote, please."

Speaker Breslin: "That was on House Bill 1585."

Black: "Yes."

Speaker Breslin: "Representative Black wishes the record to

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reflect that he should have been voted 'no'. On House Bill 1646. Representative Martinez. Out of the record? House Bill 1667. Out of the record. House Bill 1680. Representative Mautino. Representative Mautino. Clerk, read the motion."

Clerk O'Brien: "I move that House Bill 1680 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. The Governor's message once again discussed the funding aspect of this proposal for the small business innovative research program which was the recommendation of the Department of Commerce and Community Affairs and Lieutenant Governor George Ryan under the Illinois Development...Export Development Authority. The program has been estimated at \$350,000. I am not sufficiently knowledgeable about whether or not that is the actual cost. DCCA says that is not the number. I don't believe it is the number. I believe that it is...well, this program is the phase two provision. We've already did the phase one. I think it's worthwhile on a continuing basis to go forward with the program. It's combination federal funds as well, and I think the State of Illinois and this area is like number thirty-three in the nation. This will bring us up to about fifteen, because we're going to capture some federal funds in it. I think it's a good program. The choice is yours. And I move to override his veto."

Speaker Breslin: "The Gentleman has moved to override the Governor's veto on House Bill 1680. Is there any discussion? Hearing none, the question is, 'Shall the House override the Governor's veto on House Bill 1680?' All those in favor vote 'aye', all those opposed vote 'no'."

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'Shall this Bill pass, the veto of the Governor notwithstanding?' Seventy-one votes are required. Turn off Representative Berrios' light, please. Have all voted who wish? Seventy-one votes are required. Clerk, take the record. On this question there are 64 voting 'aye', 43 voting 'no' and 4 voting 'present'. And the motion fails. House Bill 1721 (sic - 1723). Representative Currie. Clerk, read the motion."

Clerk O'Brien: "I move that House Bill 17...23 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. I think the Governor's veto of this Bill, as the one just to prior, was accidental. The claim was that there were costs involved in House Bill 1723. According to the State Board of Education, there are not. The Bill merely provided that in the true and alternative program, which is a program driven by appropriations established by this chamber without any entitlement on anybody's part, the costs of day care could be reimbursed if day care was essential for participation by a parent in the true and alternative program. The value of the Bill is to see to it that young mothers in particular are not unable to attend alternative school settings after the birth of the baby. The Bill in no way will require additional expenditures by this General Assembly or by the State Board of Education. The State Board agrees with my analysis. In order to see that whatever dollars are available, are well, truly and nondiscriminatorily spent in this alternative program for potential dropouts. I would appreciate your 'yes' vote on the motion to override the Governor's veto of House Bill 1723."

Speaker Breslin: "The Lady has moved to override the Governor's

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veto of House Bill 1723. Is there any discussion? Hearing none, the question is, 'Shall House Bill 1723 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Seventy-one votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are fift...there are 60 voting 'aye', 49 voting 'no' and 2 voting 'present'. And the motion fails. House Bill 1730. Representative Rea. Clerk, read the motion. Out of the record. House Bill 1805. Representative Phelps. Clerk, read the motion."

Clerk O'Brien: "I move that House Bill 1805 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1805 was vetoed by the Governor. This legislation establishes six regional mathematics and science academies to be geographically apportioned throughout the state with the idea of utilizing the universities for the resources and technologies that they have that can be accessible to the mathematic and science students that are gifted in that area that possibly could not afford or choose to go to the permanent residential Math and Science Academy such as in Aurora. This program will be set up by the State Board of Education and the College Board throughout the state to try to choose these particular sites that will be fairly geographically disbursed for accessibility to those students who cannot travel and stay at the residential authority that was set up by this Assembly a couple of years ago. So I believe that the only possible cost that the Governor reflects in this veto message would be \$36,000 which looks like would be necessary for travel and other expenses afforded to the

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Board that would be making the policies to set up the structure for this...these academies to utilize the university. I think that that would not necessarily be cost accumulated in one year period even, so I think it would be much less than that if at all even near that. So I would appreciate your help in overriding the Governor's veto. I think this is a practical way to at least give those gifted students in math and science a way to have access to the university to...for a summer program. This does not ask for new dollars to be appropriated. This is through the summer program money, and I believe that it's a very practical approach to...for those students who cannot go to residential authority in Aurora, Illinois. I appreciate your support."

Speaker Breslin: "The Gentleman has moved to override the Governor's veto of House Bill 1805. And on that question, the Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you very much. Madam Speaker, with all due respect to the Sponsor and his intention on this Bill, as many of you on the floor know, the academy that we put in place in the reform package is Senate Bill 730, unless something happens during this Fall Session, that...that program which is visited by and will become models for a number of states around the union as well as other countries have come to take a look at our Math-Science Academy. Unless we find the funding and straighten out that particular program, the premier academy that we have in place is going to have a great difficulty. The Governor vetoed this Bill for cost reasons. Earlier today we overrode some general distributive money, which as I said at the time, we don't have. And we don't have this money either. And so for that reason, I rise reluctantly to oppose the Gentleman's motion and ask that the Governor's

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veto be sustained."

Speaker Breslin: "Representative Phelps to close."

Phelps: "I merely just ask for your support to an idea that is not to be misunderstood to compete with those of you who support the Mathematics and Science Academy in Aurora. This in a way, I think, could enhance that program. Those students who cannot access themselves to Aurora would possibly gain some confidence through a summer program and be a candidate for that in the future, if we...this Body chooses to appropriate funds to continue that in even a greater way. So I appreciate your support for, I think, a mild alternative, a very less cost idea to a tremendous program that students in this area could access in the universities. Thank you for your support."

Speaker Breslin: "The question is, 'Shall House Bill 1805 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Seventy-one votes are required. Seventy-one votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 62 voting 'aye', 48 voting 'no' and none voting 'present'. And the motion fails. House Bill 1812. Representative Bowman. Clerk, read the Bill...read the motion."

Clerk O'Brien: "I move that House Bill 1812 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Mr. Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think we're all somnolent at this point, so I will try and speak softly as not to wake anybody. This particular Bill does a couple of things. Number one, it provides a definition of mental illness in the statutes. Now you may find it surprising that we have the Mental

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Health Code, but we don't define mental illness. I found it surprising, so I felt that we should remedy that circumstance. Number two, provides a right to treatment. Now, I think that all of us believe that if a person, a citizen of Illinois, has a mental disease, they have a right to treatment. I mean doesn't anyone here...does anyone here deny that? Well, of course not. That too should be in the statutes. Now, the Governor vetoed it, not because of these common-sensical reasons, but because he says it's going to cost \$10,000,000. Now, I don't know where he got his money...his figures. Because it's now show and tell time. I urge all of you to take out your synopsis and digest and review the fiscal note that was filed by the Department of Mental Health. For those of you who may have left them in your offices, let me read it. It's one sentence. 'The Department does not believe House Bill 1812 would have any fiscal impact on it in Fiscal Year '88 or beyond.' And this was prepared by the Department of Mental Health and Developmental Disabilities. That is the only objection the Governor gave to it, and it is refuted by the fiscal note filed by his own department. So I think this is a very common-sensical Bill. We should have a definition of mental illness in the code, and we should state what everyone believes to be the case, that if...you have a right to treatment if you're mentally ill. I rest my case. I ask for support on this override motion. Thank you."

Speaker Breslin: "The Gentleman from Morgan, rather, excuse me. Representative Bowman has moved to override the Governor's veto on this Bill. The Gentleman from Morgan on the question, Representative Ryder."

Ryder: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I rise to oppose the motion. And I would do so



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indicating that we have events a little mixed up in the item here, I think an error was made. An error was made by the department when they indicated that fiscal note there would be no fiscal impact. In fact there is a large fiscal impact to this as indicated by the current understanding by the Governor's veto and by other items. The fiscal impact that I'm reading is, I believe, 40,000,000. I think, I have reason to believe that that is correct. The...frankly, the department made an error early in the year and Representative who is offering the motion is not to be blamed for that. The department did. They made the error, but be that as the case may be, we are talking about an item that does have a price tag. I will not quarrel with the Sponsor of the motion as to the necessity of what has to be done. He knows, I think, that I've been supportive of many of those items in the past. That I understand those issues and most occasions I am sympathetic to what is attempting to be accomplished. But Ladies and Gentlemen of the House, the cost of this Bill is a mere 40,000,000. Please keep that in mind when you cast your votes. Thank you."

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

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House, I'm reluctant to rise, because it is late but I get more and more confused over numbers that I hear. And I said earlier how the Governor has made a mockery of this process and our Fiscal Note Act. And now I hear that the...his own department has made a mistake. What good is it for us to have this Fiscal Note Act in requests made of us as Legislators? On the one hand we've heard when we passed the Bill, there's no fiscal impact. The Governor tells us there's 12,000,000. And now Representative Ryder tells us

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it's 40,000,000. I don't know who to believe. Now if it is true that it is 12,000,000 or even 40,000,000, what everybody is telling me is that there are many mentally ill people out there that are not receiving treatment. If it is true what Representative Ryder has said, we have got even a greater problem than we'll...than we realize. If it is true what he says then...then that...the prior motion that we had to restore funding for mental health was all the more needed. But I do rise to say that I'm getting more and more confused, and I think really the people out there that, you know, don't know what we're doing here, they ought to realize the more and more I hear these figures, I'm not sure we know what we're doing here."

Speaker Breslin: "Representative Bowman to close."

Bowman: "Yes, thank you, Madam Speaker. To pick up on what Representative Matijevich just said, I would observe that the Governor's veto message spoke of 10,000,000. Now I would challenge that based on the fiscal note, but then... now we have Representative Ryder coming in and saying 40,000,000. Now do I hear fifty? Fifty going once, fifty...there's fifty. Sixty? Do I here sixty? Do I have a sixty? Sixty. Sixty...Sixty-five...sixty-five there...sixty-five...sixty-five...give me a seventy...seventy...seventy...okay..."

Speaker Breslin: "Representative Bowman. Representative Bowman."

Bowman: "...seventy. Wait a minute. Wait a minute. Okay. Let's use a little common sense here. Let's just use a little common sense. This is not an auction market. Now either a person who is a paranoid schizophrenic has a right to treatment or he doesn't. Now, does anyone here in this room deny that a person who is paranoid schizophrenic should be not denied treatment? If you do, just raise your hand. Just raise your hand. Okay. I challenge all of you

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who kept your hands down to vote for this override motion.

Thank you very much."

Speaker Breslin: "The question is, 'Shall House Bill 1812 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Seventy-one votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 54 voting 'aye', 56 voting 'no' and 1 voting 'present'. And the motion fails. House Bill 1841. Representative LeFlore. Out of the record. House Bill 1866. Representative Matijevich. Clerk, read the Bill...the motion."

Clerk O'Brien: "I move that House Bill 1866 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the Assembly, I was hoping that Tony Leone was going to have the title of this Act and have a rerun of this Bill. But the Governor vetoed this Bill, and in his veto message the Governor said while I support the intent of and recognize...recognize the need of this Bill, he vetoed it for...this was with that block of eighty-four Bills that he said had a cost...I see Tony's getting all the attention, he well deserves it. But, I think, the Governor not only overestimated the cost, this is a Bill that would provide the establishment of a new technical committee to monitor development in the field of biotechnology. One of the first field tests of a genetically engineered pest-resistant tomato is currently being conducted in Macoupin County with no oversight by the state. And that was the intent of the Bill, that there'd be a committee composed of the...of certain agency directors and scientists so that there'd be oversight. And, I think it... you know, it's not a monumental Bill,

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but if we're talking about the future and what is happening to genetic engineering, I think it's an important Bill. Now as to the cost, I really think we're really only talking about the expenses of this committee which I think some of these scientists probably wouldn't even want expenses paid. So it's really minimal. So I think the issue is do you think this is good legislation, which the Governor agrees is good legislation. So I would urge the Members to override and give seventy-one votes. It won't cost the state, and I think we know that. I think even the Governor knows that."

Speaker Breslin: "The Gentleman moves to override the Governor's veto on House Bill 1866. On that question, Representative Ryder."

Ryder: "Thank you, Madam Speaker. I rise to correct the previous speaker. It's not Macoupin County, it's Jersey County, the county in which I live. I'm aware of what's going on down there. These folks have been so careful to let everybody know exactly what they're doing. In fact at one point, the folks that are doing this were almost a bother, because they were being so up front in public with what's going on. There is not a danger there. They are being very careful as to what's going on. It's not someplace where the state should be looking into. It's not a cost that we can afford. We need research like this to help the farm economy, to help us do some of the things we need to do, and we don't need...we don't need to be objecting to it or regulating it or attempting to do it ourselves. These folks are doing a fine job. Thank you."

Speaker Breslin: "The Gentleman from Madison, Mr. McPike."

McPike: "To tell you the truth, I have no interest in this Bill. Someone from Monsanto...the only reason I got up was because Representative Ryder stood up and an engineer or

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a...he's got his Ph.D. in genetic engineering, and he came to my office this year while the Bill was moving through, and Monsanto has a genetic engineering farm where they grow tomatoes in Jerseyville in Representative Ryder's district. And the Gentleman from Monsanto said he thought it was a good idea and he helped us write the Bill. So I don't know what that says about whether or not we should be in it or not, but certainly it was not just Monsanto but two or three other companies, and there are only a limited number of companies in the United States that are involved in this. And I was contacted by three of them, and they all said it was a good idea, that they thought that somebody should sit down and at least put together a position paper on it and give it to the state so that we had some idea of what the risks were and what the safeguards were. And they helped us write the Bill. So we passed the Bill, and the companies still support it. They called me after the veto override and says is there anything we can do. I said well, I don't know, I doubt if we'll override the Governor, but it's a pretty decent Bill and it's silly to say that we shouldn't be doing it, because everybody in industry that I've been contacted by supports it."

Speaker Breslin: "Mr. Matijevich to close."

Matijevich: "Before the Majority Leader rose in support of the Bill, I was going to say to Representative Ryder that after I introduced this Bill, and I introduced it when I found it was being offered in other states and passed, that those Gentlemen from Monsanto were also in my office, and Jeff Johnson is right behind you. And he can verify that after even, I think, after the Governor vetoed it, they contacted the Department of Public Health to indicate their support for it. It's not a matter of objecting to genetic engineering at all. It's not a matter of regulating at

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all. It's a matter of just oversight which the scientists feel is very necessary. So I again urge your support."

Speaker Breslin: "The question is, 'Shall House Bill 1866 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Ryder, for what reason do you rise?"

Ryder: "Madam Speaker, my name was mentioned a couple of times in debate, and I would simply rise to indicate that I apologize for misstating what may have been the position on Monsanto who are the folks that are doing in the district. And I will withdraw that as an objection. However, the cost is \$52,000 for six months, an annualized cost of 100,000. And for that reason, rather than the reason that I improperly said."

Speaker Breslin: "Seventy-one votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 54 voting 'aye', 48 voting 'no' and 1 voting 'present'. And the motion fails. House Bill 1868. Representative Hannig. Out of the record. House Bill 1908. Out of the record. House Bill 1924. Representative Cullerton. Representative...I understand that we already acted on that issue. House Bill 1955. Representative Phelps. Clerk, read the motion."

Clerk O'Brien: "I move that House Bill 1955 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Phelps."

Phelps: "Thank you, Madam Speaker. House Bill 1955, vetoed by the Governor, essentially sets up a mechanism for the health planning that Public Health and Public Aid already is empowered to do throughout the state to try to focus on designated shortage areas in the way of medically underserved areas which would be maybe health manpower shortages, physician shortages, anything that would

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designate that there is a shortage in medical services. Most of you are aware that downstate suffers from this severely. This does not add any more new costs to mandate a new program that would hinder implementation of what they already are authorized to do. This just merely asks them to in their planning and their evaluation that they would look at these designated shortage areas and possibly establish new priorities in the manner in which the money would be distributed. Hopefully that these designated shortage areas would then get a fair attention. That's all this Bill does. And the Governor only in his message assumed that it might cost new dollars, because of a new program. But it's...that's not the intent. It would not cause that. And I ask for your support to override."

Speaker Breslin: "The Gentleman asks...moves that the House override the Governor's veto of House Bill 1955. Is there any discussion? Hearing none, the question is, 'Shall House Bill 1955 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Seventy-one votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 65 voting 'aye', 47 voting 'no' and none voting 'present'. And the House...the motion fails. House Bill 1968. Representative Tuerk. Clerk, read the motion."

Clerk O'Brien: "I move that House Bill 1968 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Tuerk."

Tuerk: "Madam Speaker, Members of the House, many of you know we have problem in the Illinois River. And it really is a big, big problem in my area of Peoria. The problem is sedimentation. We've tried a number of things here recently and things are moving along pretty well to control

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sedimentation and so forth to make the river more palatable et cetera. What this Bill did and does is authorize the Department of Transportation to enter into agreements with other federal and local agencies in connection with the development of the Illinois River watershed. It's actually gives the IDOT a little more authority. It's permissive. There's nothing mandatory about it. There's no money involved. It just gives the Department a little more authority to get some things done on the river and work with other agencies within the state to get the job done. It passed in the spring by overwhelming majorities. I would ask for a override of the..."

Speaker Breslin: "The Gentleman moves to override the Governor's veto on House Bill 1968. On that question, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "Representative, this Bill passed without any negative votes. Is that correct?"

Tuerk: "That's true."

Cullerton: "And you were the Sponsor?"

Tuerk: "That's true."

Cullerton: "How are you going to vote on it?"

Tuerk: "I'm going to vote 'aye'."

Speaker Breslin: "Unkind, Representative Cullerton."

Tuerk: "Yeah, you are unkind."

Cullerton: "Okay, I'm sorry. I apologize."

Speaker Breslin: "Is there any further discussion? Hearing none, the question is, 'Shall House Bill 1968 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Seventy-one votes are required. Have all voted who wish? Representative Stange, one minute to explain your vote. Is



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the Gentleman in the chamber? Please turn his light off. Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', 1 voting 'no' and none voting 'present'. And this motion having received the required three-fifths majority is adopted. House Bill 2006. Representative McGann. Clerk, read the motion."

Clerk O'Brien: "I move that House Bill 2006 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative McGann."

McGann: "Thank you, Madam Speaker and Members of the Assembly. House Bill 2006 went out of the House after a lot of cooperation of the Members, went over to the Senate, was passed on to the Governor. It was a Bill to create a Bill of Rights for the developmentally disabled. It was just a Bill of Rights implementation plan. The Governor unfortunately vetoed it. He failed to mention that the legislation passed the House and Senate. It was only passed after a lot of negotiation with the Department plus Representative Tom Ryder and other Members of the subcommittee. We even gave assurances that there would be no cost to this Bill by writing into the Bill that it only establishes a planning process. The Governor failed to mention that the Bill derives from its own council on developmental disabilities which officially endorse its purpose and objectives. It's modeled after a similar Bill of Rights which was recently enacted in Iowa. It is related to legislation in Colorado and Hawaii. The Bill has the support of all the advocate groups that are interested in developmental disabilities. Truly our subcommittee, Representative Ryder, myself worked hard on this Bill with all the parties concerned to make sure that it was in an acceptable form. It expressly, once again, tells that it's an implemation...implementation and upon

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the enactment, it will come before the General Assembly in 1989 and the General Assembly will decide whether to fund it or what role that they would want to take at that time. This is very, very important to those people, those lost ones, those forgotten ones out there. And I would ask you to help override this veto. Thank you."

Speaker Breslin: "The Gentleman has moved for an override on House Bill 2006. Is there any discussion? Hearing none, the question is, 'Shall House Bill 2006 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Seventy-one votes are required. Have all voted who wish? The Clerk will take the record. On this question there are 107 voting 'aye', 4 voting 'no' and 1 voting 'present'. And this motion having received the required three-fifths majority is adopted. Next Bill, House Bill 2027. Representative Currie. Out of the record. House Bill 2052. Representative Hartke. Out of the record. On page twelve on your Calendar appears House Bill 2203. Representative Hannig. Representative Hannig? Clerk, read the motion. Out of the record. House Bill 2495. Representative Hartke. Twenty-four ninety-four, excuse me. Out of the record. House Bill 2558. Representative Currie. Out of the record. All these people are baseball fans. House Bill 2606. Representative Kirkland. Out of the record. Another baseball fan. House Bill 2645. Representative Stephens. Representative Stephens? Clerk, read the motion."

Clerk O'Brien: "I move that House Bill 2645 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Stephens."

Stephens: "Well, thank you, Madam Speaker. House Bill 2645 was a result of the Department of...the State Board of

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Education's refusal to properly, I thought, negotiate on the definition of autism and children with autism in the School Code. And after a couple of years of not working with us, we brought the matter before the General Assembly. This Bill passed out of the House and the Senate with no negative votes. The Governor vetoed it, because he said that the...this was something that the State Board could do on their own. But the fact of the matter is that they refused to do it. Most of you have been contacted by members in your legislative districts. I would urge an 'aye' vote and would be glad to answer any questions."

Speaker Breslin: "The Gentleman moves to override the Governor's veto of House Bill 2645. Is there any discussion? Hearing none, the question is...excuse me, the Gentleman from Winnebago, Representative Giorgi, did you wish to discuss this Bill?"

Giorgi: "Madam Speaker. Representative Stephens, wasn't it the Governor's message that said that he viewed the subject matter of this Bill as an administrative issue which should be handled through the normal rule-making process? He feels that it should be handled by the State Board of Education and its staff without the enactment of an additional law? And don't you think that ought to set the matter to rest...without the law?"

Stephens: "Well, yeah. No, I don't because they are not cooperating with us. They are not doing what we think they ought to do."

Giorgi: "The State Board of Education are not cooperative?"

Stephens: "Not cooperating with us on this issue, that's right."

Giorgi: "Well, shouldn't you take that up with the Governor too, because he appoints every member of the State Board?"

Stephens: "That would be one way, but I think that this way is a little more efficient."

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Speaker Breslin: "Any further discussion? Representative Stephens to close."

Stephens: "I would just urge an 'aye' vote."

Speaker Breslin: "The question is, 'Shall House Bill 2645 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Seventy-one votes are required. Have all voted who wish? The Clerk will take the record. On this question there are 51 voting...52 voting 'aye', 49 voting 'no', 8 voting 'present'. And the motion fails. House Bill 2670. Representative Currie. Out of the record. House Bill 2682. Representative Pullen. Out of the record. House Bill 2745. Representative Flinn. Clerk, read the motion."

Clerk O'Brien: "I move that House Bill 2745 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Flinn."

Flinn: "Thank you, Madam Speaker. House Bill 2745 is one that passed out of the House with 107 votes, out of the Senate with 45 votes. I think there may have been a misunderstanding on the Governor's part. This is a Bill that would permit counties like St. Clair County that has a terrible problem with the St. Louis trash being hauled over. And they're spilling a lot of trash on the roads. They're damaging the roads in the wintertime with heavy trucks. They're speeding. And what we wanted to do down there is use up to thirty percent of the fees collected to solve those problems until such time as the county gets in financial condition where it can handle them themselves. Like it is right now, very little or nothing's being done. It does not cost the state one cent of money, not a penny does it cost the state. And I would like to answer any questions if there are any. I would appreciate a green

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vote on overriding this veto."

Speaker Breslin: "The Gentleman moves to override the Governor's veto on House Bill 2745. Is there any discussion? Hearing none, the question is, 'Shall House Bill 2745 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Seventy-one votes are required to override. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 66 voting 'aye', 46 voting 'no' and none voting 'present'. And the motion fails. House Bill 2758 is Representative Homer's Bill, incorrectly recorded on the Calendar. Representative Homer, do you wish to call this motion? Out of the record. Representative Homer is busy. House Bill 2786. Representative Churchill. Clerk, read the motion."

Clerk O'Brien: "I move that House Bill 2786 do pass, the veto of the Governor notwithstanding."

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is the Bill that added the Safety in Skiing Act, the National Association Act, to the Department of Labor. I was...the Governor vetoed the Bill saying that it was going to cost the state \$1,500. It passed the House 116 to nothing and in the Senate 53 to 3. And I would ask that we override the Governor's veto."

Speaker Breslin: "The Gentleman moves to override the Governor's veto on House Bill 2786. On that question, Representative Frederick."

Frederick: "Madam Chairman, Ladies and Gentlemen of the House, much as I respect my colleague from Lake County, I rise to oppose this motion. First of all, we have created one amusement park safety board which has been inspecting ski slopes up to now very successfully. Secondly, the ski

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slope operators have moved to exempt themselves from much of the liability that I think they should not be ducking. And for both those reasons, I think we should vote 'no' on this motion."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Breslin: "He indicates he will."

Cullerton: "Representative Churchill, I know it's late. I'm looking for the file on this Bill. I had a question with the substance of the Bill itself. Did it deal at all with the liability of the people that operate these ski areas in the State of Illinois?"

Churchill: "It set out the duties of skiers and the duty of ski operators."

Cullerton: "Did it limit their liability in any way?"

Churchill: "By setting out their duties, it may have limited their liability."

Cullerton: "Okay. I still don't have a copy, but thank you for answering the questions."

Speaker Breslin: "Representative Churchill to close."

Churchill: "I'd just ask for support of the override."

Speaker Breslin: "The question is, 'Shall House Bill 2786 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Seventy-one votes are required. Have all voted who wish? Representative McCracken. Seventy-one votes are required on this motion. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 34 voting 'aye', 74 voting 'no' and 4 voting 'present'. And the motion fails. Mr. Clerk, is there any further business to come before this House? Representative Cullerton now moves that this House stand adjourned until 9:00 a.m. tomorrow morning. All those in

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favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and this House stands adjourned until 9:00 a.m. tomorrow morning."

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