

STATE OF ILLINOIS  
82ND GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

9th Legislative Day

February 26, 1981

Speaker Ryan: "House will come to order, and the Members will be in their seats please. We'll be led in prayer this morning by Reverend Shoultz."

Reverend Shoultz: "God in whom helped in ages past this day that Thou hast made, we need Thy help to appreciate its beauty, and may we use it as an opportunity not for what we may receive but what we can give. These Thy servant as representative of Your people from different part of this State give to them the will to work together for the welfare of all our people. Give to them, oh Father, the courage to withstand the pressure of selfishness. Give to them Thy vision for we have heard You clearly stated to us where there is no vision the people will perish. May we strive always Master to do the best they can and leave the rest to Thee. And, dear Lord, as we come to the close of this weeks activity in this Chamber may we look back with clearness of conscience that we have given our best for we ask it in the name of the Father, the Son, and the Holy Ghost. Amen."

Speaker Ryan: "We'll be led the pledge of allegiance by Representative Vitek."

Vitek: "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 Ryan: "Roll Call for Attendance. Excused absences. Representative Getty."

Getty: "Mr. Speaker, may the record reflect that Representative Schneider should be excused due to illness. Representative Huff due to illness, and Representative Christensen due to illness in his family."

Speaker Ryan "The record will so indicate. Representative Polk."

Polk: "Mr. Speaker, last year this House had the opportunity to

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vote on some legislation that came out of the Election Committee, and I know you were all interested; especially Mr. Bluthardt who was involved in this, and we were all interested in this issue where the Rock Island County had spent \$5500 on the optical mark reading system. There was a lot of controversy here whether we should pass that or not. The Bill was finally passed out so that we would have a system in Rock Island County that would be something that all of you that could come to Rock Island and see what a great system we had. That was sponsored in the Senate by a Senator who is no longer with us. I want you to know that we had a primary two days ago and we're certainly going to invite you all back to Rock Island County so you can see how the optical marking system works. We had a hundred and fifteen precincts voting and six... from six electoral offices. I want you to know at 2:19 in the morning, 2:19 in the morning, they still hadn't completed the tally. The offices for the three mayors that was the major interest. They had to eventually pull out and hand count. The township offices, when we called there at 9:00 the following morning, they still hadn't completed it. So any of you that are interested in having your counties spend \$500,000 to upgrade their voting system so that you can get results back at just a matter of moments, you're certainly welcome to come up to my community in Rock Island County and observe that system."

Speaker Ryan: "Representative Darrow, for what purpose do you rise?"

Darrow: "Well I just rose to ask Representative Polk if he didn't vote for that appropriation for those changes so that we could use that. I understand that it was with his help that we were able to pass the necessary legislation."

Speaker Ryan: "Representative Telcser for excused absences. Take

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the record on the Roll Call, Mr. Clerk. There being 164 Members answering the Roll, a quorum of the House is present. Introduction and Reading of House Bills... First Reading of House Bills."

Clerk Leone: "House Bill 377, Hudson, Ralph Dunn. A Bill for an Act to eliminate obsolete references to junior colleges. First Reading of the Bill. House Bill 378, Lechowicz et al. A Bill for an Act in relationship to business corporations. First Reading of the Bill. House Bill 379, Lechowicz et al. A Bill for an Act to amend Sections of the Business Corporation Act. First Reading of the Bill. House Bill 380, Lechowicz et al. A Bill for an Act to amend Sections of the Business Corporation Act. First Reading of the Bill. House Bill 381, Rea. A Bill for an Act in relationship to annual payments received by State of Illinois from the Tennessee Valley Authority. First Reading of the Bill. House Bill 382, Stuffle-Donovan. A Bill for an Act to add Sections to the Illinois Pension Code. First Reading of the Bill. House Bill 383, O'Brien. A Bill for an Act to repeal the Urban Transportation District Act. First Reading of the Bill. House Bill 384, Kustra et al. A Bill for an Act to amend Sections of the Illinois Governmental Ethics Act. First Reading of the Bill. House Bill 385, Schraeder-Rigney. A Bill for an Act to protect farming operations from nuisance suits under certain circumstances. First Reading of the Bill. House Bill 386, Davis et al. A Bill for an Act to add Sections to the Veterinary Medicine and Surgery Practice Act. First Reading of the Bill. House Bill 387, Oblinger. A Bill for an Act relating to the location of sanitary land fills and hazardous waste disposal sites. First Reading of the Bill."

Speaker Ryan: "Committee Reports."

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Clerk Leone: "Representative McMaster, Chairman on Committee on Townships... Counties and Townships to which the following Bills were referred, action taken February 25, 1981 and reported the same back with the following recommendations: 'Do pass' House Bill 49, 'do not pass' House Bill 62, 'do pass' Consent Calendar House Bill 137. Representative Leinenweber, Chairman on Committee on Judiciary I to which the following Bills were referred, action taken February 25, 1981 and reported the same back with the following recommendations: 'do pass' House Bill 85, 'do not pass' House Bill 3. Representative Ewing, Chairman of the Committee on Revenue to which the following Bills were referred, action taken February 25, 1981 and reported the same back with the following recommendations: 'do not pass' as amended House Bill 56."

Speaker Ryan: "Message from the Senate."

Clerk Leone: "A Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution in the adoption of which I am instructed to ask concurrence of the House of Representatives to wit: Senate Joint Resolution #14. Resolved by the Senate of the 82nd General Assembly of the State of Illinois the House of Representative concurring herein that when the Senate adjourned on Thursday, February 26, 1981 it stands adjourned until Wednesday, March 4, 1981 at 12:00 noon. And when the House of Representative adjourns on Thursday, February 26, 1981 it stands adjourned until Tuesday, March 3, 1981 at 12:00 noon. Adopted by the Senate February 26, 1981. Kenneth Wright, Secretary."

Speaker Ryan: "The Gentleman from Cook, Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, I'd like to offer to move the adoption of the Adjournment Resolution which

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provides for the House to adjourn until Tuesday, March 3 at the hour of noon, for the Senate to adjourn until Wednesday, March 4 at the hour of noon. I now offer we move the adoption of the Adjournment Resolution."

Speaker Ryan: "The Gentleman's moved the adoption of the Adjournment Resolution. All in favor will signify by saying 'aye', all oppose say 'nay'. The ayes have it, and the motion is adopted. The Gentleman from Cook, Representative Kosinski, for what purpose do you rise?"

Kosinski: "Mr. Speaker, just a question of clarification. There's a little noise in here and this went by pretty fast. I understand we return on Tuesday, March 2 at noon, correct? And adjourn when, Sir?"

Speaker Ryan: "We come in on Tuesday the 3rd, Representative."

Kosinski: "Yes, and adjourn when sir?"

Speaker Ryan: "When we adjourn today, we come back Tuesday the 3...Tuesday the 3rd."

Kosinski: "I understand this. Was there an Amendment of some sort? What was that?"

Speaker Ryan: "We just passed... adopted the Adjournment Resolution."

Kosinski: "For today?"

Speaker Ryan: "For today."

Kosinski: "Thank you."

Speaker Ryan: "But I don't know how we could adopt one for next week. Introduction and First Reading of House Bills."

Clerk Leone: "House Bill 388, Sam Wolf. A Bill for an Act to amend an Act in relationship to meetings. First Reading of the Bill. House Bill 389, Sam Wolf. A Bill for an Act to amend the Metropolitan East Sanitary District. First Reading of the Bill. House Bill 390, Preston. A Bill for an Act to amend Sections of an Act relating to alcoholic liquors. First Reading of the Bill. House Bill 391,

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Greiman. A Bill for an Act to amend Sections of the Lobbyist Registration Act. First Reading of the Bill."

Speaker Ryan: "On page three of the Calendar under the Order of Consent Calendar, Second Reading, appears House Bill 190."

Clerk Leone: "House Bill 190. A Bill for an Act relating to alcoholic liquors. Second Reading of the Bill. House Bill 197. A Bill for an Act to amend the Fish Code. Second Reading of the Bill."

Speaker Ryan: "Third Reading. On page two under the Order of House Bills, Second Reading appears House Bill #2, Representative Katz."

Clerk Leone: "House Bill..."

Speaker Ryan: "Take it out of the record, Mr. Clerk. Representative Katz is not ready. House Bill 31, Representative Polk."

Clerk Leone: "House Bill #31. A Bill for an Act to require the reporting of Reye's Syndrome. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 103, Representative Abramson. Are you ready for that? Out of the record. House Bill 104. Out of the record. Representative Reilly. House Bill 107."

Clerk Leone: "House Bill 107. A Bill for an Act to amend the Election Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any motions filed?"

Clerk Leone: "No motions filed."

Speaker Ryan: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. Representative Reilly, for what purpose do you rise?"

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Reilly: "Representative Lechowicz who had yesterday asked that I hold this on Second so that he could check, I believe, with the Cook County Clerk still has not done so. The Speaker's moved it to Third. I don't care. I'm willing to hold it till next week. Would you just accept my word that if you find a problem I'll move it back? Thank you."

Speaker Ryan: "House Bill 158, Giorgi. Out of the record. House Bill 195, Darrow. Out of the record. Introduction and First Reading of House Bills."

Clerk Leone: "House Bill 392, Oblinger et al. A Bill for an Act relating to merit employment of technical employees in the Department of Transportation. First Reading of the Bill. House Bill 393, Catania-Jones-Epton. A Bill for an Act to add Sections to the Illinois Insurance Code. First Reading of the Bill. House Bill 394. A Bill for an Act relating to advertising space on public mass transit vehicles. First Reading of the Bill. House Bill 395, Flinn. A Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill."

Speaker Ryan: "On page two of the Calendar under the Order of House Bills, Third Reading appears House Bill 15, Representative Huskey. Representative Huskey on the floor?"

Clerk Leone: "House Bill 15. A Bill for an Act to amend the Municipal Code... Third Reading of the Bill."

Speaker Ryan: "Gentleman from Cook, Representative Huskey."

Huskey: "Mr. Speaker, take it out of the record please."

Speaker Ryan: "Out of the record, Mr. Clerk. House Bill 50, Representative Yourell."

Clerk Leone: "House Bill 50. A Bill for an Act to amend the Election Code. Third Reading of the Bill."

Speaker Ryan: "Gentleman from Cook, Representative Yourell."

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

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House, House Bill 50 amends the Election Code to raise the permiss... remissable salary range for the Executive Director of the State Board of Elections between 30,000 and 48,000 dollars per year. The present range is between 22,000 and 40,000 and the present Executive now... is now within 4 dollars of the maximum salary that he can receive. The Bill was heard in Executive last week and came out with a vote of 19 to 3 and I would solícite your support of this good Bill."

Speaker Ryan: "Is there any discussion? Is there any discussion?"

The Gentleman from Champaign, Representative Johnson."

Johnson: "Representative Yourell, what is the current minimum?"

Yourell: "22,000, Sir."

Johnson: "And you're raising that to 30, is that right?"

Yourell: "No. The current minimum and maximum is 22,000 to 40,000 and we're raising it from 30,000 to 48."

Johnson: "What I'm saying is you're raising the minimum to 30,000. Is that right?"

Yourell: "That's correct."

Johnson: "Okay. And you're raising the maximum from what to what?"

Yourell: "From 40 to 48."

Johnson: "What's the current officeholder making?"

Yourell: "39,996 dollars."

Speaker Ryan: "The Gentleman from Cook, Representative Huskey."

Huskey: "Well, Mr. Speaker, it states here that the person in... that this raise is affecting was... When was he brought up to 40,000 dollars?"

Yourell: "What is the question, Mr. Huskey?"

Huskey: "When was the person that the Bill is directed to for a raise, when were they brought to the salary of 40,000 dollars?"

Yourell: "They're not up to the salary of 40,000 dollars, sir."



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Huskey: "What salary are they up to then?"

Yourell: "39,996."

Huskey: "Oh, so you're going to call me a liar for four dollars."

Yourell: "No, you're calling yourself a liar. I ain't, Sir. I have more respect for you."

Huskey: "Mr. Speaker, may I speak to the Bill?"

Speaker Ryan: "Yes."

Huskey: "Ladies and... Mr. Speaker and Ladies and Gentlemen of the House, here is the first Bill of the year on Third Reading. It's asking for a 48% salary increase. We've come to this... We've come to this Session to cut back and have an austerity program and the first Bill of the Session is for a 48% salary increase."

Speaker Ryan: "Is there any further discussion? The Gentleman from Livingston, Representative Ewing."

Ewing: "Would the Sponsor yield for a question?"

Speaker Ryan: "He indicates he will."

Ewing: "What is the... maybe you gave this and I didn't hear it, but what's the reason for the increase?" Yourell: "I didn't hear you Representative."

Ewing: "What's the reason for the increase?"

Yourell: "The reason for the increase is there is no increase in salary. In spite of what the Representative spoke before you indicated, this is not a salary raise. It's an extension of the salary reigned by which the Executive Director may, by vote of the Board, receive a salary increase."

Ewing: "Okay. That.. I understand that, but I would imagine that such an increase is tantamount to the Board giving it to him. So I'm asking you, are they unable to get an Executive Director for the current salary? Is the vacancy... Is he incompetent? Why the need for the increase?"

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Yourell: "No, he's not incompetent. He's a very, very knowledgeable individual with the State Board of Elections, and I believe he's a Member of your Party, Sir."

Ewing: "Well, I didn't matter whose party he is. I'm asking you is there a reason for the increase in the... I realize that the Board will have to pass it, but why are we giving... increasing the cap? Are we increasing the cap for other state officials? Are we increasing the salary for Legislators? Why did you pick out this one?"

Yourell: "I have no idea what we're doing with other... with other officers or positions, Representative. All I know is that this increases the range from its present 22 to 40,000 to 30,000 to 48,000. This does not indicate that he's going to get any figure in between there. That's up to the Board. He was on July of...in July of 1978 the Board recognizing that Dr. Michaelson was an excellent administrator, voted unanimous to retain him as the Executive Director and grant him a 5% salary increase bringing his salary up to 37,600 dollars. Since 1978 and the present time he's gone from 37,600 to 39,966 (sic). So we're talking about increases. We're talking about increases that have been less than 5%. I don't know what the position of the Board is going to be. This is not a pay raise increase for Mr. Michaelson, the Executive Director of the State Board of Elections. It's simply extending the range by which he may receive a salary increase of perhaps four or five percent."

Ewing: "Well, Mr. Speaker, I'd ask one more time if there is a straight answer to why are we increasing the range. Just simply without all the rhetoric, is there a reason? Do we want to give him a raise beyond what the current range is or what is the reason. If there is no reason, then I wonder why we should have the Bill."

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Yourell: "The reason, Sir, if you were listening I suggested it to you."

Ewing: "I was listening, but there was too much rhetoric."

Yourell: "The range now in the present salary is up to four dollars of the amount of money that he can receive. Now if you don't want to increase the range, he can receive a raise of four dollars and that's it."

Ewing: "Thank you. Mr. Speaker, speaking to the Bill, I would have to think this is a very bad precedent. I don't think we've seen any evidence that we need to up it by some 8,000 dollars and I think we probably ought to leave it there or make it a more modified increase. We'll all receive a lot of criticism for this type of thing back home, and I would encourage a no vote."

Speaker Ryan: "Is there any further discussion? The Gentleman from Cook, Mr. Yourell, to close."

Yourell: "Just a favorable Roll Call."

Speaker Ryan: "The Gentleman has asked for a favorable Roll Call on House Bill 50. All those in favor will signify by voting aye, and all oppose by voting no. Have all voted who wish? Have all voted who wish? Have all voted who wish? On this issue... Mr. Clerk, take the record. On this question there are 47 'ayes' and 95 'nays' and 7 voting 'present'. This Bill having failed to receive a Constitutional Amendment (sic) is hereby declared lost. We're going to test the bell here for a minute. If you'll just be at ease for a second. Back to Third Reading. Under the Order of Third Reading appears House Bill..."

Yourell: "Mr. Speaker, will you turn me off?"

Speaker Ryan: "Turn off Representative Yourell would you please. Under the Order of House Bills, Third Reading appears House Bill 60, Representative Bradley. Will you read the Bill, Mr. Clerk?"

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Clerk Leone:#M"House Bill 60. A Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Ryan: "Representative Bradley."

Bradley: "Yes, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, House Bill 60 addresses itself to a problem that the County Board has had in needing or passing a Resolution by September 15 in order to accelerate tax collections the following year. The last few years, as many of you know, I'm sure, that we've had a... between the situation of having late assessments, quadrial reassessments, reassessment of property. We've seen the situation where property taxes have not been sent out on time and have cost the local taxing units thousands upon thousands of dollars in interest rates when they've been forced to go to the banks to borrow money. What this Bill does is eliminates the September 15 deadline. It gives the County Boards some flexibility in making a decision as to... and gives them a longer time in a matter of months. Instead of by September 15 they could wait till December 15 or January 15 to pass that Resolution so that they could accelerate the collection of taxes. Get a least 50% of the taxes collected and into the hands of the local taxing units. As I say so that they will not have to borrow money, pay these high interest rates that they're now doing. It also allows them to rescind at any time the need for collection of taxes. It becomes apparent to them that they don't have to do it because in some cases it is costly in accelerating taxes. This just gives the County Boards the flexibility to do something I think needs to be done. It came out of the Revenue Committee on a unanimous vote. Not one descending vote. It's a good piece of legislation. And, Mr. Speaker, I wish you would recognize Representative McMasters to close the debate. I'd be happy to answer any

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questions."

Speaker Ryan: "Is there any discussion? The Gentleman from McClean, Representative Ropp."

Ropp: "Mr. Speaker and Members of the House, thank you. I think this is a very good Bill and what this also does, it provides for consumers who are paying these taxes to more equitably prepare their budgets for the year rather than have this whole big hunk come in on them like in about October-November as we did in our area last Session. It does provide for the paying of portions of your tax bill earlier in the year and then spreading out that burden. I think this is a super Bill. It's going to save school districts a lot of interest dollars, too, that they previously had to pay, and I hope we all support it."

Speaker Ryan: "Is there any further discussion? The Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill was given a good hearing in the Revenue Committee, and I think it came out without a descending vote. I think it's a step in the right direction as far as improving the system for estimated tax, and I would wholeheartedly encourage a yes vote on this Bill."

Speaker Ryan: "Is there any further discussion? Is there any further discussion? Representative Bradley, to close."

Bradley: "Mr. Speaker, the Co-Sponsor, Tom McMaster's. Representative McMaster's to close, Sir."

Speaker Ryan: "Representative McMaster to close."

McMaster: "Thank you Mr. Speaker. I don't think I can add a great deal to what Mr. Bradley has said, Mr. Ewing and Mr. Ropp. Let me say that the purpose of the legislation is to ease the burden upon our local units of government and especially upon school districts who have, over the past several years, been forced to anticipate at a greater

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amount than they should have. For this reason it's a very beneficial Bill for local units of government and for school districts, and I would encourage a yes vote on this piece of legislation, please."

Speaker Ryan: "The question is, shall House Bill 60 pass? All in favor will signify by voting aye, and all oppose by voting no. Have all voted who wish? Is anybody... Have all voted who wish? Clerk will take the record. On this question there are 147 voting 'aye', 2 voting 'no', and this Bill having received the Constitutional Majority is hereby declared passed. On the Order of Third Reading appears House Bill 70, Representative Jaffe. Would you read the Bill, Mr. Clerk?"

Clerk Leone: "House Bill #70. A Bill for an Act to amend the Municipal Code. Third Reading of the Bill."

Speaker Ryan: "Gentleman from Cook, Representative Jaffe."

Jaffe: "Mr. Speaker and Members of the House, House Bill 70 is Cosponsored by Representative Conti and myself and it's basically a money-saving Bill. It removes the requirement of a referendum on a home-rule status of such a municipality after its population falls below 25,000 if such a referendum has been held into two preceding calendar years. This Bill would actually do away with the duplication because of the census of 1980. It's supported by the Municipal League and it came out of Committee 16 to nothing. It was put on the Consent Calendar and was just knocked off. I don't think there's any opposition to it, and I would urge an 'aye' vote on it."

Speaker Ryan: "Is there any discussion? Is there any discussion? Representative Dunn."

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

Speaker Ryan: "He indicates he will."

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Dunn: "Just a clarification. I couldn't hear what this Bill does. What happens when population drops below 25,000 in what is now a home-rule unit?"

Jaffe: "Well, by the Constitution you're mandated to have an election. You're suppose... You're mandated to have a referendum. Now there are some municipalities which have already had their referendum. They've had it in the last year. So basically what we're saying is if they've had that referendum already why have it again. You're just going to have the same result, and it would... and that would be a duplication of elections. So what we're saying is let's not have another election. It's senseless to do that and it removes that requirement."

Dunn: "Sounds like a good Bill. Thank you."

Speaker Ryan: "The Lady from Cook, Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, I don't think that there can be any guarantee that there would be the same results in a new referendum because there's a different factor involved. Because what we're talking about is cities and villages whose population have gone under 25,000 which is something that did not occur in the previous referendum but would be the case now. And I can well imagine those who support keeping home-rule using the argument, 'Well all other cities and villages in Illinois over 25,000 have it so we should keep it too'. But when it goes under 25,000 you could not possibly make that arguement. So I think that we could very well be denying people in our cities and villages, particularly in my district, the opportunity to vote to remove home-rule if they so choose. Because there is a different factor involved when a city or a village has gone under 25,000 in population, and in their previous referendum, that factor was not being taken into account because it was not known."

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In the next referendum; however, it would be known and it would change the game plan quite a bit. So I think the Gentleman suggesting that it's a useless referendum because the results would be duplicated cannot possibly prove that. I urge a no vote on this Bill."

Speaker Ryan: "The Representative from... The Lady from Cook, Representative Macdonald."

Macdonald: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First, I'd like to ask how many votes this Bill will take to pass? How many votes will it take for this Bill to pass?"

Speaker Ryan: "Representative, we're going to continue with the debate while the Parliamentarian does a little work on your question."

Macdonald: "Thank you. As most of you know, I was a delegate to the Illinois Constitution in 1970. I think the Constitution speaks quite clearly on home-rule and the powers of home-rule, and I think that the safeguard was put in there that when a municipality falls under 25,000 that there must be a requirement for a referendum. Or if a municipality under 25,000 wants to opt-in by referendum, of course, they can. Regardless of what their population had been previously. I have some question, very reluctantly, because of the Sponsor of opposing this Bill, but I think Representative Pullen has stated what the problems are with this Bill rather extensively, so I won't articulate what she's already said. But because it would seem to me to be better to let the Constitution stand as it is, I would have to oppose this Bill."

Speaker Ryan: "The Gentleman from Cook, Representative Conti."

Conti: "Well, Mr. Speaker, Ladies and Gentlemen of the House, this Bill, as the Sponsor originally said, did pass in the Fall Session with unanimously out of Committee, passed out



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of the House 141 to possibly 2 or 3 votes against it. It got over to the Senate and it was ready for passage there and there was some personal problem in just one municipality up in their district, and because of that personal problem, this Bill could run into thousands and thousands of dollars. And unfortunately, my municipality is one of the municipalities that was going along very smoothly, operating 22 years out of 22 without any deficite financing and somebody by the names of James Tobin and Pat Quinn for self personal gain or grandioso of their own came in and asked the people to petition the voters of Elmwood Park to change their home-rule status. And they got 700 signatures on it by telling the people that they can cut their taxes by 50% if they signed a petition. So these people were gullible enough to sign a petition to have their referendum, both Democrats and Republicans, stayed out of that referendum. They let Mr. Quinn and Mr. Tobin do their thing, hold their public meetings. And, as I said. they got 700 petitions to sign the petition. When the vote was taken there was some 6,800 votes for the retension of the home-rule and there's only 900 people that voted against it after they understood the problems with no political pressures from either party. Now, in essence, what this Bill is going to do, this referendum was held just five or six months before the census was taken. And what it's going to do is force me to spend another 16 to 20,000 dollars for another referendum that the people they themselves have answered the question loud and clear, without party affiliations or party interferences from either party. To ask the people in Elmwood Park or any other municipality that falls under the same category to go through this unnecessary expense is absolutely ridiculous. And it specifically states, in detail, voters could still

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petition to have the question placed on the ballot. It just doesn't make it mandatory. It doesn't make it mandatory for us to go through this same expenditure again. That's all we're asking you to do. If the people decide that they want to hold another referendum and spend another 16,000 dollars on an issue that passed by six, seven, ten to one, then they can still do it. All we're doing is spelling it out for them. Those municipalities that have had it within a one year period do not have to go through this ordeal again. And I ask for a favorable vote. And I certainly hope that one personal problem in one municipality of the State of Illinois is going to make it difficult and very expensive for the rest of these municipalities. I urge a considerable vote for this... favorable vote."

Speaker Ryan: "The Gentleman from Champaign, Representative Wikoff."

Wikoff: "Thank you Mr. Speaker. This Bill was just heard in Cities and Villages a couple of weeks ago and received a good hearing and came out of there on Consent Calendar and was taken off by someone who didn't approve of the Consent Calendar. Basically, I think something that should be brought out on this is what it does is affects a home-rule community which has fallen below the 25,000 presently that they are mandated to hold a re-election. If this Bill is adopted and they have held an election, a referendum regarding home-rule within the previous two years they don't have to go through it again. That's all it's about. It's going to save a lot of cities a lot of money. The people within the communities still have the option to petition if they want to as to whether they go by a home-rule or whether they don't. That's presently a legal right under the Constitution. This is just another

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mandated program on some cities that we don't need. As I said, it came out of the Cities and Villages and was placed on a Consent Calendar and I would urge the adoption of the legislation."

Speaker Ryan: "Is there any further discussion? Representative Macdonald, on your question as to the number of votes. The Parliamentarian that it only takes 89 votes. Representative Jaffe to close."

Jaffe: "Yes, Mr. Speaker and Members. I think that this Bill has been well debated. I think the only error that I would like to clear up in debate is that there was an indication that this would do away with a referendum. It really doesn't do away with a referendum. You've already had the referendum within a two year period preceding the change in population. That being the case, I think would just be duplicative and, as I say, it's supported by the Municipal League. It passed out of Committee 16 to nothing. I know of no opposition to it outside of the few House voices on the floor of the House. And I would urge an aye vote."

Speaker Ryan: "The question is, shall House Bill 70 pass? All those in favor will signify by voting 'aye' and all those by voting 'no'. Have all voted who wish? The Clerk will take the record. On this question there are 140 'ayes', 16 'nos', and 1 voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. On the Order of Third Reading appears House Bill #77, Representative Huskey. Would you read the Bill Mr. Clerk?"

Clerk Leone: "House Bill 77. A Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Third Reading of the Bill."

Speaker Ryan: "The Gentleman from Cook, Representative Huskey."

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

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Bill 77 is more of a technical Bill to clean up House Bill 24. House Bill 24 was a child support Bill and I'm sure that you have... every Lady of the House is familiar with the child support Bill because every Lady of the House was either a hyphenated or a Cosponsor of the Bill and also the Gentlemen in the House. House Bill 77 mainly is a ... to clean up an error that was...that we made to the county... the Clerks of the Cour...the County Courts and the promise was that this Bill would not cost the counties any money. And, so what this Bill does is merely mandates that the County Boards cannot... cannot charge and cannot exempt the mandate of the three dollar service charge that's added onto the fees for collecting child support. In other words, if the courts do run short, then the state makes up the difference that the Federal Government does not plus the... First it's funded by Federal Government. Second, the three dollars helps cover the cost, and then the difference is made up by the state. And that's all the Bill is. It's not a complicated Bill and I ask for your favorable vote."

Speaker Ryan: "Is there any discussion? Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Huskey, is this aimed at Cook County to inhibit the Cook County Board from acting? Because it's going to take an extraordinary majority if it is."

Huskey: "No. It's not aimed at Cook County. Actually, what it was..."

Giorgi: "Is it aimed at all 102 counties?"

Huskey: "Any county that wants in the program."

Giorgi: "Well, your languages specify that all 102 counties cannot waive this fee. Is that correct?"

Huskey: "That's right."

Giorgi: "Is this requested by any county of your knowledge?"

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Huskey: "Only if they're in the program, Representative Giorgi."

Giorgi: "Every county could be in the program."

Huskey: "It can be... at its request."

Giorgi: "... You're mandating that 102 counties... You're inhibiting the authority of 102 counties."

Huskey: "No."

Giorgi: "I'm asking you, did any county specifically ask you for this type of legislation? Did any county ask you for this? Or did Harrison ask...?"

Huskey: "The Bill... no particular county asked that this be done, but this was to be in the original drafting..."

Giorgi: "You're inhibiting county law here. If no county asked you for this Bill, why has this Bill been introduced?"

Huskey: "This was to be in the original Bill. This is the Bill that the County Clerks of the State and the people that were involved in the Bill... When the Bill was designed, it was designed with this package. It was inadvertently left out and it was to be designed this way with our word to the counties and to the State. This would be the funding of the way... The way the Bill would be funded. This Bill... you got to remember. It's 75% or more funded by federal funds. It's the... the second cost is the 3 dollar fee for collecting, 3 dollar monthly fee for collecting. And then the third cost would be the state makes up the difference. It relieves the county of any cost."

Giorgi: "Why do you want to deny the county the authority of a three dollar fee? What's so important about this Bill?"

Huskey: "Okay. Representative Giorgi, the only question here is the deficit. Who picks up the deficit? The county or the state?"

Giorgi: "Wait a minute. How about the poor person that contributes to this fund that you're paying the money out

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of. Have you forgotten about him?"

Huskey: "You voted on that when you voted House Bill 24."

Giorgi: "No. Mr. Speaker, incidentally, before we put this to a vote, will you please rule us as to whether this takes 107 votes or not, because it inhibits the authority of the Cook County Board?"

Speaker Ryan: "The Gentleman from Effingham, Mr. Brummer."

Brummer: "Will the Sponsor yield?"

Speaker Ryan: "Indicates he will."

Brummer: "How many counties currently waive this fee?"

Huskey: "Would...would you repeat that question?"

Brummer: "How many counties currently waive this fee?"

Huskey: "The program hasn't started operating yet. I don't... There's only one county that's in the program right now and that's Cook County that I know of."

Brummer: "Well, the Bill provides that... I mean the existing law provides that there should be a three dollar filing... or three dollar payment fee per month with regard to child support payments. All the Bill does is eliminates language that says the County Board can waive the collection of that fee. My question to you is, how many County Boards are currently waiving that fee? It has nothing to do with the program. This is existing law now and you're striking some language from the existing law which allows flexibility to the County Board to waive the filing of th fee. If the County Board wants to waive that fee and not collect it, I don't understand why they should not be able to waive it."

Huskey: "It's existing law that isn't operating yet."

Brummer: "You mean it has not become effective?"

Huskey: "No."

Brummer: "When does it become effective?"

Huskey: "January the first, 1982. And that's only for the counties that choose to opt-in to the program. They have a

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choice."

Brunner: "Well, Section 711 says that they reimburse the county for the cost of handling the child support payments at a fee rate of three dollars per month for every month the order is in effect."

Huskey: "Alright. First on this Bill, you've got to remember. There could be a choice made between the two parties on the divorce case. If the payee chooses to pay the payor directly... then..."

Brunner: "In our area..."

Huskey: "...they can waive the fee."

Brunner: "No, in our area the parties don't have any choice. The judge orders it paid through the Clerk of the Court."

Huskey: "Well, that's what the Bill is asking you to do."

Brunner: "What?"

Huskey: "That's what the Bill is asking you to do."

Brunner: "Well if it requires that the child support be made to the Clerk of a Court, then obviously the parties don't have any choice about whether it be paid to the Clerk of the Court. They're going to incur, under this Bill, an additional three dollars per month that could otherwise go to feed children if the County Board decided to waive their right to collect the fee. Now I don't understand why you don't want to give the County Board the flexibility. If the County Board wants to charge the three dollar a month fee, fine. They have the authority to do so. If they don't want to why can't the County Board waive it?"

Huskey: "I think you're confusing the issue, Representative. The County... the County... All this does is... First... Number one, if you go into divorce court and get a divorce and you agree between the parties that you're going to pay the party without this going through the Circuit Court, you're permitted to do that. That's permitted."

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Brummer: "Wrong. Not in our area."

Huskey: "No. That's in the Bill. That is in the Bill. House Bill 24 . And what this does, if he does become delinquent or there can be no agreement made between the supporting parties, then they pay a three dollar service charge for collecting the fees. Now what this Bill does is to allow the... to keep the County Boards from waiving that fee and charging it to the State. In other words, the build up of cost to the State, making the State have to pick up the fee instead of the.. .instead of the payee. And that's all the Bill does. It's very simple. It was in the original Bill and its waive was originally explained in the Bill."

Brummer: "Well, if it's in the original Bill, we don't need to amend it."

Huskey: "There was some way advertently... There was a mistake in printing the Bill."

Brummer: "Very briefly, I would... This seems to be a bad concept. Currently, under the existing law, the County Boards have the flexibility. They can either charge the fee or they can waive the fee. The County Board decides it's advisable to waive the fee, not charge it, they ought to have that authority. If this Bill passes, it will not have that flexibility, and I would respectfully suggest a 'no' vote is in order."

Speaker Ryan: "The Gentleman from Lake, Representative Deuster."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, I, too, rise in this case reluctantly because of my respect for the Sponsor to oppose this Bill. Most of us believe in local government. Most of us believe in having county government and municipal government who are close to the people have the choice to decide how to administer programs. Right now, this is a Bill that deals with the subject of divorce where a husband and wife are divorced



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and then there is a provision for child support payments. Presently, where a divorce occurs and there is a provision for child support payments, the husband and wife can kind of agree among themselves with their attorneys, are the child support payments going to be paid directly from the person responsible to the person who has the child, or if they don't want to have any contact with one another for some reason or they don't trust each other or the wife wants to make sure there's a government record of how much this fellow is paying, they may elect to have the payments made through the Clerk of the Circuit Court. That is a present option that provides some flexibility to the system. As I understand the law that hasn't yet even come into effect that we're trying to amend here, that would where some counties elect to go into this program those who are making child support payments wouldn't have any choice at all. Automatically, all the payments would go through the Clerk of the Court. I don't think that's a wise law in the first place, but I think it would doubly unwise to take that law which has not taken effect yet and strip away from the county the flexibility to decide what's the best way to handle this. Now, if they decide to waive the three dollars fees figuring, actually, if you have any experience with husbands trying to pay child support very limited financial circumstances. Anytime you add a court cost or a fee cost or an attorney's cost or anything else, you're deducting it from the ultimate money that gets to the child. So I think it is unwise if you're interested in getting child support payments to the children to take away from the county the authority that they presently have to waive that fee and to handle this program as a humanitarian program out of their county revenues. And so I urge a 'no' vote on this Bill."

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Speaker Ryan: "The Gentleman from Cook, Representative Yourell."

Yourell: "Yes, would the Gentleman yield please?"

Speaker Ryan: "Indicates he will."

Yourell: "How much will this cost the State of Illinois when it does, in fact, become law?"

Huskey: "Alright. If the... If the county is permitted to waive every fee and then it throws the cost onto the state, the state has agreed to pick up the difference of the difference. But I haven't got the figures of how much it's going to cost the state because all the Bill is doing is asking the counties to... to not opt out to throw these costs to the state. And that's what the Bill is all about. It is to only charge the mandated programs. It isn't to charge every case. It's only the mandated programs. And you are the author of the mandated Bill."

Yourell: "That's correct, Mr. Huskey. And you're also the Sponsor of House Bill... Cosponsor of House Bill 257 to repeal the mandated provisions of that Bill. But that has nothing to do with this Act. I didn't ask you about mandates. I didn't ask you about anything only to give you the material for your next news release so that others will know that I wasn't the one that's going to shoot this Bill down if it does get shot down. But anyway, can you tell me, Mr. Huskey, just as Mr. Ewing indicated to me, how much will this actually cost the taxpayers of the State of Illinois?"

Huskey: "Well, Representative Yourell, I usually have that tattooed on my chest but today I forgot the tattoo so I can't give you the exact figures. The figure's a question mark because we don't know how many counties would choose to opt in or opt out. Right now Cook County is the only county that is opted in this.... Seventy-five percent or more is funded by the Federal Government."

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Yourell: "Am I correct in assuming, Sir, that you are amending a Bill that has not yet gone into effect?"

Huskey: "I'm only getting it in the proper order, Mr. Yourell."

Yourell: "Yes, thank you very much, sir."

Speaker Ryan: "The Gentleman from Will, Representative Leinenweber."

Leinenweber: "Yes. There seem to be a lot of misunderstanding about the Bill and the debate seems to be on House Bill 24 which some of us didn't think was all that good an idea, but virtually every other Member of the House except for myself, I think, did last year. In any event, we did pass House Bill 24 which provides that if states... if counties opt-in to this particular program whereby the support payments would be paid to the Clerk of the Court, then they become eligible for federal funds or some kind of a federal give-away program that exists. But we put in the Bill that they could charge a three dollar fee but they could waive it also, and if they... any difference between the actual cost and what they got from the Federal Government would be paid by the State. Well it doesn't make a great deal of sense to me or to the Members of the Judiciary Committee or to the Sponsor of the Bill to require that all the taxpayers in the State through their income tax pay for this program which encourages payment of child support and makes...it solves a lot of problems in the administration of the child support orders. So it doesn't seem a great deal of sense that the taxpayers or state ought to pay this cost when, for a relatively nominal fee of three dollars, the person who, by court order, is required to pay support could pay it. The idea of where if some counties don't want to get in the program they don't have to; therefore, there's no fee to charge. But if they... rather than get reimbursement from the State, this Bill would require that

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they charge this nominal fee to the support payor. It's a good Bill... It's a good Amendment to what may not have been the best Bill in the world, but this House, last year, overwhelmingly felt that it was. The Governor did and so did the Senate and it is law. So, if you want to save the beleaguered taxpayers a dollar or two out of there tax revenues and have that available for other programs, then you really ought to vote for this Bill. On the other hand, if you want to use state tax moneys rather than funding things like maybe repealing another cent on the sales tax instead use it to administer this program then maybe you ought to vote no. But I'm going to vote yes."

Speaker Ryan: "The Gentleman from Winnebago, Mr. Hallock."

Hallock: "Thank you. I move the previous question."

Speaker Ryan: "The Gentleman has moved the previous question.

All in favor will signify by saying 'aye'. Those oppose by saying 'no'. The 'ayes' have it and the motion carries. The Gentleman from Cook, Representative Huskey, to close."

Huskey: "Well, Mr. Speaker and Ladies and Gentlemen of the House, this is a just another step in helping implement House Bill 77 and also make it more feasible for more counties to opt-in to this Bill. It's to alleviate the fears that the County Clerks have and I'd move for a favorable vote."

Speaker Ryan: "Representative Giorgi, on your question, the Parliamentarian tells me it takes 89 votes. The question is, shall House Bill 77 pass? All in favor will signify by voting 'aye' and those oppose by voting 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this issue there are 97 voting 'aye' and 44 voting 'no' and 2 voting 'present'. And this Bill, House Bill 77, having received the Constitutional Majority is hereby declared passed. On the Order of Third Reading appears House Bill 99, Representative Abramson. Would you

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read the Bill... Out of the record? Out of the record, Mr. Clerk. House Bill 112, Representative Currie. Representative Currie on the floor? Would you read the Bill, Mr. Clerk?"

Clerk Leone: "House Bill 112. A Bill for an Act to amend an Act to create a Land Resource Management Study Commission and the Ethnic Heritage Commission. Third Reading of the Bill."

Speaker Ryan: "The Lady from Cook, Representative Currie."

Currie: "Thank you Mr. Speaker and Members of the House. House Bill 112 is meant to... to clean up a problem that's developed because there was an amendatory veto on the legislation originally establishing the Land Resources Study Commission. It is, in effect, the Memorial Bill to former Representative Dick Mugalian who heads that Commission. The Governor vetoed the original Bill or its appropriation and it was not till we came back in November we were... that we were able to establish the dollars for the Commission. So it started its work six months late. The point of this Bill is just to make the statute clear that the reporting date is July 31, 1981 not February 1, 1981. It's a simple, straight-forward Bill and I would appreciate your support."

Speaker Ryan: "Is there any discussion? Gentleman from Cook, Representative Wolf."

Wolf(J.J.): "Sponsor yield to a question?"

Speaker Ryan: "She indicates she will."

Wolf(J.J.): "Are we creating some new Commissions here?"

Currie: "We are not, Representative. This is the Commission that was created in the 81st General Assembly and the issue is when its report is due. The Bill does not create anything new nor does it spend any additional state dollars. It merely conforms to the reality that the report cannot be

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available until July 31."

Speaker Ryan: "Is there any further discussion? The Gentleman from McLean, Representative Ropp."

Ropp: "Mr. Speaker, would the Sponsor yield?"

Speaker Ryan: "She indicates she will."

Ropp: "Would you kind of give me some indication as to what the... why are these two portions of this Bill together? What is Land Resource Management Study have to do with ethnic history or whatever this was?"

Currie: "I believe it had to do with an Amendment, Representative Ropp. There was a Bill to create a Land Resources Management Study Commission and added to that proposal was one to create the Ethnic Heritage Commission. The Bill before us right now has nothing to do with the Ethnic Heritage Commission. It only has to do with part of the statutes that refers to the Land Resources Management Commission."

Ropp: "Is the proposal going to end up coming up with a potential land use report for the state? Is that one of the reasons for this?"

Currie: "The reason for the report was that the General Assembly thought it was appropriate to look at usage of our Illinois land resources. The Commission is directed to report to this General Assembly and it will do so. But because of the time problem, it will not be able to do so until July 31."

Ropp: "Okay. Thank you."

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

Zwick: "Thank you Mr. Speaker. I was noteful that it was mentioned that there will be no expenses incurred by continuing this Commission until July 31. I was hoping maybe you could expand on that. I am wondering if the Members of this Commission are salaried or staff members or

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what would be involved."

Currie: "The reason, Representative Zwick, that there will be no additional dollars spent is that the delay is due entirely to the fact that the dollars could not be spent for the initial six month life of the Commission. So the dollars that were appropriated for the Commission have been appropriated, they have not yet all been spent because there was a six months delay."

Speaker Ryan: "Is there any further discussion? The Lady from Cook, Representative Currie, to close."

Currie: "Mr. Speaker and Members of the House, I think it's a fairly straight-forward proposition. There was a six month delay unintended certainly by the Commission itself. No additional dollars are at stake and I would certainly ask your favorable support."

Speaker Ryan: "The question is, shall House Bill 112 pass? All those in favor will signify by voting 'aye', all those oppose by voting 'no'. Have all voted who wish? The Clerk will take the record. On this question there are 135 'ayes', 30 'nos', 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 116, Representative Vinson. Out of the Record, Mr. Clerk. House Bill 112... or 125, Representative Swanstrom."

Clerk Leone: "House Bill 125. A Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Ryan: "Representative Swanstrom."

Swanstrom: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 125 would correct a local problem in my district. I think there may be a few other cases throughout the State of Illinois where this would probably apply, but those cases would be very few. House Bill 125 amends the School Code to remove the requirement that a

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three member school board shall appoint as treasurer of their district a person who is also treasurer of a district with a seven member board. This applies only in Class 1 county school units which are counties under 1 million in population. Current law requires a three member board in a Class 1 county school unit to use the same treasurer as an adjoining seven member district. And all we're doing in this case is eliminating that provision. In some cases the treasurer of one district does not wish to be the treasurer of the other district. We're making this permissive with this Bill. It passed out of Committee by a vote of 21 to nothing. I would appreciate a favorable Roll Call."

Speaker Ryan: "The Lady from Cook, Representative Pullen."

Pullen: "I'd like to ask the Sponsor a question please?"

Speaker Ryan: "Indicates he'll yield."

Pullen: "Are you saying that this Bill repeals a mandate on local government?"

Swanstrom: "That is correct, Representative Pullen."

Pullen: "Thank you."

Speaker Ryan: "Is there any further discussion? The Gentleman from Winnebago, Representative Swanstrom, to close."

Swanstrom: "Thank you Mr. Speaker. I would just appreciate a favorable Roll Call."

Speaker Ryan: "Question is, shall House Bill 125 pass? All in favor will signify by voting 'aye', all those oppose by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 161 'ayes, 1 'nay', 1 'present' and this Bill having recieved the Constitutional Majority is hereby declared passed. House Bill 130, Representative Swanstrom.... or Hallstrom. Hallstrom."

Clerk Leone: "House Bill..."

Speaker Ryan: "Read the Bill, Mr. Clerk."



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Clerk Leone: "House Bill 130. A Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Ryan: "The Lady from Cook, Representative Hallstrom."

Hallstrom: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. This Bill was before you last Session and passed overwhelmingly in the House but got stopped at the Senate Rules Committee. It came out of the Elementary and Secondary Education with not one vote against it. It merely corrects something in the School Code that I do not think was intended to be in the first place. When a child is told that he must leave school for being disobedient etcetera, he does not have to go before the school board for a review if it's not more than ten days. If the child is dismissed from the bus he may not get back on the bus unless the school board reviews his case. This Bill merely puts those two Sections together so that any child dismissed for misconduct from the school, from the bus will have the opportunity to not have to be reviewed by the board unless it's for a period of more than ten days. This costs the state no money, the local school district no money and I certainly would appreciate your vote."

Speaker Ryan: "Is there any discussion? Representative Hallstrom, to close. Pardon me. Representative Alexander."

Alexander: "Dolly, I'd like to ask a question. Let us say I sent my child to school and he is suspended that day. Would he not have the opportunity to ride back home on that school bus on the day of suspension or would he be just left at the school and I'd have to come get him later?"

Hallstrom: "No. I do believe they would take the child back home. I don't think the school would put the child in the position if he didn't have a ride supposing you weren't home."

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Alexander: "That's what I'm wondering, whether or not that provision is in there..."

Hallstrom: "No. ... would not affect that."

Alexander: "... for that child to be returned would not affect that."

Hallstrom: "No."

Alexander: "Okay. Thank you."

Speaker Ryan: "Is there any further... any further discussion? The Lady from Cook, Representative Hallstrom, to close."

Hallstrom: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I think the Bill was discussed last Session. I think it is a pretty clean, straight-forward Bill and I'd appreciate your support. Thank you."

Speaker Ryan: "Question is, shall House Bill 130 pass? All those in favor will signify by voting 'aye', and all those oppose by voting 'no'. Switch is open. Take the record, Mr. Clerk. On this question there are 161 voting 'aye', and there are no 'no' votes. And this Bill having received a Constitutional Majority is hereby declared passed. On the Order of House Bills, Third Reading appears House Bill 173, Representative Swanstrom. Would you read the Bill, Mr. Clerk?"

Clerk Leone: "House Bill 173. A Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Ryan: "The Gentleman from Winnebago, Representative Swanstrom."

Swanstrom: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. House Bill 173 as introduced, provides that the minimum number of days a school district must be in session with pupils in attendance will be changed from 176 to 175 days. This change would affect the current 1981 school year only, and, of course, is necessary because of the day of thanksgiving for the release of the Iranian hostages

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which was celebrated on January 29, 1981. Since the holiday was not an optional day of school closing but a statutory day of closing, according to the way the statutes read now, I don't believe that we should require that the schools had a day off that we make them day up. Now their spring vacations are added onto the end of the year. The whole spirit of the holiday, I think, is lost. Now, I don't necessarily believe that the day should have been granted in the first place, but it was. And by this Bill we would reduce the number of days required for attendance. In Amendment #1 we are putting in an automatic provision that should this ever occur again, which we hope it won't, that the school calendar would automatically be reduced by the one day. It's an automatic provision. And then in Amendment #3, that Amendment doesn't make consistent the references to legal school holidays by mentioning both the name and the date of the holidays. And also in that Amendment the power of the President to declare a national day of fast or thanksgiving as a legal school holiday is deleted. The power of the Governor remains in the language. This Bill passed out of Committee 21 to nothing and I would appreciate a favorable Roll Call."

Speaker Ryan: "Is there any discussion? Gentleman from Cook, Representative Preston."

Preston: "Will the Gentleman yield for a question? Representative, the Sponsor... did I understand that this Bill provides that in the future there will be an automatic reduction in the required number of school days should we have another holiday declared?"

Swanstrom: "That is correct."

Preston: "May I speak to the Bill, Mr. Speaker? May I speak to the Bill?"

Speaker Ryan: "Indicates he will... yes."

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Preston: "I have a problem with this Bill with all due respect to the Sponsor in that the priority of the need of education of the school children of Illinois seems to me to be more important than the number of holidays that may, in fact, be declared for other very good reasons. I have nothing against declaring a holiday. That's well and good, but on the other side of that more important even than the holiday, more important even than the day on which the American hostages were released from Iran is the importance of our school children knowing how to read and write and to add 2 and 2 and many of the schools that I'm familiar with, that seems to be a difficulty even given all the full days. And notwithstanding that there may be the necessity of extending the school year by a day or two days or three days because of holidays that are declared. For those reasons, Mr. Speaker, with great regret, I'm going to have to vote against this Bill."

Speaker Ryan: "The Gentleman from Morgan, Representative Reilly."

Reilly: "Thank you Mr. Chairman. I rise, Mr. Speaker, I rise in support of this Bill. It's a good Bill. We're not saying that school days aren't important. The problem with a declared holiday is somewhere in the middle of the school year perhaps near the end of the school year is that all the plans have already been made for the calendar for that year and through no fault of the school district they can't adjust to that because they have already made their plans and all of a sudden some outside force changes it. The Governor can make any kind of holiday he wants so long as he does not declare it a day of thanksgiving, all we're saying is if he decides to call the day off he ought to be aware of the consequences, the consequences of that decision...waive the decision as to whether that's worth a lost school day or not. I think it's a good Bill and

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should receive a favorable Roll Call."

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

Koehler: "It's on? Thank you, Mr. Speaker. I would like to ask the Sponsor of this Bill if this is going to cost any...our School Districts any extra money?"

Swanstrom: "No, it won't."

Koehler: "They will not lose any of their..."

Swanstrom: "No..."

Koehler: "...Any of their state funding through this."

Swanstrom: "That is the whole purpose of the Bill."

Koehler: "Thank you."

Speaker Ryan: "The Gentleman from Coles, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, we discussed two Amendments to this that were put on the Bill yesterday. I suggested then and I do now that I think the Bill is meritorious and we have a time problem in passing it. But I think that Representative Swanstrom ought to take a look and the Senate in amending that Bill further, getting it back here as soon as possible to clear up some inconsistencies between Amendments 1 and 3, with regard to Sunday and some other references that were deleted by Amendment 3. It is inconsistent with the 1st Amendment put on it. Overall, I think it's a good Bill simply because it doesn't take anything away from schools and it links up necessarily the references between that Section of the School Code that refer to the number of necessary days to receive full state aid and that Section which specifies what holidays are what, which ones don't have to be teaching days. It's important as pointed out by Representative Reilly and others we do this because of the consternation that occurs when you set up a schedule, when you have snow days and vacations already provided for. If you have to put this on at the end of the year it can cause

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some chaos in the School Districts. I don't think we want anyone to lose any money because they might not have that extra day to reach the state limit. It's also important because it provides an ongoing solution of linking those two Sections up. We won't have to come back here as we've had to do in the past on several occasions to look at that each year when something may occur. It's a rare occasion that the Governor would make such action as he did, or that the President would. And I understand the President's out now, but it's necessary I think to take care of a problem that could occur again and I would suggest that Amendment be added in the Senate because of time constraints that we have at this time of the year that we give this a favorable vote."

Speaker Ryan: "The Gentleman from Cook, Representative Henry."

Henry: "Move the previous question, Mr. Chairman (sic)."

Speaker Ryan: "The Gentleman has moved...Well, I don't think there's anymore, so we'll go ahead. We'll go to Representative Swanstrom to close."

Swanstrom: "Thank you, Mr. Speaker. I think House Bill 173 is a good Bill. Representative Stuffle's remarks are well taken. I would appreciate a favorable Roll Call. Thank you."

Speaker Ryan: "The question is, 'Shall House Bill 173 pass?' All those in favor will signify by voting 'aye' and all those opposed by voting 'no'. Representative Reilly, would you come to the podium please? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this issue there are 148 voting 'aye', 13 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Tuerk 'aye' on the last vote. On the Calendar on the Order of Third Reading appears House Bill 192. Representative Darrow."

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Clerk Leone: "House Bill 192, a Bill for an Act designating a state animal. Third Reading of the Bill."

Darrow: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, what this Bill does is designate the white tail deer as the state animal. If you recall last year we passed legislation which allowed the school children to select the state animal. It was an exercise in their ability to organize campaigns and to take part in an elective process. From all reports, it was rather successful. The results of the election were that the white tail deer was favored by 37.2% of the students, the raccoon by 26%, red fox by 19%, fox-squirrel 8%, ground squirrel 3%, opossum 3% and the write-ins were 1.2%. So what we are doing here is following the wishes of the Illinois school children in designating the white tail deer as the state animal."

Speaker Ryan: "Is there any discussion? The Gentleman from Cook, Representative Preston."

Preston: "Would the Gentleman yield for a question?"

Speaker Ryan: "He indicates he will not."

Darrow: "No."

Speaker Ryan: "He indicates he will."

Preston: "I would like to ask Clarence Darrow if there's some reason why the monkey, the chimpanzee or the great ape was not chosen as the animal for the State of Illinois."

Darrow: "Because it was the wishes of the General Assembly that those animals not be put on the list of animals to be voted upon."

Preston: "Thank you, Mr. Representative."

Speaker Ryan: "The Gentleman from Will, Representative Davis."

Davis: "Well, thank you, Mr. Speaker. I'd like to ask the Sponsor two questions. Representative Darrow, in what order of finish was the beaver and the shark?"

Darrow: "Neither one were voted upon and neither one were listed,

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so there was no chance to vote for a beaver or a shark."

Davis: "Incredible. I think I'm going to have to withhold my vote."

Speaker Ryan: "The Gentleman from Perry, Representative Dunn."

Dunn, R.: "Thank you, Mr. Speaker. I wonder if I might ask a question. I didn't hear the... what he said the opossum got. I thought it would be worthwhile to call attention to this Body that the opossum was one of the animals on the thing and... We have it finished last? Did the opossum finish last, Clarence? At least.."

Darrow: "No, no. No, no. The write-ins were below the opossum, Ralph."

Dunn, R.: "What's a write-in?"

Darrow: "They got 1.2% and the opossum got 3.6. But I'll tell you, if you want to introduce legislation to make the opossum the state animal of southern Illinois, I'll support that."

Dunn, R.: "I did that one time and I think the Playboy bunny beat me on that vote. I'm going to support this Bill. I think it's a fair Bill and I think it's one that Clarence Darrow has worked hard on for many years. It will probably be the outstanding Bill of 1981 and so I'm going to support it and urge that you all support it. The opossum concedes to the white tail deer."

Speaker Ryan: "The Gentleman from Effingham, Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Darrow: "Go ahead."

Speaker Ryan: "He indicates he will."

Brummer: "Yes. I've had some very serious questions raised about this Bill in that some biologists and people that are in that field indicate that we already have several state animals, including the cardinal which is classified as an



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animal and the monarch butterfly which is generally called an animal. I think we have them designated as the state bird and a state insect. And these individuals indicate that all we really voted on was mammals and that this should be called the state mammal and not a state animal at all because we already have ...that animal is not restrictive enough. And they indicated that probably the whole election process was void and we ought to have new ballots just designating a state mammal because that's all the type of animals that were nominated. They were all mammals. Would the Sponsor care to respond to that?"

Darrow: "No, I wouldn't."

Brummer: "Well, do you agree that what you're really designating is a state mammal as opposed to a state animal?"

Darrow: "Well...If you look at it this way, we are designating the white tail deer the state animal, a sub-class of animals, another type of animal is the bird. And we have a state bird. We can approach it from that angle. Also, in doing a little research I found that the State of Wisconsin has both a state animal and a state bird. The State of California has a state animal and a state bird so that evidently this is the trend in the United States to go with two different animals. If you want to introduce a Bill to designate the state mammal so that you and your family can be designated the state mammal, I'll support that."

Brummer: "Well, the white tail deer is a mammal, right?"

Darrow: "It is an animal."

Brummer: "It is within a restricted class of animals called a mammal. Is that not correct?"

Darrow: "I suppose so."

Brummer: "You do not suggest that we void the entire election then and redistribute ballots properly designating this as a state mammal as opposed to a state animal?"

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Darrow: "If you...If you wish to introduce your legislation, we'll take a look at it."

Brummer: "No. It's not my legislation. In fact, I thought you had an Amendment prepared that you were going to offer on Second Reading to change this from state mammal (sic) to state animal (sic) and I didn't see the Amendment filed."

Darrow: "If you wanted to offer the Amendment we could have had a vote on it. We're beyond that stage. We're on Third Reading."

Brummer: "Okay. On a different topic, were any Members of the General Assembly designated as write-in candidates for the state animal?"

Darrow: "I don't have the results of the write-in candidates."

Speaker Ryan: "The Lady from Cook, Representative Macdonald."

Macdonald: "Yes, Mr. Speaker. To add to the profound discussion that's going on, I would like to say on behalf of the Sponsor that I think the clarification can be made through the dictionary and there is a broad definition which includes mammal with animal and I think because of that definition we could certainly support the Bill without nullifying the election or without defeating this good Bill."

Speaker Ryan: "The Gentleman from Macon, do you seek recognition, Representative Dunn?"

Dunn, J.F.: "Yes, Mr. Speaker..."

Speaker Ryan: "Representative Dunn, did you have your button on?"

Dunn, J.F.: "I certainly did...."

Speaker Ryan: "Okay.."

Dunn, J.F.: "I'd like to ask the Sponsor a question. Just wonder if there's any connection between his name and his ancestor and this Bill? And if so, what, if anything, do you expect the white tail deer to evolve into in several generations? We're always paranoid around here. We wonder what plot

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you're hatching here, Representative? Can you tell us about that?"

Darrow: "I don't believe that question's germane to the discussion."

Dunn, J.F.: "Well, we're pretty liberal about germaneness around here, depending on the issue and I'm sure the Speaker would, and all of us, would like to know, not only what Clarence Darrow has to say about monkeys, but about white tail deer."

Speaker Ryan: "The Gentleman from DuPage, Representative Hoffman."

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

Speaker Ryan: "The Gentleman has moved the previous question. All those in favor will signify by saying 'aye'. All opposed by saying 'no'. The 'ayes' have it. And the motion carries. Representative Darrow to close."

Darrow: "I would just ask for a favorable Roll Call."

Speaker Ryan: "The question is, 'Shall House Bill 192 pass?' All those in favor will signify by voting 'aye' and those opposed by voting 'no'. Representative Peters to explain his vote."

Peters: "No, Mr. Speaker. I'm finally persuaded by the arguments. I just was slightly disturbed by the fact that we..we do have the white oak as a tree and the white tail deer now as a state animal. I just thought maybe we're running out of colors in Illinois."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 159 'ayes' and 3 'nos'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Agreed Resolutions, Mr. Clerk."

Clerk Leone: "House Resolution 62, Ryan, et al, House Resolution 63, Ryan, et al, House Resolution 64, John Dunn, House Resolution 66, Hanahan, et al, House Resolution 67,

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Terzich, House Resolution 68, Hannig."

Speaker Ryan: "The Gentleman from Cook, Representative Conti."

Conti: "Mr. Ryan, House Resolution 62, I'd like to have the Clerk read that in full."

Speaker Ryan: "Would you read the Resolution 62, Mr. Clerk?"

Clerk Leone: "House Resolution 62, Whereas Former Chief Page, Rodney Thompson, has left the House of Representatives to pursue his life-long interest in fish and wildlife with the Illinois Department of Conservation at the Sangchris Lake; and Whereas, he dedicated twelve years to serving the people of Illinois as a House Page; and Whereas, his dependability, competence and conscientiousness contributed significantly to the efficiency of the Legislative Process; and Whereas, during his six years as Chief Page, in which he coordinated the pages duties, he developed a much deserved reputation for fairness and efficiency; therefore, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we thank Rodney Thompson for his many years of service to the Members of the House of Representatives; and BE IT FURTHER RESOLVED, that we wish him much future success in working with the preservation of our state's wildlife with the Illinois Department of Conservation; and BE IT FURTHER RESOLVED, that suitable copies of this Resolution and Preamble be presented to Rodney Thompson, his wife, Pam, and their two sons, Dan and Jake Thompson."

Speaker Ryan: "Representative Conti."

Conti: "Mr. Speaker, I'd like also... I move for the adoption of that Resolution or are you going to go on to another..."

Speaker Ryan: "..."

Conti: "House Resolution 63 by Ryan, et al, I would like to have the Clerk read that one."

Speaker Ryan: "Would you read House Resolution 63, Mr. Clerk?"

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Clerk Leone: "House Resolution 63: Whereas, Sarunas Valiukenas has made significant, lasting and valuable contributions to the Legislative Process during his decade of service to the House of Republicans(sic); and Whereas, Sarunas has served loyally and effectively under three House Leaders-- James Washburn, Robert Blair, and George Ryan--; and, Whereas, he began his service to the people of Illinois in September 1971 as a legislative intern, and later served as floor assistant to Representative William Walsh, legislative analyst, and, for the last four years, director of the House Republican research staff; and, Whereas, he has provided invaluable assistance to Members of the House Committees on Elections, Insurance, Public Utilities, Registration and Education, Rules and the Executive, and Whereas, he was particularly valuable when Legislators reformed elections and campaign disclosure laws, thus adding greater openness and fair play to the Democratic Process, and Whereas, Members of the House of Representatives from both parties, as well as Members of the House Republican staff and others in State Government, will miss his leadership and intelligence on the House staff, and Whereas, Members of this House wish him the best of luck as he continues his service to the people of this state by contributing to other branches of State Government; THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we express our deepest gratitude to Sarunas Valiukenas for his many contributions, and wish him luck as he pursues new endeavors; and BE IT FURTHER RESOLVED, that copies of this Resolution and Preamble be presented to Sarunas, his wife, Barb, his mother and father, and his mother-in-law and father-in-law."

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Conti: "Mr. Speaker and Ladies and Gentlemen of the House, House Resolution 64 by Dunn and Donovan congratulation and extending the best wishes to Dr. Erich Stern for his volunteer service to the poor community, the Community Health Improvement Center. House Resolution 66 by Hanahan, et al, the launching of a new citizen by announcing the birth of Mathew Joseph Visintin. The secretary Roseann Visintin is the secretary to our distinguished colleague, Representative Hanahan. House Resolution 67, Terzich, et al, is congratulating Reverend Leo J. Kinsella. House Resolution 65 is taken out. House Resolution 68 by Hannig, congratulatory 15th wedding anniversary of Mary..Marion Rea and Lucy (Swisher) Rea, one of our Members. The House Resolution 61 by Henry is a Death Resolution of Mary Elizabeth Cunningham Stone, beloved wife of Reverend J.M. Stone. I move for the adoption of the Resolutions."

Speaker Ryan: "The Gentleman has moved for the adoption of the Agreed Resolutions. All those in...All those in favor will signify by saying 'aye'. All those opposed, 'no'. The 'ayes' have it. And the Resolutions are adopted. Are there any announcements? Death Resolutions."

Clerk Leone: "House Resolution 61, in respect to the memory of Mary Elizabeth Cunningham Stone."

Speaker Ryan: "Mr. Conti? Moves the adoption of the Death Resolution. All those in favor will signify by saying 'aye'; all those opposed 'no'. And the 'ayes' have it. And the Resolution is adopted. Further Resolutions."

Clerk Leone: "House Resolution 65, Catania."

Speaker Ryan: "Committee on Assignment. Change of votes."

Clerk Leone: "Representative Breslin wishes to vote 'no' on House Bill 50. Representative Piel requests to vote 'no' on House Bill 50. Representative McCormick requests to vote 'yes' on House Bill 70. Representative Schuneman requests

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to vote 'yes' on House Bill 77. Representative Kociolko wishes to vote 'no' on House Bill 112. Representative Hoxsey wishes to vote 'aye' on House Bill 130. Representative Tuerk requests to vote 'aye' on House Bill 173."

Speaker Ryan: "Unanimous consent for change of votes here? Is there any objections? Leave is granted. All the votes will be changed. Are there any further announcements? Representative Henry? Are there any... Representative Shea? I mean, Representative Madigan?"

Madigan: "He did give me the script. Mr. Speaker, as I told you privately, this will be mild in comparison to recent days. Many of us have been given the agenda for your select House Committee to investigate the RTA. You may remember that the Minority Party offered an Amendment to the Resolution creating this Committee, but after the failure of the Amendment, why we supported the adoption of that Committee. Mr. Speaker, I simply would suggest to you that as your Committee moves into its deliberations, you should understand that this is a select Committee. And that under our rules, Mr. Speaker, if you're interested in the rules, or Zale if you'd listen to me, either one, under our rules select Committees are subject to posting requirements just as any other Committee. This is a select Committee. And therefore, it is subject to the posting requirements and I simply would suggest that you might wish to suspend the posting requirements now in order to validate the meeting which you have set up for this afternoon."

Speaker Ryan: "Representative Ewing."

Ewing: "Mr. Speaker, I appreciate the advice from the Minority Leader. I would ask for leave to suspend the posting rule so that the special Committee can proceed with it's work. We have a deadline to report back on March 15th. We've set

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an ambitious schedule to try and get that work done and to keep the CTA running. And I would ask for your ... approval of the House."

Speaker Ryan: "The Gentleman asks leave to suspend the posting rules so the hearings can be held on the special Committee. Is there any objection? Hearing none, leave is granted. Are there any announcements? Representative Telcser?.."

Speaker Ryan: "...We need..."

Telcser: "Mr. Speaker?..."

Speaker Ryan: "...Representative Telcser, we need about a five minute perfunctory Session."

Telcser: "Mr. Speaker, bearing in mind the need for a five minute perfunctory Session after we adjourn today, I now move that the House stand adjourned until next Tuesday, March 3rd at the hour of noon."

Speaker Ryan: "The Gentleman has moved that the House stand adjourned until next Thursday (sic) at the hour of noon. All in favor will signify by saying...What?..."

Telcser: "Tuesday.."

Speaker Ryan: "Tuesday. Tuesday. Yes, that's right. I'm sorry. All those in favor will signify by saying 'aye'; all opposed 'no' and the House stands adjourned."

Clerk Leone: "Introduction and First Reading: House Bill 396, Hallock-Watson, a Bill for an Act to amend Sections of an Act to revise the law in relationship to the Secretary of State. First Reading of the Bill. House Bill 397, Zito, et al, a Bill for an Act to amend Sections of the River Conservation Districts Act. First Reading of the Bill. House Bill 398, Breslin-Hallock-Getty, a Bill for an Act to amend Sections of an Act requiring compensation for causing death by wrongful act. First Reading of the Bill. House Bill 399, Grossi, a Bill for an Act to provide for the election of Board of Directors, Regional Transportation



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Authority. First Reading of the Bill. House Bill 400, Matijevich-Giorgi, a Bill for an Act to amend Sections of an Act concerning public utilities. First Reading of the Bill. House Bill 401, O'Connell, a Bill for an Act to amend Sections of an Act concerning public utilities. First Reading of the Bill. House Bill 402, Stuffle-Woodyard, a Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill. House Bill 403, Levin-Telcser-Bowman, a Bill for an Act to amend Sections of the Election Code. First Reading of the Bill. House Bill 404, Reilly, et al, a Bill for an Act in relationship to School District income tax. First Reading of the Bill. House Bill 405, J.J. Wolf, et al, a Bill for an Act to amend Sections of the Game Code. First Reading of the Bill. House Bill 406, Steele, E.G. Steele, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 407, J.J. Wolf-Telcser, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 408, Bianco-Collins-Mautino, a Bill for an Act to amend Sections of the Illinois Municipal Code. First Reading of the Bill. House Bill 409, Bianco-Collins-Mautino, a Bill for an Act to amend Sections of the Illinois Municipal Code. First Reading of the Bill."