

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

12th Legislative Day

March 5, 1981

Speaker Ryan: "The House will come to order and the Members will please be in their seats. We'll be led in prayer this morning or this afternoon by Reverend Waddles of the Zion Baptist Church."

Reverend Waddles: "Let us pray. We come to You, Oh Lord, thanking You and praising You for health and strength. Thank You, Lord, for intellect and wisdom. Thank You, Lord, that You provide order in this universe. But now we beseech You, Oh Lord, that You would bless these, your servants, in the carrying out of the task that You have called them to do. Let them lean and depend on You, Lord, and let them realize that there are people that lean and depend on them. Let them realize, Oh God, that You care for them, and let them be aware, Oh Lord, that there are people that believe that they care for them. Let them trust in You, Oh God, and let these, Your servants, also realize that there are people that trust in them. As they carry out the business of this day, let them do it with the awareness that You provide wisdom and guidance and direction. Thank You, Lord. We believe and we ask in the name of Jesus the Christ we pray. Amen."

Speaker Ryan: "We will be led with the pledge today by Senator Pate Phillip, who's the guest here this afternoon. Pate, would you lead the pledge, please?"

Senator Phillip: "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. There being 164 Members answering the Roll, a quorum of the House is... Introduction and First Reading of House Bills."

Clerk Leone: "House Bill 455, Vinson, a Bill for an Act to amend

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

12th Legislative Day

March 5, 1981

Sections of an Act in regard to judgements and the manner of enforcing them. First Reading of the Bill. House Bill 456, Vinson-Stuffle, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 457, Vinson, a Bill for an Act to amend Sections of an Act to revise the law in relationship to counties. First Reading of the Bill. House Bill 458, Steczo, a Bill for an Act to amend Sections of an Act concerning fees, salaries, and to classify several counties of this state with reference thereto. First Reading of the Bill. House Bill 459, Steczo, a Bill for an Act to add Sections to the Capital Development Board Act. First Reading of the Bill. House Bill 460, Kustra, et al, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 461, Saltsman, a Bill for an Act to add Sections to the Municipal Code. First Reading of the Bill. House Bill 462, Jane Barnes, a Bill for an Act to amend Sections of the Criminal Code. First Reading of the Bill. House Bill 463, Jane Barnes, et al, a Bill for an Act to add Sections to the Criminal Code. First Reading of the Bill. House Bill 464, Jane Barnes-Jaffe, a Bill for an Act to amend Sections of the Criminal Code. First Reading of the Bill. House Bill 465, Huskey-Hudson, a Bill for an Act to amend the Unemployment Insurance Act. First Reading of the Bill. House Bill 466, Huskey-Hudson-Schuneman-Dunn, a Bill for an Act to amend the Unemployment Insurance Act. First Reading of the Bill. House Bill 467, Huskey-Hudson-Schuneman, a Bill for an Act to amend the Unemployment Insurance Act. First Reading of the Bill. House Bill 468, Sandquist, a Bill for an Act in relationship to beer industry. First Reading of the Bill. House Bill 469, E.G. Steele-Neff, et al, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First

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

12th Legislative Day

March 5, 1981

Reading of the Bill. House Bill 470, E.G. Steele, a Bill for an Act to amend Sections of an Act concerning utilities. First Reading of the Bill. House Bill 471, E.G. Steele, a Bill for an Act to amend Sections of the Administrative Review Act. First Reading of the Bill."

Speaker Ryan: "Committee Reports."

Clerk Leone: "Representative McMaster, Chairman on Committee on County and Townships to which the following Bills were referred, action taken February 18, 1981 and reported the same back with the following recommendations: 'do not pass' House Bill 12. Representative McMaster, Chairman on Committee on Counties and Townships to which the following Bills were referred, action taken March 5, 1981 and reported the same back with the following recommendations: 'do pass' House Bills 246, 272, 319, 'do pass as amended' House Bills 147, 269, 'do pass Consent Calendar' House Bill 350, 'do pass as amended Consent Calendar' House Bill 245, 'do not pass' House Bill 12. Representative Winchester, Chairman from the Committee on Elections to which the following Bills were referred, action taken March 5, 1981 and reported the same back with the following recommendations: 'do pass Consent Calendar' House Bill 221, and 306. Representative Leinenweber, Chairman on the Committee on Judiciary I to which the following Bills were referred, action taken March 5, 1981 and reported the same back with the following recommendations: 'do not pass' House Bill 102, 201, 236, 'do pass as amended' House Bill 101, 'do pass Consent Calendar' House Bill 252, 308, and 310. Representative Schuneman, Chairman on Committee on Labor and Commerce to which the following Bills were referred, action taken March 5, 1981 and reported the same back with the following recommendations: 'do pass as amended' House Bill 138, House Bill 139, and House Bill

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

12th Legislative Day

March 5, 1981

140. Representative Sandquist, Chairman on Committee on Registration and Regulation to which the following Bills were referred, action taken March 5, 1981 and reported the same back with the following recommendations: 'do pass' House Bill 237, 'do pass as amended' House Bill 296. Representative Ewing, Chairman on Committee on Revenue to which the following Bills were referred, action taken March 5, 1981 and reported the same back with the following recommendations: 'do pass' House Bill 292, 'do not pass' House Bill 297. Representative McAuliffe, Chairman on Committee on Personnel and Pensions and Veteran Affairs to which the following Bills were referred, action taken March 5, 1981 and reported the same back with the following recommendations: 'do pass' House Bill 295, 'do pass Consent Calendar' House Bills 212 and 215, 'do pass as amended Consent Calendar' House Bill 213. Representative Abramson, Chairman on Committee on Public Utilities to which the following Bills were referred, action taken March 5, 1981 and reported the same back with the following recommendations: 'do pass as amended' House Bill 260, 'do not pass as amended' House Bill 298. Representative Pullen, Chairman on the Committee on Executive to which the following Bills were referred action taken March 5, 1981 and reported the same back with the following recommendations: 'do pass' House Bill 120 and House Bill 159, 'do not pass' House Bill 250, 'do pass as amended' House Bills 129, 134, and 150."

Speaker Ryan: "Gentleman from Marion, Representative Friedrich."

Friedrich: "Mr. Speaker, there will be a Republican Conference in room 114 immediately and for the benefit of those of you on the other side of the aisle, it should last about an hour."

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

Greiman: "Mr. Speaker, was that 114 that he was... the the

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

12th Legislative Day

March 5, 1981

Republican Conference was being held in?"

Speaker Ryan: "That's for the Republican Conference."

Grieman: "Perhaps we could have 118, Mr. Speaker... for a Democratic Conference."

Speaker Ryan: "Did you want to have a Conference?"

Greiman: "Yes."

Speaker Ryan: "Let me check the room. Hang on. Representative Greiman."

Greiman: "212 might be a more appropriate room, if we..."

Speaker Ryan: "That belongs to the Senate, I understand, Representative."

Greiman: "But they may not have to..."

Speaker Ryan: "Till we get enough Members on the Space Needs Commission we can't get in that room."

Greiman: "Okay."

Speaker Ryan: "Representative Madigan, do you have any excused absences today?"

Madigan: "Mr. Speaker, would the record show that Representative Beatty is excused because of an illness in his family? Representative Christensen is excused because of an illness in his family. And that Representative Brummer is excused because of the death of his law partner."

Speaker Ryan: "The record will so indicate. Representative Telcser, do you have any excused absences? The record will so indicate. After receiving a message from the Senate that was hard to get, Representative, 212 is available to you. So we'll have a Democratic Conference in 212, a Republican Conference in 118, and we'll return to the chambers. Representative Friedrich."

Friedrich: "114, Mr. Speaker."

Speaker Ryan: "114 for the Republicans. 212 for the Democrats. We'll be back here at 1:15. That enough time for you, Greiman? Alright. The House stands in recess."

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

12th Legislative Day

March 5, 1981

Clerk Leone: "May I have your attention? There is a Republican Conference in room 114 immediately. There is also a Democrat Conference in room 112 (sic) immediately. 212."

Speaker Ryan: "The House will come to order. Members will be in their seats. Page 2 of the Calendar under House Bills, Second Reading, appears House Bill 28, Representative Cullerton. Out of the record. House Bill 32, Representative Polk."

Clerk Leone: "House Bill 32, a Bill for an Act to amend the Criminal Code, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 104, Representative Abramson. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 104, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Amendments from the floor?"

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 107...Alright. Back on House Bill 104. There's an Amendment from the floor?"

Clerk Leone: "Floor Amendment #1, Pierce, amends House Bill 104 on page six and so forth."

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

Abramson: "Mr. Speaker, there's another Amendment being prepared. Can you take it out of the record?"

Speaker Ryan: "Leave the Bill on Second Reading, Mr. Clerk. House Bill 104 on Second Reading and take it out of the record. House Bill 107, Representative Reilly."

Clerk Leone: "House Bill..."

Speaker Ryan: "Read the Bill."

Clerk Leone: "House Bill 107, a Bill for an Act to amend the

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

12th Legislative Day

March 5, 1981

Election Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Any further Amendments?"

Clerk Leone: "Floor Amendment #2, Reilly, amends House Bill 107 as amended."

Speaker Ryan: "Representative Reilly."

Reilly: "Thank you, Mr. Speaker. All Amendment #2 does is correct the intention of the Act. It's been, I believe, worked out between the two parties. It makes it clear that we're not saying that the County Court can't give the information out, just that they're not required to unless it's a county residence. I would move adoption of Amendment #2."

Speaker Ryan: "Is there any discussion on the Gentleman's Amendment? Gentleman from Morgan, Mr. Reilly, has moved the adoption of Amendment #2 to House Bill 107. All those in favor will signify by saying 'aye', opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 109, Representative Ronan."

Clerk Leone: "House Bill 109, a Bill for an Act to amend the assistant... baccalaureate assistant law for registered nurses. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Getty, amends House Bill 109 on page two and so forth."

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

Getty: "Mr. Speaker, Members of the House, Amendment #1 makes no

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

12th Legislative Day

March 5, 1981

substantive change. It merely clarifies some of the amendatory language and also changes the word 'major part' to 'greater than one-half' in order to make the Act clear. I'd move for the adoption of the Amendment."

Speaker Ryan: "Gentleman from Cook, Representative Ronan. Any further discussion? The Gentleman has moved for the adoption of Amendment #2 to House Bill 109. All those in favor will signify by saying 'aye', all...Amendment #1 to House Bill 109. All in favor signify by saying 'aye', all opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 149, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 149, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Amendments from the floor?"

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Representative Cullerton, did you want to call House Bill 28? On the Calendar on page two appears House Bills, Third Reading. House Bill 2, Representative Katz."

Clerk Leone: "House Bill #2, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

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

Katz: "House Bill 2 makes it... will make it possible for an individual who voluntarily decides that he wants to let his kidney or his eye or something else be used for some person. In the event that he accidentally dies he would be able to sign the back of his license plate. We already have in the state provision that your drivers license can have something stuck on the back of it, but that's a very

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

12th Legislative Day

March 5, 1981

clumsy procedure and the Secretary of State that supports this Bill will be shortly coming out with new driver's license cards and they will permit you to, directly on the back of your card, indicate if you want to let your cornea be used for someone in the event you accidentally are taken into a hospital. The Bill is supported by the Secretary of State and by large numbers of organizations like the Kidney Transplant Organization. There are large numbers of people in Illinois who need kidneys but there are not enough kidneys available for transplant, by the Cornea Association, by the Transplant Society. The Bill passed the House without a dissenting vote last year, but the Senate Rules Committee held the Bill along with other non-emergency Bills, and I would urge the adoption of House Bill 2."

Speaker Ryan: "Is there any further discussion? Gentleman from Cook, Mr. Katz, has moved for the passage of House Bill 3 (sic). All those in favor... House Bill 2. All those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this issue there are 159 voting 'aye', none voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 31, Representative Polk. Representative Polk."

Polk: "Mr. Speaker and Ladies and Gentlemen, I've requested this be moved back to Second for the purposes of an Amendment."

Speaker Ryan: "Gentleman's asked leave to take House Bill 31 back to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. House Bill 31 is now on Second Reading. Representative Polk, did you want to proceed at this point?"

Polk: "Thank you, Mr. Speaker. Ladies and Gentlemen..."

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

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

12th Legislative Day

March 5, 1981

Clerk Leone: "Amendment #1, House Bill... to House Bill 31 on page one, line 32 and so forth."

Polk: "This Amendment is what is commonly known as a confidential clause, something that was inadvertently overlooked in the... when we drafted it. I told the Sponsor... or told the Chairman of the Committee at the time that we had made the mistake. It simply says that if... this information will not be made available to the public. It can be made available to our Committee at the conclusion. I think it has... It has no implication and it just tightens up the Bill. I'd appreciate your 'aye' vote."

Speaker Ryan: "The Gentleman has asked for the adoption of Amendment #1 on House Bill 31. All in favor will signify by saying 'aye', all opposed will say 'no'. The 'ayes' have it and the Gentleman's Amendment is adopted. Third Reading. House Bill 49, Representative Bowman."

Clerk Leone: "House Bill 49, a Bill for an Act to amend an Act to revise the law in regard to assays and other lost property. Third Reading of the Bill."

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

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Under current law, individuals who find goods, money, bank notes, whatever in excess of \$15 in value must report the property to the Circuit Court. Within five days the Court enters an order describing the found property which is subsequently filed with the County Clerk for recording in the assay book. After deducting reasonable cost for auctions, if necessary, and also deducting costs for publishing such findings in a newspaper, the person who finds the property can keep the balance if no one claims it. Well, the limit is \$15, and last time this law was changed was 16 years ago. And with inflation and so forth it has really put a tremendous burden on counties in some

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

12th Legislative Day

March 5, 1981

instances and it also discourages people from turning in lost property. I had a constituent in my district who found \$20 and turned it in and wound up it cost \$20 just to publish the notice of the finding in the newspaper. So, this is a simple Bill. All it does is raise the value limit from \$15 to \$100 before the terms of the Act requiring reports to be filed with the Circuit Court apply. It passed out of Counties and Townships unanimously. I urge a positive vote on this floor."

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

Preston: "Thank you, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker Ryan: "Indicates he will."

Preston: "Representative Bowman, do you have any estimate of how much money would be saved by local authorities by virtue of this Bill?"

Bowman: "No. It's a little hard to figure because they don't keep the records based on the number of dollars of value of the property. It's a little hard to estimate. But let me just say this, that the cost of filing the documents with the Circuit Court and so forth must exceed \$15 which is the current limit. So it strikes me as being foolish to have a procedure on the books which is, you know, so costly relative to the value of the property."

Preston: "Was there any magic to the \$100 as opposed to 110 or 85?"

Bowman: "No. It just seemed like a good idea at the time."

Preston: "Okay, thank you."

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

Bowman: "I ask for an affirmative Roll Call, Mr. Speaker."

Speaker Ryan: "The question is, 'Shall House Bill 49 pass?'. All in favor will signify by saying 'aye', those opposed by

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

12th Legislative Day

March 5, 1981

voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this issue there are 152 voting 'aye', 1 voting 'no', 2 voting 'present', and this Bill having received the Constitutional Amendment...Majority is hereby declared passed. House Bill 85, Representative Deuster."

Clerk Leone: "House Bill 85, a Bill for an Act to amend the Civil Practice Act. Third Reading of the Bill."

Speaker Ryan: "Representative Deuster."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, this is a Bill that I think is going to help the people save money and it'll avoid some unnecessary paper work in connection with the service of process. What the Bill does... it's just one line. It says a majority of the Circuit Judges in any Circuit may adopt a rule for their Circuit allowing writs, that's service or process, to be served by a private person over 18 years of age and not party to the action in any case. This is something that maybe those who are non-lawyers might not understand, but the present law is that any time a suit is being filed you can go in and get a special order from the court to approve a private person to serve those papers. Customarily, lawyers who do this kind of work go in and each and every case they take up the Judge's time asking for an order and giving it, and they're routinely granted. This Bill will simply allow the Judges in each Circuit to adopt a rule, generally, for people to serve process. I think that local Judges... We can trust them to supervise this so there won't be any abuses. I think it is a good Bill that will facilitate saving some money and some unnecessary paper work. Sometimes, if you have the Sheriff's Office located on one end of the county and serving somebody on the other end, you have to pay all that mileage to have the sheriff

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

12th Legislative Day

March 5, 1981

do it, whereas, if you could have the Judges adopt a general rule then the practitioners in the area could use a private process server at that local town and he might even walk a few blocks to serve the paper. We'll save gasoline; we'll save expense; we'll save a lot of paper work. I hope that you'll support the Bill, and I'd be happy to answer any questions."

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

Leinenweber: "Thank you, Mr. Speaker. I rise in support of this Bill... part of Representative Deuster's package of Bills, the best of the group, as a matter of fact. One of the problems that you find if you practice, particularly in Cook County and some of the other counties, and that is getting service of summons out of the Sheriff's Office. Quite often, if the person's not home or if it's a difficult service requirement, like serve the guy at work, the sheriff just doesn't do it and will return not found which requires the party to go into court with a petition and have an order entered by the court authorizing service by a private process server. Now, I would oppose any effort to open this up without judicial supervision. But Representative Deuster has appropriately placed the supervision of these process servers under the Circuit Court which would have the power to contempt if there's any abuses. Or, if the Circuit doesn't feel it's necessary, then the Circuit could not adopt the particular rule or they could provide a rule and only in limited circumstances could the service be placed without an order of the Court. This will save a lot of paper work. It'll save a lot of time and it'll save costs, and I think it's a good, forward step in the administration of justice. And, I urge your support."

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

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

12th Legislative Day

March 5, 1981

Jaffe: "Yes, Mr. Speaker and Members of the House, I rise in opposition to this Bill. First of all, let me tell you that the Bill's language is very vague. It doesn't specify whether or not a particular Judge will have authority to decide which private person serves the writ. But in addition to that, there are several dangers involved over here. It's always been a theory of law that the server actually be in an official position so that... so that conduct of process servers is really closely supervised. What you do under this Bill is you really set up an independent Sheriff's Office which could be used politically. Say you have a Circuit Court who was... a Circuit Judge who was Democratic and a sheriff who was Republican. That Judge could all of a sudden say, 'Well, I'm not going to let that sheriff have any writs to serve.' So what we're going to do is create a new list and what we're going to do is say that those private process servers can go serve these writs. I think it's just a terrible, terrible concept, and if ever in the world you want to see creepy people, I think they're basically process servers. And what you're doing is you're setting up process servers to really be in an official position, and these people can take the law into their own hands. They can harass; they can intimidate; they can do all sorts of things to a defendant. At the present time, the Civil Practice Act provides two methods by which a writ may be served. One method is that the sheriff of the county, of course, is the official server of the writ. But if the sheriff cannot serve the writ, what happens is that the attorney can go into court. He can make a Motion before the Judge and the Judge can then appoint a private process server. So, in fact, the Judge can appoint a private process server if the sheriff is not doing his job. That's done in practically

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

12th Legislative Day

March 5, 1981

every... in every county in the state. It's done in Cook County; it's done in Representative Deuster's Lake County. I don't know of anybody that's really had difficulty with this outside of people who are really in the collection business and want to have their own process server so they can monkey around a little bit. I think it's a bad concept. I think it takes power away from the... from the sheriff of a particular county, and I don't think we want to take the power away from the sheriff who actually be the service...who have the service of writs. I don't know of any sheriff or sheriff's organization that would be for this particular Bill. I think it's a bad concept and we ought to vote against it."

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

Preston: "Thank you, Mr. Speaker, Ladies and Gentlemen. Will the Sponsor yield for a question?"

Deuster: "I'd be happy to, Representative."

Preston: "Representative Deuster, does your Bill contain any guidelines or requirements that must be met by the people who would be appointed process servers?"

Deuster: "What it provides is, first of all what is already in the Statute that they be 18 years of age and that they not be a party to the action, and that the rule adopted by the majority of the Judges in the Circuit could be as specific as it wanted to, with respect to any qualifications. It grants this authority to our Judges and if the Judges want to have a very precise rule, they can adopt that. And they are the ones who know more about service of process and the administration of justice in their Circuit than we in Springfield do, and so it is general to that extent, Representative."

Preston: "Well, Representative, do I understand then that under this Bill if the Judges of a particular Circuit wanted to

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

12th Legislative Day

March 5, 1981

give no guidelines other than those contained in the Bill, that the person be 18 years of age and not be a party to the action, that it is conceivable then that a former felon or perhaps a present felon may be a private process server?"

Deuster: "Representative, I made no change in the existing law. That might be true today. Right now you can go in and get an order and Representative Leinenweber expressed it very well as Representative Barkhausen did in the Committee. These orders are granted routinely to people that serve process. All we're doing... We're not making really any substantive... no substantive change in the qualifications. Just eliminating the necessity for all these orders for each and every special case."

Preston: "But under the present system isn't it the case that in order to be appointed a private process server, you must appear before a Judge or at least an order has to be entered by a Judge and that individual Judge may have whatever exercise... whatever scrutiny he deems necessary? Doesn't this take the scrutiny out of it?"

Deuster: "No, Sir."

Preston: "Well, under this you need not appear before a Judge or have a Judge sign an order, do you? Once the Circuit appoints...votes to have private process servers, you may come to me and ask me to be your private process server providing I'm 18 years of age and not a party to the action. Is that correct?"

Deuster: "No. What happens is quite often I just send them in by mail and the Circuit Court Clerk takes it to a Judge and the Judge stamps it. Nobody appears before the Judge in a lot of cases. Sometimes they do, but just the attorney asks for the order."

Preston: "But under this Bill, that need not be done. A Judge

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

12th Legislative Day

March 5, 1981

need not sign any order."

Deuster: "The Judges adopt a rule..."

Preston: "And once it's adopted, they need not sign an order. Is that the effect of this provision?"

Deuster: "That's correct."

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

Speaker Ryan: "Proceed."

Preston: "I'd like to speak in opposition to this measure. Whereas this Bill and the provisions of the Bill would save money without any question, what it would also do as well is to promote numerous injustices. People would end up not being served with summons. They would end up having default judgements entered against them when, in fact, they had no knowledge that they were to appear anywhere to defend their positions. I think the injustices that would be promoted by this Bill far, far outweigh any cost savings that may be realized. Therefore, I would urge the Members of this Assembly to exercise their discretion and vote 'no' on this measure. Thank you."

Speaker Ryan: "Representative Grieman, do you have your button on over there?"

Grieman: "I do, Mr. Speaker, yes."

Speaker Ryan: "I don't know how to break the news to you, Representative, but you're burned out up here."

Grieman: "God, I've always been a burn out."

Speaker Ryan: "Please proceed."

Grieman: "Thank you. I wonder if the Gentleman would yield for a question. Mr. Deuster?"

Speaker Ryan: "He indicates he will."

Grieman: "Okay. Representative Deuster, is it not.... when one serves a summons or writ, they make a return. Is that right?"

Deuster: "That's correct."

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

12th Legislative Day

March 5, 1981

Greiman: "And they say, for example, 'I served Donald Deuster on the 4th day of so and so', right?"

Deuster: "Correct."

Greiman: "Now, under Illinois law, is it not the case that that is presumptively correct? There is a presumption, in other words, that that return is prima facie correct."

Deuster: "The Statute provides how returns are made either by the sheriff or by private persons. They fill out an affidavit that's submitted to the Judge. The Judge looks at it and he sees the written signature of either the sheriff or the private person who has been approved."

Greiman: "That's not an answer to my question, Representative Deuster. The question is, that I asked you...."

Deuster: "Well...the answer is yes."

Greiman: "... that I suggest that it is prima facie correct. There's a presumption that that return is correct. Is that right?"

Deuster: "That's right."

Greiman: "Okay. Alright on the... If I may on the Bill. What we have then is a situation where there is a presumption that the return is correct so that if there is a service by a person not a public official or a public official, either one, that return, that statement by the server that I served X on such and such a date is presumed to be correct. And it takes a great deal of evidence, more than just a mere preponderance to overturn that return, which means that if there is a false return, a false statement of service, then someone who has a default judgement for an incredible amount of money that may affect their whole life must come in with evidence beyond the usual, beyond the customary burden of proof to show that indeed there was no service. Now, we give that presumption to people who are public officials. We give that presumption to sheriffs

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

12th Legislative Day

March 5, 1981

because sheriffs have bonds that they put up because there is a governmental supervision. Now we are turning this over to private citizens, the brother-in-law, the plaintiff, the brother of the lawyer, people who are not objective, people who are not...disinterested parties really. And we are imposing on people, who will be the victim of false returns, an incredible burden. I suggest that this is inappropriate. The savings, it is a trivial kind of matter, and it will save nothing but may do a great deal of harm, as Representative Preston pointed out. I recommend that we do not vote... give this our 'aye' vote."

Speaker Ryan: "Gentleman from Lake, Representative Barkhausen."

Barkhausen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this Bill, and I regret to be standing in opposition to my reform-minded Members on the other side of the aisle. I believe that this is a very simple Bill and one that achieves basically two objectives. That is that it saves attorney fees in the sense that if you file a suit and a summons is returned not found by the sheriff then the attorney will, in many cases, be obligated to show up in court and apply to the Judge for permission to have a summons served by a private process server. That means additional attorneys fees and expenses to the person bringing the suit. Secondly, it will save costs in many instances in the sense that a private process server may cost nothing and in other cases it will most likely cost less than the sheriff will charge for the service of summons. So I ask that you keep in mind the savings to the litigant and both in attorney fees and in sheriffs' fees. The Gentleman from Cook, Representative Preston, admitted himself that there would be a significant cost savings involved if this Bill were passed. I should also point out

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

12th Legislative Day

March 5, 1981

that there is a safeguard in the service of a summons. It does not need to be served by the sheriff because anyone serving a summons, even a private process server, has to swear under oath that the summons in complaint has been served. That is the safeguard provided by law. If it were to be the case as Representative Greiman suggested it might be, that a private process server would falsely swear that a summons had been served, in that case the person who had a default judgement entered against him or her would be able to come into court within 30 days, or even under these circumstances, within two years to have that default judgement vacated. So I ask you to keep in mind the taxpayers and the people that are bringing suits in this state. And I ask you to give them some relief in attorneys fees and in service of process fees. The sheriffs are not opposed to this Bill. They were not in the Judiciary Committee when this Bill was considered. None of us have heard from any sheriffs in opposition to this Bill, and it would mean less of a burden on the civil process divisions of the Sheriff's Office around this state if we take off some of the burden that they now have handling all the litigation that we have in Illinois. So I strongly urge your support of this Bill and feel it would be a significant public service to the citizens of this state. Thank you."

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

Dunn(John): "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would just like to add a little bit of a perspective about this Bill from the standpoint of downstate counties. Those of us in downstate know that our county government is beleaguered. We're short of funds. We're going to lose our federal monies. We're really going to be in the red in the coming years, and what we don't

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

12th Legislative Day

March 5, 1981

need now is to lose another source of income. If this Bill passes, any sheriff's fees that our people are now bringing into the general fund for the taxpayers of the respective counties may be lost to private process servers. So while the intention of this Bill may be well meaning, the practical effects and results of the Bill may mean disaster to your local counties downstate. I don't know what the problem is in Cook County, but I'll bet if you check at home, no one back home will want this Bill. Thank you."

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

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

Speaker Ryan: "He indicates he will."

Henry: "Representative, what would happen if a private process server hired by an attorney be injured in the course of serving the process? Who would pay that cost?"

Deuster: "Private people who are serving process right now. I think they probably are independent contractors rather than agents. If a process server is out and falls down some steps or something and is injured, why we already have private process servers going out and doing that. That's their own fault or their own problem. This makes no change in that. This Bill doesn't affect that at all, Representative. All this Bill does is avoid the necessity for lawyers to go to the courthouse and file a special order in each and every case and charge their clients."

Henry: "Well, Representative, the next question I'd like to ask, then, how much training and human relations... How much training in the art of law would a private processer possess?"

Deuster: "Same that they have right now. In addition, Representative, possibly the Judges in implementing this authority could lay down some stronger rules than we have

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

12th Legislative Day

March 5, 1981

under present Statute. Right now there's no qualifications in the Statute. This Bill will give our local Judges a chance to go out and possibly add some qualifications and supervise this even more tightly to protect the people and to ensure that justice is properly administered in this particular procedure. So I think this may even add to the safeguard for the citizen. Gives their Judges authority that they don't have right now."

Henry: "Mr. Speaker, I'd like to address the Bill."

Speaker Ryan: "Proceed."

Henry: "I think the intentions of a very good Sponsor have sponsored a very bad and poorly organized Bill. The... the... What he's saying to us today ...that anyone could be hired off the street by an attorney to go into a neighborhood to serve some papers that are of legal quality, and when this happens, Mr. Speaker and Ladies and Gentlemen of the House, you might have a person with a criminal background going into a neighborhood where crime is not high and then size up a... of the house and before you know it he'd have a truck to clean out your basement and to clean out your whole home. You have no control over people that might be hired. They have no training. Most of the sheriffs' associations now demand that the employees be trained in the art of firearms and the art of protection, and the art on how to treat and handle people that they must serve. Lastly, I'd like to point out that on default judgements, you're talking about reducing costs. What about all the default judgements that you'd have to deal with? I think that the Sponsors have a very good idea. I just think the Bill has been drafted wrong. I don't think it would help the citizens and I think it would hurt the Sheriff's Association, and I'm nearly sure one of the Representatives spoke that the Sheriff's Association

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

12th Legislative Day

March 5, 1981

would not appear. No, they would not appear because they didn't think the Committee or the Sponsor would dare to try to bring a Bill like this before the House of Representatives. And for that reason, I'm against the Bill."

Speaker Ryan: "The Gentlemen from Cook, Representative Meyer. You're on now, Representative."

Meyer (Roland): "Mr. Speaker, I rise in support of this Bill. There's nothing in the present Statutes that prevents the Judge from assigning a summons to any individual to be served. The only question that they ask on there is the interested party to the matter, number one. And number two, they ask his occupation. There is no background search. There is no requirement at the present time and the Bill does not change that. I am appointed many times by the courts to serve such summons and there is no other requirement other than a name, that you are not a party to the action, and your business, period. And I would hope that the House would support this Bill. It is a good Amendment."

Speaker Ryan: "The Gentleman from DeKalb, Representative Ebbesen."

Ebbesen: "Mr. Speaker, I move the previous question."

Speaker Ryan: "The Gentleman has moved the previous question. All in favor signify by saying 'aye'. All opposed 'no'. The 'ayes' have it. Representative Deuster, to close."

Deuster: "I'll try to be brief. You've heard a lot of discussion on this Bill and some matters that really aren't involved in it. This Bill received a good hearing in the Judiciary Committee. You heard Chairman Leinenweber recommend it. What this is going to do is it's going to save some money. Also, for those of us who are interested in having our sheriff's deputy out chasing criminals instead of walking

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

12th Legislative Day

March 5, 1981

around with civil process, this might facilitate that. This is going to save money, eliminate a lot of needless time in court and expense for litigants. I think there's an adequate safeguard. And besides that, this transfers and gives authority to our local Judges in a Circuit to supervise this to make sure that it is properly implemented. I think it's an excellent Bill. You've heard a lot of lawyers. My profession sometimes likes to confuse subjects, but in this instance it's a one line Bill that's going to save the people some money and I urge your support. Thank you."

Speaker Ryan: "The question is, 'Shall House Bill 85 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Representative Deuster, to explain your vote."

Deuster: "Well, I was wondering, I thought everybody wanted to go home too. There was a lot of complicated discussion about the Bill. I think it still is an excellent Bill. I don't know whether we have Members here. I would at one point... No, I'm not going to take it out of the record. Before you take the vote, Mr. Chairman (sic, Mr. Speaker), there may be some people who are not... I mean, Mr. Speaker, that are not voting. And at the appropriate time... We're up to 72. Some confusion has been shed on the Bill and I would ask for a poll of the absentees. I still think it's an excellent Bill, and would urge some more green lights. Thank you."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this issue there are 71 voting 'aye', 81 voting 'no' and 3 voting 'present', and the Gentleman's asked for a poll of the absentees. Read the absentees, Mr. Clerk. Representative Stearney, for what purpose do you rise? Change Representative Stearney to 'aye' please, from 'no'

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

12th Legislative Day

March 5, 1981

to 'aye'. Read the absentees will you, Mr. Clerk?"

Clerk Leone: "Beatty. Bluthardt. Braun. Brummer. Capparelli. Christensen. Epton. Hanahan. Huskey. Krska. Laurino. Lechowicz. McCourt. McGrew. Murphy. Oblinger. Peters. Telcser. Terzich. Van Duyne. White. J.J. Wolf."

Speaker Ryan: "On this question there are 71 voting 'aye', 81 voting 'no', 3 voting 'present' and this Bill, having failed to receive the Constitutional... The Gentleman has requested Postponed Consideration. Put it on Postponed. House will be at ease for about 10 minutes. The reason is that we have a little problem with the machine. We'll have it repaired and filled with paper in just a minute. Just a few minutes. Introduction and First Reading of House Bills."

Clerk Leone: "House Bill 472, Bower, a Bill for an Act to amend Sections of an Act to permit the City of East St. Louis to establish, operate, maintain, and lease foreign trade zone and sub-zones within its corporate limits. First Reading of the Bill. House Bill 473, Leverenz, a Bill for an Act to amend Sections of an Act relating to alcoholic liquors. First Reading of the Bill. House Bill 474, Pouncey, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 475, Friedrich-Jaffee-Barnes, a Bill for an Act to amend Sections of the Illinois Insurance Code. First Reading of the Bill. House Bill 476, DiPrima, et al, a Bill for an Act to add Sections to the Illinois Vehicle Code. First Reading of the Bill. House Bill 477, McClain, a Bill for an Act to amend Sections of the Abused, Neglected Child Reporting Act. First Reading of the Bill. House Bill 478, McClain, a Bill for an Act to amend Sections of the Abused and Neglected Child Reporting Act. First Reading of the Bill. House Bill 479, McClain, a Bill for an Act to amend

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

12th Legislative Day

March 5, 1981

Sections of the Abused and Neglected Child Reporting Act. First Reading of the Bill. House Bill 480, McClain, a Bill for an Act to amend Sections of the Abused and Neglected Child Reporting Act. First Reading of the Bill. House Bill 481, McClain, a Bill for an Act to amend Sections of the Abused and Neglected Child Reporting Act. First Reading of the Bill. House Bill 482, McClain, a Bill for an Act to amend Sections of the Abused and Neglected Child Reporting Act. First Reading of the Bill. House Bill 483, McClain, a Bill for an Act to amend Sections of the Juvenile Court Act. First Reading of the Bill. House Bill 484, McClain, a Bill for an Act to amend Sections of an Act in relationship to the adoption of persons. First Reading of the Bill. House Bill 485, McClain, a Bill for an Act to amend Sections of an Act in relationship to the adoption of persons. First Reading of the Bill. House Bill 486, McClain, a Bill for an Act to amend Sections of an Act for the adoption of persons. First Reading of the Bill. House Bill 487, McClain, a Bill for an Act relating to placement or adoption of minors. First Reading of the Bill. House Bill 488, McClain, a Bill for an Act to amend Sections of an Act in relationship to the adoption of persons. First Reading of the Bill. House Bill 489, Chapman-McClain-Jaffee, a Bill for an Act concerning periodic review of certain children placed under...in foster care. First Reading of the Bill. House Bill 490, Kane-Staffle, a Bill for an Act in relation to collective bargaining by firefighters. First Reading of the Bill. House Bill 491, Davis-Matijevich, et al, a Bill for an Act making appropriations for the Ordinary and Contingent Expenses of the State Board of Education. First Reading of the Bill. House Bill 492, Staffle-Breslin-Giorgi, a Bill for an Act making appropriations to the State Board of

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

12th Legislative Day

March 5, 1981

Education for distributing of certain monies. First Reading of the Bill. House Bill 493, Steczo, a Bill for an Act making appropriations to the State Board of Education. First Reading of the Bill. House Bill 494, Matijevich, a Bill for an Act making appropriations for grant and aid to the State Board of Education. First Reading of the Bill."

Speaker Ryan: "House will come to order. Page two of the Calendar, House Bills, Third Reading appears House Bill 103. Representative Abramson."

Clerk Leone: "House Bill 103, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Ryan: "Representative Abramson on the floor? Out of the record. House Bill 116, Representative Vinson. Out of the record. House Bill 158, Giorgi. Out of the record. House Bill 195, Darrow. Out of the record. Gentleman from Cook, Representative Telcser with the Adjournment Resolution. Mr. Clerk, read the Motion."

Clerk Leone: "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 and adoption of which I am instructed to ask concurrence of the House of Representatives, Senate Joint Resolution #16, resolved by the Senate of the 82nd General Assembly of the State of Illinois, the House of Representatives concurring herein that when the Senate adjourns on Thursday, March 5, 1981, it stands adjourned till Tuesday, March 10, 1981 at 12:00 noon. And when the House of Representatives adjourns on Friday, March 6, 1981 it stands adjourned until Wednesday March 18, 1981 at 11:00 a.m. Adopted by the Senate March 5, 1981. Kenneth Wright, Secretary."

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

Telcser: "Mr. Speaker, Members of the House, I move that we adopt

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

12th Legislative Day

March 5, 1981

the Adjournment Resolution."

Speaker Ryan: "The Gentleman's moved the adoption of the Adjournment Resolution. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Adjournment Resolution is adopted. Agreed Resolutions. Representative Conti."

Clerk Leone: "House Resolution 101, Pechous; 102, Pechous; 103, Roland Meyers-Chapman-Macdonald; 104, Kustra, et al; 107, Hudson-DiPrima; 108, Karpriel-Stanley-O'Connel-C.L. McCormick; 109, Kelly-Dunn-Steczko; 111, Hallstrom; and Senate Joint Resolution #15, Daniels."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, the recipient award on House Resolution 101 by Pechous, Gregory Left getting the Eagle Scout award. Congratulatory message of House Resolution 102, Pechous, Edna Russler was joined in holy matrimony on Sunday, February 8, 1981. House Resolution 103 by R.J. Meyers, an award to Virginia Hayter, the Mayor of the Hoffman Estates was picked the 'Woman of the Year' by the Girl Scout Council of Northwest Cook County. House Resolution 104, Kustra, et al, urging that the Secretary of State and Secretary of Defense increase their efforts to determine whether there are still POW's and MIA's alive in Vietnam. House Resolution 107, Hudson-DiPrima acknowledging the American Legion was founded and observing its 62nd anniversary during the month of March, 1981. House Resolution 108, Karpriel-Stanley, Patricia Musson, Wayne Township assessor, is the first recipient of the Mashall Thoreaux Achievement Award. Retirement Resolution 109 by Dick Kelly, et al, that Ralph E. Parkes, Mayor of East Hazel Crest, Illinois, will retire after 20 years of service as Mayor and 8 years as a member of the Board of Trustees. Death Resolution 110, DiPrima, et al, the death of John R. "Dick" Wallace who passed away

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

12th Legislative Day

March 5, 1981

on December 14. Anniversary...House Resolution 111, Hallstrom. On March 19, 1981 will mark the 40th anniversary of the Publicity Club of Chicago, the largest organization of public relation professionals outside of New York City. House Resolution 112, Kulas, on March 21 and 22, 1981 the Ukrainian Community of Chicago and the United States will honor Professor Roman Zawadowyz, a Ukrainian writer and poet on the 60th anniversary of his first published work. Death Resolution 100 by Klemm, the relatives of Dorothy Keller were deeply saddened by Mrs. Keller's death, dedicating a large portion of her retirement and life to affairs of senior citizens. A Death Resolution by DiPrima, 110, for Dick Wallace who passed away on December 14, 1980 after a long illness. He held influential positions in the VFW, including State Commander of the State of Illinois, a life member of the White County Post 3851 Carni, Illinois. Mr. Speaker and Ladies and Gentlemen of the House, I move for the adoption of the Resolutions."

Speaker Ryan: "The Gentleman from Cook, Mr. Conti, has moved the adoption of the Agreed Resolutions. All in favor will signify by voting 'aye', all opposed 'no'. The 'ayes' have it, and the Agreed Resolutions are adopted. Representative Conti."

Conti: "Mr. Speaker, Ladies and Gentlemen, I omitted the Daniels Resolution, Seante Joint Resolution #15. It's commemorating the milestone of the lives of the Illinois citizens where Calvin E. Defenbough will retire on March of 1981 from his position as Assistant Superintendent for Business Affairs of the Lombard High School District 44 after 32 years with the district."

Speaker Ryan: "Gentleman has moved for the adoption of the Agreed Resolution. All in favor signify by voting... saying

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

12th Legislative Day

March 5, 1981

'aye', all opposed by saying 'no'. The 'ayes' have it. And the Agreed Resolution's adopted. Further Resolutions."

Clerk Leone: "House Joint Resolution #13, House Resolution #13, Richmond-Rea, et al. House Resolution 113, Catania."

Speaker Ryan: "Committee on Assignment. Death Resolutions."

Clerk Leone: "House Resolution 100, Klemm, in respect to the memory of Mrs. Keller. House Resolution 110, DiPrima, et al, in respect to the memory of John Wallace."

Speaker Ryan: "Mr. Conti moves the adoption of the Death Resolutions. All in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Death Resolutions are adopted. On the Calendar on page three, under the Order of Speaker's Table appears House Resolution 28, Representative Stiehl. Read the Resolution, Mr. Clerk. Representative Stiehl."

Stiehl: "Thank you, Mr. Speaker. House Resolution #28 directs the Auditor General to conduct a management audit of the policies and procedures of the Department of Administrative Services in regard to their leasing procedures. The Director of the Department has come in and testified in support. It passed 21 to 1 and I would ask for a favorable vote. This Resolution has the support of the Chairman and the Vice-Chairman of the Audit Commission."

Speaker Ryan: "Is there any discussion? Question is, 'Shall House Resolution 28 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Requires 89 votes. Representative Younge, 'aye'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this issue there are 118 voting 'aye', none voting 'no' and this Resolution, having received the Constitutional Majority, is hereby declared passed. House Resolution #69, Representative Telcser. Out of the record, Mr. Clerk. Mr. Telcser, did you want to take all of the rules out of the record?"

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

12th Legislative Day

March 5, 1981

Telcser: "Yes."

Speaker Ryan: "Well, remove all of the rules... all the Resolutions pertaining to rules, Mr. Clerk, and that will take us to page four of House Joint Resolution #5, Representative Woodyard. Representative Woodyard on House Joint Resolution #5."

Woodyard: "Thank you, Mr. Speaker, Members of the House. House Joint Resolution 5 is a Resolution that would name the new Department of Ag. Building that's now under construction for John W. Lewis from Marshall, Illinois. John is a former Speaker of the House, a Member of this Assembly for 16 years, a State Senator, Secretary of State, and a Director of Agriculture. We have a very strong feeling that it is only fitting and proper that this building be named for John. I've cleared this with the Department of Agriculture and the Governor's Office and there's no opposition that I know of to it."

Speaker Ryan: "Is there any discussion on HJR #5. Representative from McLean, Representative Ropp."

Ropp: "Mr. Speaker and Members of the House, thank you. I would certainly like to speak in support of this, having had the pleasure to serve Secretary and Director of Agriculture John Lewis as his assistant for a year and a half. Few times have people had that privilege and pleasure to serve under a man with his leadership, with his knowledge of agriculture and his skills that he used very effectively in dealing with the General Assembly based on his prior experience. I'm proud to support and be a Cosponsor of this and I know that in his memory the Department of Agriculture would be most proud to have that building named after John W. Lewis."

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

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

12th Legislative Day

March 5, 1981

Woodyard: "Thank you, Mr. Speaker, I would ask for a favorable Roll Call on this House Joint Resolution."

Speaker Ryan: "The question is, 'Shall HJR 5 pass... be adopted?'. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Resolution is adopted. On page 5 of the Calendar under the Order of Motions...appears HJR 12, Representative Bullock. Mr. Clerk, is there a Motion filed?"

Clerk Leone: "Motion pursuant to Rule 41A; 'I move to place House Joint Resolution 12 on the Speaker's Table for immediate consideration'. Representative Bullock."

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

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to ask leave of the Body to immediately consider House Joint Resolution 12. It represents a bipartisan effort dealing with a fundamental issue to the Unemployment Insurance Trust Fund. I know of no opposition to the Motion...Resolution. I'd like to ask the Body to move to suspend the appropriate rule so that this matter can be considered before the entire House."

Speaker Ryan: "The Gentleman's Motion is to suspend the appropriate rules to have HJR 12 heard immediately. Representative Schuneman."

Schuneman: "Thank you, Mr. Speaker. I wonder, Representative, if you could indicate to us what the reason is that we need to suspend the rules rather than send this Resolution to Committee?"

Bullock: "Well, Representative Schuneman, it's a matter that I've discussed with you and the Leadership on that side of the aisle. I am certainly not adverse to this Resolution going to Committee, but I didn't know that that was your pleasure until you stood in opposition to it. I had spoken to you about the measure, and I assumed there was no opposition to

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

12th Legislative Day

March 5, 1981

the Resolution. And, therefore; I requested it to be considered this time."

Schuneman: "That's true, Representative, you did... you did do that and frankly, I didn't indicate a position one way or another on this matter at that time. But having given consideration to it since then, I do from this point on oppose this Resolution. I would really rather see it go to Committee. And I would ask the Republican Members of the House to... to withdraw their support of this Motion. I'm corrected. I should have said all Members of the House. I think that if we can speak to the merits of the Resolution somewhat, Mr. Speaker, to ask the Federal Government for forgiveness at this time would, first of all, be ineffective as all Resolutions are that memorialize Congress. Secondly, I think it would indicate to the Congress that we may not be able here in Illinois to solve our own problems in respect to the Unemployment Trust Fund which is in so much trouble, and it would tend to indicate to the public that we're going to the Federal Government for solutions to problems at the very time when the Federal Government is indicating that... to a greater extent that they're going to look to states to solve their own affairs. I really think that this matter should be given a hearing before we hear it on the House floor."

Speaker Ryan: "Any further discussion? Representative Bullock, what's your pleasure?"

Bullock: "Mr. Speaker, I'd like to take the Bill out of the record and have it assigned to the appropriate Committee."

Speaker Ryan: "Out of the record, Mr. Clerk. Committee on Assignments. Are there any announcements? Are there any announcements? Representative Macdonald."

Macdonald: "Yes, Mr. Speaker, I would like to remind the Members of the Conservation of Natural Resource Committee that

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

12th Legislative Day

March 5, 1981

there has been a change in scheduling, at least a temporary change, and we will be meeting on Wednesday, March 18 from 12:00 to 2:00, and I understand after that time we will come into general meeting on the floor."

Speaker Ryan: "Is Representative Ewing on the floor? Are there any further announcements? Gentleman from Cook, Representative Telcser for adjournment. Hold that, Representative Telcser. Change of vote, Mr. Clerk."

Clerk Leone: "Representative..."

Speaker Ryan: "I don't know the Representative who signed the request to change his vote. There's only one here. We can't read the signature. It's on House Bill 49. There's a Member that has requested a change of vote on House Bill 49. We can't read the signature as to who the Member is. Anybody want to lay claim to this document? Whoever it is is going to lose their chance to have their vote changed. Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, we'll need about a 10 minute Perfunctory Session today after we adjourn and additionally, tomorrow will be a Perfunctory Session. That is on March 6. And now, Mr. Speaker, I move that the House stand adjourned until Wednesday, March 18, 11:00 a.m."

Speaker Ryan: "Gentleman has moved that the House stand adjourned until Wednesday, March 18 at 11:00 a.m. All in favor will signify by voting 'aye', all opposed 'no'. And the House stands...adjourned. Perfunctory Session for 10 minutes for the Clerk and Perfunctory Session tomorrow starting at 12:00 noon."

Clerk Leone: "Committee Reports. Representative Stearney, Chairman of the Committee on Judiciary II to which the following Bills were referred, action taken March 5, 1981 and reported the same back with the following recommendations: 'do pass' House Bill 317, 'do pass as

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

12th Legislative Day

March 5, 1981

amended' House Bill 83, 'do not pass as amended' House Bill 105, 'do pass as amended Consent Calendar' House Bill 318. Representative Wikoff, Chairman from the Committee on Cities and Villages to which the following Bills were referred, action taken March 5, 1981 and reported the same back with the following recommendations: 'do pass' House Bill 284, 'do pass Consent Calendar' House Bill 242. Message from the Senate by Mr. Wright, Secretary: Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following Joint Resolution to wit: House Joint Resolution #11, concurred in by the Senate March 4, 1981. Kenneth Wright, Secretary. Introduction and First Reading. House Bill 495, Tuerk, a Bill for an Act making appropriations of funds from the Common School Fund. First Reading of the Bill. House Bill 496, Schneider, et al, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 497, Hoffman, et al, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 498, Mulcahey, et al, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 499, Ronan, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 500, Hallstrom, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 501, Hallstrom, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 502, Peters, a Bill for an Act to amend Sections of an Act to create a State Council on Nutrition. First Reading of the Bill. House Bill 503, Daniels, a Bill for an Act to add Sections to the Code of Criminal Procedure. First Reading of the Bill. House Bill 504, Rigney, et al, a Bill for an

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

12th Legislative Day

March 5, 1981

Act to amend Sections of the Vehicle Code. First Reading of the Bill. House Bill 505, Hallock-Ebbesen-Birkinbine, a Bill for an Act to add Sections to the Illinois Income Tax Act. First Reading of the Bill. House Bill 506, Hallock-Keane, a Bill for an Act to amend Sections of the Illinois Income Tax Act. First Reading of the Bill. House Bill 507, Catania, a Bill for an Act to amend Sections of the Minimum Wage Law. First Reading of the Bill. House Bill 508, Catania, a Bill for an Act to amend Sections of the Illinois Public Aid Code. First Reading of the Bill. House Bill 509, Catania, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. First Reading of the Bill. House Bill 510, Catania, a Bill for an Act to provide for the Ordinary and Contingent Expenses of the Commission on Status of Women. First Reading of the Bill. House Bill 511, Catania, a Bill for an Act to add Sections to the Illinois Public Aid Code. First Reading of the Bill. House Bill 512, Greiman, a Bill for an Act to amend Sections of the Illinois Marriage and Dissolution of Marriage Act. First Reading of the Bill. House Bill 513, Greiman, a Bill for an Act in relation to Dissolution of Marriage. First Reading of the Bill. House Bill 514, Greiman, a Bill for an Act to amend Sections of the Illinois Marriage and Dissolution of Marriage Act. First Reading of the Bill. House Bill 515, Greiman, a Bill for an Act to amend Sections of the Illinois Marriage and Dissolution of Marriage Act. First Reading of the Bill. House Bill 516, O'Brien-Preston-Currie, a Bill for an Act to amend Sections of the Criminal Code. First Reading of the Bill. House Bill 517, Hallock, et al, a Bill for an Act in relation to vocational rehabilitation for employees entitled to workman's compensation. First Reading of the Bill. House Bill 518, Rigney, a Bill for an Act to repeal

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

12th Legislative Day

March 5, 1981

Sections of the Illinois Vehicle Code. First Reading of the Bill. House Bill 519, Hoxsey, a Bill for an Act to amend the Workman's Compensation Act. First Reading of the Bill. House Bill 520, Hoxsey, a Bill for an Act to amend Sections of an Act in relation to regulation of rivers, lakes, streams of the State of Illinois. First Reading of the Bill. House Bill 521, Ryan-Mays, a Bill for an Act to provide for community industry... industrial building interests assistant loans. First Reading of the Bill. House Bill 522, Ryan-Mays, a Bill for an Act making appropriation relating to the Community Industrial Building Assistance Act. First Reading of the Bill. House Bill 523, Bartulas, et al, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill. House Bill 524, Currie-Jaffe-Barnes, et al, a Bill for an Act to add Sections to the Criminal Code. First Reading of the Bill. House Bill 525, Peters, et al, a Bill for an Act amending Sections of an Act, adding Sections to the Child Care Act. First Reading of the Bill. House Bill 526, Peters-Kosinski, et al, a Bill for an Act to amend Sections of the Criminal Code. First Reading of the Bill. No further business. The House now stands adjourned till 12:00 noon tomorrow morning for Perfunctory Session."