

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

89th Legislative Day

March 31, 1982

Speaker Ryan: "The House will come to order, and the Members will be in their seats. The Chaplain today is Rabbi Marks from Temple Israel located in Springfield, Illinois. Rabbi."

Rabbi Marks: "Dear God, humbly we call upon You in prayer, grateful for Your blessings of life and health, of love and companionship, of our senses whereby we perceive the beauty and order of Your universe and of our reason, by the light of which we confront the challenging dilemmas of our times. We ask now for wisdom and steadfastness to be faithful stewards over which You have bestowed upon us. May we not be discouraged by the pitfalls and difficulties that lie along our path. Keep us from the cynicism which despairs of the fulfillment of our worthy objectives. Let us be ever open to the mystery and awe of life, ever conscious of Your presence within our lives and ever aware, despite the frustrating limitations of external circumstance, of the possibilities that we have to do good, to enhance our lives and the lives of all Your creatures. Amen."

Speaker Ryan: "Thank you, Rabbi. Representative Preston will lead in the pledge."

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

Speaker Ryan: "Roll Call for Attendance. Take the record, Mr. Clerk. 109... 159 Members answering the Roll, a quorum of the House is present. Representative Ropp is here for a special introduction, if we could have your attention. He has a young lady he'd like to introduce to this group. Representative Ropp."

Ropp: "Thank you, very much, Mr. Speaker and Members of the House. As you all have, I'm sure, participated in our

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annual breakfast this morning, many of you were probably able to see this young lady, but I wanted to bring her to the House chambers so that you could see her and hear her. She is the Illinois Pork Queen for the State of Illinois, and I told her before that she really represents all of you; because, this is the House of pork. Before I introduce the young lady, I'd like to introduce her parents who are seated in the gallery, Mr. and Mrs. 'Unververt'. 'Unververt', yes. Might I present to you all the Illinois Pork Queen for this year, Julie 'Unververt'. Julie."

Julie 'Unververt': "Thank you, Mr. Speaker and Representative Ropp. As the Illinois Pork Industry Queen, this is the second time in this month that I've had the privilege of being on the floor. A couple of weeks ago I was in Chicago, and I got to go on the floor of the Chicago Mercantile Exchange. Both of them really are very active, I can tell. As the Pork Queen, I get to travel all across the State of Illinois, and I'll probably be in many of your districts; and, I hope I'll have the opportunity to meet each of you personally this coming year. It's very exciting being the Pork Queen, and I've found out that I get a little more extra attention, such as Representative Ropp has shown me today. I really appreciate the fact that he has taken the time...Oh...no... Excuse me. I didn't mean it like that. I hope nobody quotes me. I just mean I do appreciate the time he's spent explaining to me the things that you do here. It's a pleasure being here. Thank you."

Speaker Ryan: "Thank you, Queen Julie. I asked Representative Ropp, first of all, if you were from his district, and he said, 'No'. I'm sure that you all know that Gordon is a dairy farmer, not a pork producer, and I don't understand all this myself; but right now, Julie, I want you to know

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that the balloting is going on in the Illinois House for the King of Pork and we'll probably have it by the first of July. Representative Epton."

Epton: "Thank you, Mr. Speaker. I certainly appreciate your attempt to balance the podium, having the Rabbi make the invocation and then presenting Miss Pork... Queen... I want you to know that we wish you well and certainly will encourage others to do the best in her behalf."

Speaker Ryan: "We appreciate that very much. Representative Getty, do you have any excused absences for today?"

Getty: "Mr. Speaker, may the record reflect that Representative Huff is absent due to illness, and Representative Katz is absent due to illness."

Speaker Ryan: "The record will so indicate. Representative Telcser, do you have any excused absences today?"

Telcser: "Mr. Speaker, could the Journal please show that Representative Stearney is absent because of illness? I think Representative Catania is still out of the country for a federal commission. I think I may have one more in a moment. Representative Boucek is absent because of a death in his family."

Speaker Ryan: "The record will so indicate. Introduction and First Reading of House Bills."

Clerk O'Brien: "House Bill 2394, Epton - et al, a Bill for an Act to amend the Property Fire Loss Act. First Reading of the Bill. House Bill 2395, Hastert, a Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill. House Bill 2396, McPike - Bullock - McBroom, a Bill for an Act to amend the Illinois Banking Act. First Reading of the Bill. House Bill 2397, McPike - Polk, a Bill for an Act to amend Sections of the Bankholding Company Act. First Reading of the Bill. House Bill 2398, McPike, a Bill for an Act relating to the City of Alton. First Reading of

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the Bill. House Bill 2399, Ronan, a Bill for an Act making an appropriation to the State Scholarship Commission. First Reading of the Bill. House Bill 2400, Getty - et al, a Bill for an Act concerning legal drugs and counterfeit and imitation controlled substances. First Reading of the Bill. House Bill 2401, Jaffe, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 2402, McBroom - Leon, a Bill for an Act to amend Sections of an Act in relation to the rate of interest and other charges in connection with the sale on credit and the lending of money. First Reading of the Bill. House Bill 2403, Stuffle - Saltsman - Rea - John Dunn, a Bill for an Act to amend Sections of an Act regulating wages of laborers, mechanics and other workers employed in any public works by the state, county, city or any school bod... any public body, or any political subdivision or by any one under contract for public works. First Reading of the Bill."

Speaker Ryan: "On the Calendar, on page two, under the Order of House Bills, Third Reading appears House Bill 79, Catania. Out of the record. House Bill 89, Representative Deuster. Representative Deuster. Is the Gentleman in the chamber? Out of the record. House Bill 115, Representative Wikoff. Representative Wikoff. Turn on Wikoff. Representative Wikoff."

Wikoff: "Mr. Speaker, I would like at this time to table House Bill 115, 140 and 179."

Speaker Ryan: "Gentleman asks leave to table House Bill 115, 140 and 179. Are there any objections? Hearing none, leave is granted, and those three Bills are tabled. Do you want to take House Bill 139 out of the record, Representative?"

Wikoff: "Yes."

Speaker Ryan: "House Bill 156, Representative Stearney. Out of

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the record. House Bill 210, Representative Tuerk. Out of the record. House Bill 211, Representative Vinson. Representative Vinson, do you want your Bill called? House Bill 211."

Vinson: "Mr. Speaker, would you take that out of the record at this time, please?"

Speaker Ryan: "Out of the record. House Bill 281, Representative Deuster. Out of the record. House Bill 369, Representative Robbins. Representative Robbins in the chamber? Out of the record. House Bill 429, Representative Pechous. Do you want your Bill heard? Out of the record. Out of the record, Representative? Out of the record. House Bill 519, Representative Hoxsey. Out of the record. House Bill 554, Representative Daniels. Representative Daniels. Is the Gentleman in the chamber? Out of the record. House Bill 555, out of the record. House Bill 556, out of the record. House Bill 584, Representative Stuffle. Out of the record. House Bill 615, Representative Swanstrom. Out of the record. House Bill 618, Representative Topinka. Representative Topinka, do you want House Bill 618 called? Out of the record. House Bill 625, Huff. Out of the record. House Bill 658, Representative Collins. Representative Collins, do you want 658 out of the record? Out of the record? 665, Catania. Out of the record. 672, out of the record. 675, out of the record. 703, Representative Watson. Representative Watson. Out of the record. House Bill 710, Klemm. Out of the record. House Bill 711, Representative Cullerton. Representative Cullerton, on House Bill 711."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would ask leave to have this Bill brought back to Second Reading for the purposes of an Amendment."

Speaker Ryan: "Gentleman asks leave to return House Bill 711 to

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the Order of Second Reading. Are there objections? Hearing none, leave is granted. House Bill 711 is now on Second Reading. House Bill 712, Representative Terzich. Gentleman on the floor? Out of the record. House Bill 714, Representative Klemm. Out of the record. House Bill 730, Representative Pierce. Out of the record. House Bill 731, Representative Robbins. Out of the record. House Bill 745, Stearney. Out of the record. House Bill 798, Representative Hannig. Representative Hannig on the floor? Representative Hannig, do you want this out of the record? Out of the record? House Bill 804, out of the record, Representative Macdonald. House Bill 807, Representative Tuerk. Out of the record. House Bill 839, Representative Karpel. 839, Representative. Out of the record. 842, Representative Rigney. Out of the record, Representative? 845, Representative Grossi. Out of the record. 855, Representative Tuerk. Out of the record. 859, Representative Karpel. Out of the record. 877, Representative McPike. Out of the record. House Bill 918, Representative DiPrima. Pass. House Bill 921, Representative Miller. Out? Out of the record. House Bill 943, Representative Tuerk. Out of the record. House Bill 944, Tuerk. Out of the record. House Bill 957, Representative Daniels. 957, Representative. Gentleman requests leave... Would you...? Representative Daniels, on House Bill 957."

Daniels: "Mr. Speaker, may I have leave of the House to place this Bill on Second Reading?"

Speaker Ryan: "Gentleman asks leave to return House Bill 957 to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. House Bill 957 is returned to the Order of Second Reading. House Bill 970, Representative Nelson. Out of the record. House Bill

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1003, Birkinbine. Out of the record. House Bill 1004,

Kelley. Want to hear the Bill?"

Kelley: "I want to return to Second Reading for purpose of a Motion."

Speaker Ryan: "For purposes of an Amendment?"

Kelley: "I'm having a Motion..."

Speaker Ryan: "You want to return this to Second Reading, is that right?"

Kelley: "I'm having....Amendment, Sir."

Speaker Ryan: "Gentleman asks leave to return House Bill 1004 to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. The Bill is returned to the Order of Second Reading. House Bill 1023, out of the record. House Bill 1025, Topinka. Out of the record. House Bill 1035, Representative Kociolko. Out of the record. House Bill 1046, Representative McMaster. Want the Bill read? There's a man who wants to do business, Mr. Clerk. Read House Bill 1046."

Clerk O'Brien: "House Bill 1046, a Bill for an Act to amend Sections of the Illinois Highway Code. Third Reading of the Bill."

Speaker Ryan: "Representative McMaster, on House Bill 1046."

McMaster: "Thank you, Mr. Speaker. Someone has to break the ice and get things moving here, I guess. This is a township Bill. Currently, the township board of trustees has the authority to determine the tax levy necessary for road maintenance and to appropriate the money for the road district budget. This Bill would give them the authority to adopt a tentative levies and budgets, but the final levy and budget would be the amount determined by the road district commissioner to be necessary. Under this legislation, the township road commissioner, who has all the knowledge and expertise as far as road maintenance and

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construction, would prepare a levy and budget and present it to the township board. The township board could then give a tentative approval and certify this levy to the county clerk. I think that this is a good Bill. It has the support of the township officials of the State of Illinois which means, in my estimation, that the township boards have concurred with the idea of the township road commissioner doing this. It's not in opposition to any of the township officials. They are in support of it. I would answer any questions, Mr. Speaker."

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

Getty: "Would the Gentleman yield?"

McMaster: "Yes."

Speaker Ryan: "He indicates he will."

Getty: "Representative McMaster, on Amendment #1, which I believe you offered in Committee addressing yourself to line 24, our file indicates that there may be a grammatical error. It reads, 'as the case may, which the highway commissioner'. I believe it's meant to say, 'as the case may be'."

McMaster: "I do not have that Amendment before me, Mike. Is it something that could be corrected by the Clerk?"

Getty: "I would respectfully suggest that, if you could get leave to amend it on its face, that would be appropriate. If not, I would then respectfully suggest that you might want to take it out of the record and file a corrected Amendment."

McMaster: "Mike, I would ask leave to have it corrected on its face to insert the word 'be' as it was intended to be, and thank you, Mike, for bringing it to my attention."

Getty: "Always a pleasure, Sir."

Speaker Ryan: "Is there any further discussion?"



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McMaster: "Mr. Speaker, I think we are asking leave to correct an Amendment on its face by adding the word 'be' after the word 'may'."

Speaker Ryan: "Do you object to that? Is that your Motion?"

McMaster: "Yes."

Speaker Ryan: "You've heard the Gentleman's Motion. He's asked leave to amend the Bill on its face. Are there any objections? Hearing none, leave is granted. Now, is there further discussion? Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

McMaster: "Yes."

Brummer: "Tom, I want to make sure I understand this. The current practice is that the township trustees have to pass the appropriation and levy ordinance for the ... for the road purposes. Is that correct?"

McMaster: "Yes, and, in fact, under this Bill, the... Rich, the township board of trustees still has the right to grant tentative approval. The main difference, I guess, is the road commissioner would prepare the budget and levy and present it to the township board of trustees, who would, in turn, have the right to approve or disapprove and go back to discussion with the road commissioner in regard to it. And let me say..."

Brummer: "Okay. Under existing..."

McMaster: "... in all cases, they still are controlled by the rate limitation that is in place on township road and bridge levies."

Brummer: "Under the existing practice, the current practice though, the township board of trustees have final say as to how much will be levied for road purposes?"

McMaster: "Yes."

Brummer: "Under your Bill, the road commissioner would have the final say as to the amount of money that would be levied

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for road purposes?"

McMaster: "Yes, and, as long as he keeps it within the rate limitations."

Brummer: "Okay, that was my... So, the real issue is who has the final determination as to how much taxes shall be levied for road purposes, the highway commissioner or the board of trustees."

McMaster: "That's actually the case, Rich."

Brummer: "Okay. Now,..."

McMaster: "Let me add, though, this has the approval of the townships officials, their support. Personally, I could care less either way except this; if all of the township officials are in agreement with the Bill, then it's alright with me, and that's why I'm handling it."

Brummer: "Are you indicating that the township board of trustees support the Bill?"

McMaster: "Evidently, they must because it says this was approved by all the township officials."

Brummer: "What says that?"

McMaster: "...their association."

Brummer: "What says that?"

McMaster: "Pardon?"

Brummer: "You said it says that. What says that?"

McMaster: "Alright. The Township Official's Organization testified in Committee and told me that they were in complete support of the Bill."

Brummer: "Okay. I'm a little concerned about that because we had that similar representation on the House floor here on consolidation of assessment districts, and we later found out that there was a great deal of opposition to that."

McMaster: "That's right, and..."

Brummer: "Okay. The second question I have is the current law requires that there be a public hearing regarding the

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amount of money that shall be spent for road purposes.

Does this Bill retain that public hearing provision?"

McMaster: "Yes."

Brunner: "Our analysis seems to indicate that it may not."

McMaster: "Well, I would certainly intend that it would, and, to my knowledge, the public hearing is not removed from the process."

Brunner: "Was that reinstated by Amendment? Our analysis says, 'by allowing a highway commission to determine the amount of taxation, the required public hearing would no longer apply'."

McMaster: "Well, I would question that, and I would certainly want the public hearing in there, Rich. If it does not, then I would be perfectly happy to have that put in in the Senate. But I think the period of time that we're facing here in the General Assembly is such that, to bring that back, if it is not, and to clarify what you want, and I am in complete agreement with you that it should be in there; and, I am surprised that it is not. I think it requires a tentative budget hearing in reality."

Brunner: "What's the reason for shifting the decision to the highway commissioner? Currently, the highway commissioner submits a tentative budget to the board of trustees, and they have the final say as to whether they approve that or disapprove it. Now, they would not have the final say at all."

McMaster: "No, but they still have the right of tentative approval and certification to the county clerk."

Brunner: "Tentative approval doesn't mean anything. It seems to me though, if they just disagree, the highway commissioner can go on ahead and do what he wants to anyway, under the new...under your proposal."

McMaster: "Rich, going back to the public hearing. It's on page

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three of the Bill. So, it's still in there."

Brummer: "Okay. The final question then, there is no change with regard to the rate authorization."

McMaster: "No."

Brummer: "They are still under the same limitations that always existed for purpose of levying for road purposes."

McMaster: "Yes."

Brummer: "Thank you."

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

McMaster: "Thank you, Mr. Speaker. I think we've had sufficient discussion on this. I think it's a good Bill, and if, in fact, the Township Official's Organization, as a whole, does support this, which they have indicated to me, then I would ask for your favorable consideration on this Bill. Thank you."

Speaker Ryan: "Question is, 'Shall House Bill 1046 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Steele, would you answer your phone, please? Have all voted who wish? Yes, we did change it on its face. Representative McMaster, for your information and for a matter of the record, Enrolling and Engrossing had caught the error that was in the Bill and it did not have to be amended on its face. It was corrected in Enrolling and Engrossing."

McMaster: "Thank you, Mr. Speaker."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 119 voting 'aye', 18 voting 'no', 16 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1060, Representative Levin. Representative Levin. House Bill 1078, Representative Bower. Out of the record. Representative Emil Jones,

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would you come to the podium, please? House Bill 1093, Representative Bower. Out of the record. House Bill 1108, Representative Schneider. Would you turn on Representative Schneider, please?"

Schneider: "Come on. Thank you."

Clerk O'Brien: "House Bill 1108, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Schneider: "Mr. Speaker, I am awaiting a fiscal note as well as information on the Amendment. I would just ask leave to move House Bill 1108 to the Order of Second Reading and hold it there until that information arrives."

Speaker Ryan: "The Gentleman has asked leave to return House Bill 1108 to the Order of Second Reading. Are there any objections? Hearing none, House Bill 1108 is returned to the Order of Second Reading. In the center aisle, we have former Member, Webber Borchers, with us. Webber, welcome back to the Illinois House. House Bill 1122, Representative McCormick. Out of the record. House Bill 1129, Representative Stiehl. Want the Bill heard? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1129, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Ryan: "The Lady from St. Clair, Representative Stiehl, on House Bill 1129."

Stiehl: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1129 provides that, under circumstances of exceptionally brutal or cruel behavior, the Court, as an alternative to existing penalties, may impose a natural life sentence for the conviction of rape. The importance of passing this legislation is to serve as a strong deterrent to gang rapists, to repeated rapists, to incidences of extremely cruel and heinous behavior. Our

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neighboring State of Missouri passed this legislation last year. It's important for protecting society and insuring the safety of the women in this state. I would ask for a favorable vote."

Speaker Ryan: "Is there any discussion? Is there any discussion? The question is, 'Shall House Bill 1129 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 148 voting 'aye', none voting 'no' and none voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1154, Representative Stanley. Representative Stanley, on House Bill 1154. Out of the record. House Bill 1158, Representative McPike. Representative McPike. Out of the record. House Bill 1172, Representative Pullen. Out of the record. House Bill 1177, Representative Hoffman. Read the Bill."

Clerk O'Brien: "House Bill 1177, a Bill for an Act to amend Sections of an Act to provide for the creation of management of forest preserve districts. Third Reading of the Bill."

Speaker Ryan: "Gentleman from Dupage, Representative Hoffman, on House Bill 1177."

Hoffman: "Thank you, very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1177 was introduced at the request of the Dupage County forest district. It does, basically, two things. One, it moves the population limits from a million up to three million so to clarify the fact that this tax will only apply to DuPage County and give us some growing room where it's trying to move those county and forest preserve districts to that number. It also provides that the tax that we levy for improvements can apply to restoration, reconditioning and reconstruction

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improvements; and then, by Amendment, we also provided that that levy could be used to acquire improvements. As we are acquiring more land for the forest preserve district, much of this land is rural, farm land, which has existing facilities on it. We want the opportunity to acquire those facilities, and, in some cases, we're involved in restoring facilities which were built during WPA days and reconditioning some of those buildings; and, we'd like to be able to use the tax for this purpose as well as for construction. So with that explanation, Mr. Speaker, Ladies and Gentlemen of the House, I'd move for the adoption of House Bill 1177."

Speaker Ryan: "Any discussion? Representative Bullock."

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

Speaker Ryan: "Indicates he will."

Bullock: "Representative Hoffman, did I understand you correct to say that the Bill only relates to DuPage County or was that in error?"

Hoffman: "That's correct, Representative Bullock."

Bullock: "Perhaps our staff analysis might be incorrect also, but my reading of the Bill is that it relates probably to ten other forest preserve districts. Are they all in DuPage County?"

Hoffman: "Your analysis indicates that, in the State of Illinois, there are only ten forest preserve districts of which DuPage is one."

Bullock: "Yes."

Hoffman: "And in this population group would only apply."

Bullock: "So the population restriction applies only to DuPage."

Hoffman: "We moved the maximum...Mr. Speaker, take this out of the record. Let me check on this. I'm not comfortable with that question."

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Speaker Ryan: "Take the Bill out of the record. On the Democrat side, we have another former Member with us, James Holloway, who used to serve in this chamber. Welcome back to the House, Jim. Anybody seen Representative Ropp since he made that introduction? Oh yes, you have a Bill here, Representative. House Bill 1180. Did you wish to have it called? Out of the record. House Bill 1182, Representative Robbins. Representative Robbins, do you want to call 1182? Out of the record. House Bill 1190, Representative Stanley. Out of the record. House Bill 1208, Representative Macdonald. Out of the record. House Bill 1215, Representative Levin. Representative Levin in the chamber? Out of the record. House Bill 1219, Representative Stearney. Out of the record. House Bill 1222, Representative Bowman. Out? Out of the record. House Bill 1229, Representative Stewart. Representative Stewart in the chamber? Out of the record. House Bill 1241, Representative McClain. Want to hear it? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1241, a Bill for an Act to amend Sections of the Unified Code of Corrections. Third Reading of the Bill."

Speaker Ryan: "Representative McClain, on House Bill 1241."

McClain: "Thank you, very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1241 is a Bill that we've talked about for some years. This piece of legislation would prohibit any Governor, during his lame duck period, that is from November to January, from pardoning any people that would be in prison. So, all the Bill does is it amends the Uniform (sic, Unified) Code of Corrections and prohibits any lame duck executive from pardoning anybody during those three months. I'd ask for a favorable vote."

Speaker Ryan: "Is there any discussion? Question is, 'Shall



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House Bill 1241 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 98 voting 'aye', 17 voting 'no' and 15 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Record Representative Rigney as 'aye'. Representative Bradley as 'aye' on the last Bill. House Bill 1244, Representative Currie. Representative Currie on the floor? Out of the record. House Bill 1254, Representative Keane. Out of the record? House Bill 1260, Representative Wikoff. Out of the record? House Bill 1261, Wikoff. Out of the record. House Bill 1268, Representative McAuliffe. Out of the record. House Bill 1296, Representative Ewing. Representative Ewing. The Gentleman's not... Out of the record. Representative McMaster, do you want to go with 1319? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1319, a Bill for an Act to amend Sections of an Act to revise the law in relation to township organization. Third Reading of the Bill."

Speaker Ryan: "Representative McMaster, on House Bill 1319."

McMaster: "Thank you, Mr. Speaker. This is another township Bill and affects, mainly, the small townships with a small assessed valuation. Under current law, townships with an assessed valuation of less than 15 million dollars, which isn't much to run a township on, have a tax rate for corporate purposes of 45 cents per hundred dollars assessed valuation. Townships with assessed valuation of more than 15 million have a maximum tax rate of 25 cents. This Bill would prevent townships from experiencing a sharp drop in their tax revenue by replacing the maximum rate with a sliding scale based on assessed valuation. In other words,

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what we're saying is that, if you have an assessed valuation of 15 million or less, you have a tax rate of 45 cents. The minute you go one dollar over that and have an assessed valuation of 15 million and one dollars you immediately lose 20 cents of your tax rate and go to 25 cents. This, in our estimation, is too sharp a drop for those townships to experience just because they have gained one or five or ten dollars of assessed valuation. Under this Bill, a township with an EAV of 16 million would have a maximum tax rate of 44 cents. They would drop one cent. With 17 million EAV, the rate would be 43 cents and so on until townships with an EAV of 36 million would be back to the rate of 25 cents. And this, in my estimation, would be... make it much easier for townships... so smaller townships, especially, that we have, in downstate Illinois, to conduct their business. I am sure that none of the townships in the collar counties or Cook County that comes anywhere close to having as low a tax rate as 15 million or 36 million dollars equalized assessed valuation. I would be glad to answer any questions. Let me also add that this is also endorsed by the township officials of the State of Illinois."

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

Yourell: "Later."

Speaker Ryan: "The Gentleman from McLean, Representative Bradley."

Bradley: "Thank you, Mr. Speaker. I might wonder if the Gentleman would yield to a question."

Speaker Ryan: "Indicates he will."

Bradley: "Yes, Tom, if I read this correctly, this looks like the same Bill that you amended, Representative McCormick's Bill, last year. That Amendment was on a McCormick Bill

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and we took it off of McCormick's Bill. Am I right?"

McMaster: "Yes. Yes."

Bradley: "I think, at that time, we talked about a ... this would be an increase in taxes without a referendum. Is that correct?"

McMaster: "Well, it depends upon the,...whether you call it, an increase or a lessening of the decrease. I... Gerry, yes, I suppose it would be an increase, since the minute the township goes over 15 million assessed valuation, it prevents a tax decrease. So, in effect, it could be called an increase, I guess, Gerry."

Bradley: "Well, under current law, a township with an assessed valuation of 20 million dollars now can assess a total of 50 thousand dollars taxes. Under this Bill, they would be allowed to assess or to generate 82 thousand dollars in taxes. That's about a... what... a 75% increase probably in taxation without referendum. I'm just... I'm not going to vote for the Bill. I think what we're doing here, again, is something we're talking, the people are always talking about and that is taxation. I want the Membership to be aware. I wouldn't want them to stub their toe in an election year, but this... there's no question about it, is an increase in taxes. I don't care how you... what you call it or... That's what the end result will be and the bottom line, and I'm going to have to oppose the Bill on that situation. If the township... If the people in the township want to increase their taxes, they have every way possible for them to do that, and we're going to do it here in the General Assembly in increasing their taxes without referendum. I just don't think today that that's the way to go. Thank you."

McMaster: "Well, Gerry, you're certainly entitled to your opinion and certainly have the right of voting on this issue. On a

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personal basis, my observation of townships and their operation, especially the smaller townships, has been that it is a form of government very much supported by the people within that area, and certainly the townships in my, again, in my beliefs, should not be forced with that severe, extreme cut of 20 cents in their rate limitations when they go one or two dollars over the 15 million. That's why we are trying to make stairsteps of it and bring them down to that level on an easier basis."

Bradley: "I can understand what we're saying. If you just go over the 15 thousand mark or just go over the 25 thousand mark, you know, you might have a problem. But, when you're talking about some of them that are caught at the higher end and are going to increase their taxes dramatically, I'm just saying to you, Tom, that today, under this climate that we're going through right now with the recession, and to be raising taxes without referendum, in my opinion, is simply not the way to be going. But the Members can do as they so please."

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

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, this Bill points out the danger of some of us sometimes waiting to hear the magic word, does this or that association approve of this Bill and then voting for or against it just based on whether that organization does approve it. Naturally, the Township Officials Association approves this Bill, but it is a tax increase without a referendum. I read that township officials magazine all the time, and maybe I don't support them all the time but I... like my mail, I read it religiously. When I read it, I find that, very often, that group is about as conservative as any group can be. I also have read that

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book, and I read not only between the lines but right on the lines that they have supported wholly the administration in Washington and now are faced with many of the cuts that are coming right from Washington. I think they ought to live with what I think is going to be the commitment of this House that we are not going to support a tax without a refer... a tax increase without a referendum. I think it ought to be... they ought to put it in the headlines in their book the next time around. We, the township officials, do support a tax increase without a referendum, but, no, they'll hide that and, if this comes about, they'll tell the voters that we, the Legislature, gave that tax increase. They won't take the heat for it. Surely, they won't do it before a township election. So, I think it's now time for us to speak loudly and say that we don't support it."

Speaker Ryan: "Is there any further discussion? The Gentleman from Cook, Representative Yourell, are you ready now?"

Yourell: "I want to ask a question of the Chairman of the Committee."

Speaker Ryan: "Who's the Chairman of the Committee?"

Yourell: "Appropriations Committee."

Speaker Ryan: "Representative Wolf, will you yield to a question from Representative Yourell concerning House Bill 1319?"

Yourell: "No, I don't want to preempt the discussion on this Bill. It doesn't relate to that."

Speaker Ryan: "Alright, you'll hold your question."

Yourell: "Yes."

Speaker Ryan: "Why don't you ask him? He's right there. Representative Wolf, would you venture over to meet Representative Yourell halfway so we can get this question resolved? The Gentleman from Kankakee, Representative McBroom."

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McBroom: "Yes, Mr. Speaker, Members of the House, there's a delegation from Iroquois County and Ford County who are here in conjunction with the Illinois Agricultural Day. They're in the gallery. This district is represented by Representative Christensen, Speaker Ryan and myself. I wonder if they'd arise and be acknowledged. I think they're all through the gallery here."

Speaker Ryan: "Welcome. Looks like the whole district. The Gentleman from Knox, Representative McMaster, to close on House Bill 1319."

McMaster: "Thank you, Mr. Speaker. I know the feelings of some of the people in this House, and I certainly respect their feelings. Let me point out to you though that townships with the assessed valuation of the amount that I'm talking about in this Bill, that we're talking about are, without doubt, the only form of government that those people have within their township boundaries. Certainly, by the size of their assessed valuation, they do not include any cities or villages. They are people who depend upon township government to provide many of their needs, and, certainly, I do not feel that they should experience this extreme cut in the amount of money they have to operate the only government that serves them in their area. I would ask for a favorable Roll Call on this."

Speaker Ryan: "The question is, 'Shall House Bill 1319 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Conti, to explain his vote."

Conti: "Well, Mr. Speaker, I realize it's almost useless to explain my vote, but I really get a charge of all these people that became tax conscience all of a sudden. In some of these counties downstate, where they have a population of three or four thousand dollars (sic) are striving to make their government work. Here we're talking about a township

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with less than 15 million dollars, less than 15 million dollars in assessed valuation. They probably got the best pot holes fixed. They've had their street snow plowed when it snows, and we're worried about a 15 million dollar appropriation. Yes, if you're talking about a 14 billion dollars budget. You're talking about a tax increase without a referendum. Yes, I'd have to side with you. But what are we talking about here? We're talking about trying to make small government work so it doesn't have to come to Springfield, so it doesn't have to go to Washington, so it doesn't have to go to any agency. All they want to do is operate their small government. I'm surprised."

Speaker Ryan: "Have all voted who wish? Gentleman from Cook, Representative Bluthardt, to explain his vote."

Bluthardt: "Thank you, Mr. Speaker and Members of the House. You know, I get a kick of watching a vote like this. We're talking about voting for a tax increase without referendum that affects a very small area and a very small amount of money. I noticed though, when we have Bills, and I've noticed it for many, many years that would increase the tax rate in Cook County for the forest preserve district or the sanitary district, very many, many fold; that the people on the other side jump as soon as the leader tells them that you're going to vote for this Bill and they jump and they vote for it. The hell with the referendum. No matter how much we holler about a referendum, they still vote to increase the taxes in Cook County and the sanitary district. I think, in this case, it's only fair that the small townships with a small assessed valuation be given an opportunity to raise enough money to operate that unit of local government, and that's what I'm talking about, fairness here. Also, recognize the fact that, if the elected officials abuse their power of taxation, they'll

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soon be out of office in those small townships. I would ask you to vote 'yes' for this Bill."

Speaker Ryan: "Is there any further discussion? Have all voted who wish? Take the record, Mr. Clerk. Record Representative Ropp as 'no'. On this question there are 28 voting 'aye', 128 voting 'no', 3 voting 'present', and this Bill, having failed to receive the Constitutional Majority, is hereby declared lost. House Bill 1338, Representative O'Brien. The Gentleman in the chamber? Out of the record. House Bill 1345, Representative McPike. Out of the record. House Bill 1442, Representative Telcser. Representative Telcser, 1442. Out of the record. House Bill 1469, Representative Wolf. 1469, Representative. Out of the record. House Bill 1492, Representative Rea. Representative Rea, do you want your Bill heard? Take your finger out of your ear. 1492, out of the record. House Bill 1502, Representative Abramson. The Gentleman in the chamber? Out of the record. 1520, Representative Rea. Out of the record. 1524, Representative Vinson. Representative Vinson, 1524, page seven of the Calendar. Out of the record? Out of the record. 1525, Representative Vinson. Out of the record. 1527, Representative Miller. Out of the record. 1534, Representative Watson. Out of the record. 1543, Representative Levin. Do you want the Bill read? Would you turn on Representative Levin's microphone, please?"

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, I would ask leave to take House Bill 1543 back to Second Reading and to leave it there."

Speaker Ryan: "Gentleman has asked leave to return House Bill 1543 to the Order of Second Reading. Are there any objections? Hearing none, leave is granted. 1543 is returned to the Order of Second Reading. House Bill 1551,



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out of the record. House Bill 1580, Representative Jaffe.  
Read the Bill? You ready for the Bill? Representative  
Jaffe. Turn him on."

Jaffe: "Mr. Speaker, I would like leave to send this Bill back to  
the Judiciary I Committee for further study."

Speaker Ryan: "Is that the Committee it came out of,  
Representative?"

Jaffe: "Yes, it is."

Speaker Ryan: "Gentleman asks leave to place House Bill 1580 in  
Interim Study in Judiciary I. Is that right,  
Representative?"

Jaffe: "That's correct."

Speaker Ryan: "Are there any objections? Hearing none, leave is  
granted. House Bill 1586, Representative Braun. The Lady  
in the chamber? Out of the record. House Bill 1590,  
Representative Donovan. Out of the record. House Bill  
1605, Representative Keane. Out of the record. House Bill  
1607, Representative Keane. Out of the record. House Bill  
1621, Representative Stanley. Representative Stanley on  
the floor? Out of the record. You look like him. House  
Bill 1623, Representative Vinson. Do you want to call  
that? I would hope so. With as many Bills as you've got  
we may be able to clear up the Calendar, if you'd call a  
few. Read the Bill would you, Mr. Clerk?"

Clerk O'Brien: "House Bill 1623, a Bill for an Act to amend  
Sections of the Court of Claims Act. Third Reading of the  
Bill."

Speaker Ryan: "Representative Vinson, on House Bill 1623."

Vinson: "Thank you, Mr. Speaker and Ladies and Gentlemen of the  
House. House Bill 1623 is a reform of the Court of Claims.  
Makes... Declares that the Court of Claims is, in fact, a  
part of the Legislative Branch of State Government. It  
limits the amount of contingency fees that attorneys

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practicing before the Court of Claims can charge to 20%, requires the Judges to be lawyers. It extends the Statute of Limitations currently applicable to personal injury cases. Right now it's a six month statute so that, if a person is involved in a personal injury case, they have to file their case within six months, if it's against the state. It extends that to one year. It delegates to the commissioners, who the Court can appoint, in essence, the power to hear and decide cases. I would move for passage of House Bill 1623."

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

Cullerton: "Will the Sponsor yield?"

Speaker Ryan: "Indicates he will."

Cullerton: "Sam, how many lawyer slots they got over there for Judges?"

Vinson: "I'm sorry, you'll have... What do you mean?"

Cullerton: "How many court... how many Judges do they have? How many court Judges do they have?"

Vinson: "I think they have three."

Cullerton: "And are any of them not lawyers now?"

Vinson: "I believe they are... Right now, I believe they all are lawyers, but are not required to be, and, in the past, I believe there have been non-lawyer Judges on the Court."

Cullerton: "And this would... Bill would allow the Chief Justice... give him power to hire and fire additional personnel?"

Vinson: "Yes... Not the Judges, but subordinate personnel."

Cullerton: "And, right now, is there any limit to the contingent fees that attorneys charge to represent someone before the Court?"

Vinson: "No."

Cullerton: "Is the normal practice a third?"

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Vinson: "I'm sorry."

Cullerton: "Is the normal practice to charge one-third on a contingency fee?"

Vinson: "I believe that that's the normal practice, but, in some cases, I think there may be fees in excess of that."

Cullerton: "And what does your Bill do? What does it limit it to?"

Vinson: "Twenty percent."

Cullerton: "Is that the same as it is in worker's comp cases?"

Vinson: "I believe that's the case, John, but I'm not absolutely positive."

Cullerton: "Is the Court of Claims in favor of this Bill?"

Vinson: "Yes, Sir."

Cullerton: "No further questions. Thank you."

Speaker Ryan: "Is there any further discussion? Have you completed, Representative Cullerton? The Gentleman from Cook, Representative Beatty, do you seek recognition?"

Beatty: "... the speaker yield for a question?"

Speaker Ryan: "Indicates he will."

Beatty: "Is there any provision in this Bill for increasing the salaries for the commissioners?"

Vinson: "Representative, I don't believe there is. We had talked about that, and I had to re-read the Bill very quickly, and my re-reading of the Bill is to indicate I don't believe there is."

Beatty: "When was the last time these gentlemen got a pay raise? Do you know?"

Vinson: "No, I don't."

Beatty: "Well, it seems to me that we should be considering a pay raise for these gentlemen somewhere along the line, but... How much do they receive now, Mr. Vinson?"

Vinson: "I really can't tell you. I don't know."

Beatty: "Alright. Thank you."

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

Friedrich: "Mr. Speaker, Members of the House, the Court of Claims was before the Legislative Audit Commission this week. I think that you ought to know that the Secretary of State probably does not approve of this because several members of the staff of the Court of Claims are actually employees of the Secretary of State. However, it has caused some problems in that the Chief Judge and the people in the Court of Claims do not have jurisdiction over the people in that office. I think this is probably a step in the right direction, because now the clerical work is done by the Office of the Secretary of State and, not too long ago, there was an embezzlement or appropriation of funds in the amount of 50,000 dollars. I think it was partly due to the inability of the Court of Claims to control the people who worked in the office."

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

Vinson: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move for adoption of this most important reform legislation. I would urge the passage...I would move for the passage of House Bill 1623."

Speaker Ryan: "The question is, 'Shall House Bill 1623 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Gentleman from DuPage, Representative Daniels, to explain his vote."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, like you, I've reviewed this Bill now very extensively, and one of the important things that we must note here is that this Bill provides for the use of the commissioners for making decisions. Making decisions instead of requiring final

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decisions by the full Court will expedite the work of the Court. You know how long it takes for the Court of Claims to act? Do you know how long it takes for them to get the measures out before you? This Bill is intended to expedite their work. It also has certain other safeguard measures in here which I think is reasonable and one that we ought to enact into law. I think it's a good Bill that Representative Vinson has brought before us and certainly hope that the Court would support it or this Legislative Body would support it."

Speaker Ryan: "Have all voted who wish? Representative Beatty, you spoke in debate. Do you wish to explain your vote?"

Beatty: "Well, I just asked a couple of questions. I think this is a good Bill and I think it's an intent to improve the Court of Claims. It needs improvement. This will expedite claims. People will get justice quicker, and I really think we should support it."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 104 voting 'aye', 49 voting 'no' and 40... and 7 voting 'present'. Representative Lechowicz, for what purpose do you seek recognition?"

Lechowicz: "Please vote me 'aye'."

Speaker Ryan: "Record the Gentleman as 'aye'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Van Duyne, for what purpose do you seek recognition?"

Van Duyne: "Well, Mr. Speaker, just for you and, I believe, as an informational point of view, it has to do with the Blue Ribbon Committee for the picking judicial candidates. You can see, by this vote up there, what can happen when the lawyers all join together."

Speaker Ryan: "Your point is well taken, Representative. House

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Bill 1624, Representative Pierce. Out of the record.  
1681, Representative Ropp. Do you want to hear it? Read  
the Bill."

Clerk O'Brien: "House Bill 1681, a Bill for an Act to amend  
Sections of the Illinois Public Aid Code. Third Reading of  
the Bill."

Speaker Ryan: "Representative Ropp, on 1681."

Ropp: "Thank you, Mr. Speaker and Members of the House. In my  
district, when I go to a hospital, for example, like even  
today, it's going to cost me 42 dollars before I even take  
my clothes off to get my bed sheet on or even use a bed pan  
to subsidize those people who are in that hospital and  
being paid, currently, through public aid. This particular  
Bill deals with the same situation as we are now facing in  
our nursing homes whereby those persons, who are able to  
pay, are subsidizing those people who are less fortunate  
and are on public aid to the tune of some eight to twenty  
some dollars per day. What we're talking about is a group  
of people who have worked all of their lives, who have  
religiously paid taxes to support social service programs,  
like public aid, and then, when they retire or are forced  
to go into a nursing home for some reason, again, they have  
to pay to provide the care for that person who is right  
next door or may even in the same room through the public  
aid program that, from the state, is not fully being funded  
on this particular program. What I'm interested in here is  
kind of a philosophy as to whether or not people ought to  
work hard all their lives, pay into the program through  
income taxes, and then, in your latter years, end up paying  
for people who are sharing the same kinds of care that you  
are sharing at that same time. And I know we're in a  
period of somewhat recession, but it does not seem to me  
fair, in any way, shape or form, whereby you should pay

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twice to keep people in a nursing home, as oneself is considered, a private paid... a resident. And, so, this Bill states that no person, on public aid, will pay less than those people who are paying private pay, and I ask for your support in the passage of this legislative intent."

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

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

Speaker Ryan: "Indicates he will."

Henry: "Representative Ropp, who would pay the additional cost for the person on public aid?"

Ropp: "Right now, the taxpayers in the State of Illinois and the Federal Government."

Henry: "And it's done through the Illinois Public Aid Department?"

Ropp: "Sir, I didn't get your question."

Henry: "Do the Department of Public Aid make up the difference?"

Ropp: "No, right now, there is a very complicated formula that is paid for public aid recipients. That formula falls far short of the actual cost, and the person, who is in a nursing home and is, currently, in a position to pay, picks up the balance of that unpaid public aid cost."

Henry: "Maybe you don't understand my question. My question is, who pays the difference? If the cost is 75 dollars per day, the cost is that for everybody there. The public aid pays 65 dollars per day. Then, who pays the other 10 dollars per day?"

Ropp: "That private patient will pick up the extra 15 dollars and will be paying 90 dollars a day."

Henry: "Well, then is it a fact that the State Public Aid Department picks up the payments and that's taxpayers money anyway. Is that correct?"

Ropp: "The Public Aid Department does not pick up the payment."

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That's my concern. The private-paid person picks up the difference who is sharing that room or is in the next room adjacent to that private-paid patient."

Henry: "In this piece of legislation, then you're asking us to remove those who cannot pay to make room for those who can pay, or are you saying that people that cannot pay should not have any nursing home care?"

Ropp: "No. No. In no way, shape or form. I'm just saying that this will place a greater responsibility on the state to bring up their public aid payments so that the private patient does not have to subsidize that person that is in the nursing home, sharing the same facilities."

Henry: "One last question, Representative Ropp. Then, you are saying that we should ask the Public Aid Department to allocate more money toward the nursing home center. If that's the case, then I can support it, but, if that's not the case, I think this is a bad piece of legislation."

Ropp: "That is the case. That's exactly it. I'll welcome your green vote."

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

Ewing: "Yes, will the Sponsor yield for a question? Gordy, what exactly will your Bill require the state to do in regard to reimbursement? Does it provide for a new formula? Does it provide for... How we going to get more money for nursing homes, if we pass your Bill?"

Ropp: "The intent would be that the formula would not have to be changed, but that the cost would be increased for that payment to offset the difference that the private-paid person is paying in excess, that actually is subsidizing the public aid recipient."

Ewing: "What cost is going to be increased? Are we going to increase..."



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Ropp: "The allowable costs that are now being taken care of, under the public aid formula."

Ewing: "So, so actually we are increasing the amount of cost that the state will reimburse for."

Ropp: "That is correct."

Ewing: "Is there a fiscal impact?"

Ropp: "Slight."

Ewing: "Slight what?"

Ropp: "Forty million."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to address the Bill. I have some knowledge of nursing homes. I serve on the board of a not-for-profit charitable nursing home, and I know that we take a certain number of public aid patients; and, we do that partly to keep our charitable status. I also know that, at times, if those beds are empty, we're receiving nothing. And many times we are ...we use this ploy that the private-paid patients are picking up the tab for the public aid patients, and I don't believe, in many cases, that's the truth; because, if those public aid beds were empty, those nursing homes would be in a lot tougher spot and would actually have to raise the private-paid patients even more than they currently are. Though, I believe that adjustments are necessary and that we need to constantly review what we are reimbursing for this care, we should not simply buy that line that just because public aid payment isn't quite as much as private paid that the private pay is necessary picking up all the difference. I think it sometimes, any of us in business, we treat certain customers differently, but, as long as the fixed overhead is being covered, it may be paying us to have those people in our institutions. I think that's something we ought to keep in mind, and, particularly, in a year when 40 million dollars may make the difference."

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

Dunn, John: "Just a point of clarification, Mr. Speaker, in the form of a question to the Sponsor, if he will yield."

Speaker Ryan: "He indicates he will."

Dunn: "Do I understand that a green vote is a vote for an additional 40 million dollars of expenditure?"

Ropp: "That's only the legislative intent in this Bill. The appropriation Bill would have to come later."

Dunn: "Thank you, very much. I have the answer. Thank you."

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

Klemm: "Would the Sponsor yield, please?"

Speaker Ryan: "He indicates he will."

Klemm: "Gordy, I have a question in that the analysis I have on the fiscal note is over 76 million dollars for five months in 1982."

Ropp: "Representative, the one that I have here says 40 million. We made an Amendment on the floor to change cost to allowable cost, because some people, if we just left the word 'cost', that would include everything. And, under the current formula, there are certain allowable costs, and that Amendment would reduce. .."

Klemm: "So it would drop from 76 to 40 then."

Ropp: "Correct."

Klemm: "But that's only for five months then."

Ropp: "That's right."

Klemm: "For the year total, if you were to take it to 12 months, we're talking about 120 million new dollars?"

Ropp: "Yes, Sir."

Klemm: "Do you have any suggestion in the Bill of where we come up with that additional 120 million new dollars? It's not in the..."

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Ropp: "Yes, I'd be more than happy to discuss this with you personally, if you would like."

Klemm: "Thank you."

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

Bowman: "Thank you, Mr. Speaker. First, one point then a quick question of the Sponsor. I would like to point out that the Governor's budget for this year proposes to increase expenditures for nursing homes by 36 million dollars. So, even if Representative Ropp's Bill is defeated, we will be spending an additional 36 million dollars, and I think going a long way towards solving the kinds of problems that concern Representative Ropp. But I have a question of the Sponsor if he'll yield."

Speaker Ryan: "He indicates he'll yield."

Bowman: "As I understand it, Representative Ropp, the... your Bill would require that the Public Aid Department reimburse nursing homes for the public aid patients at the same rate as the private-paid patients in the same home. Is that correct?"

Ropp: "That's correct, with one exception, that the private-paid people now are having to pick up the cost, the total cost. Let's say, for example, if it was 10 dollars, actually, the Department of Public Aid would only have to pick up five, because that would be equal and it's not the full increase. It would just be half of the increase."

Bowman: "I see, but, if you had a home of a hundred people and only one of them was a private-paid patient and that patient would, in effect, set the rate for the entire home. Is that not correct?"

Ropp: "This would only be for the allowable cost. It wouldn't be for the entire home. Just for those that are approved under the Medicaid program by the State and Federal

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Government."

Bowman: "That's fine, but is there an upper limit on those costs?"

Ropp: "There is none, not right now. No."

Bowman: "Okay. See, that... Thank you, Representative Ropp. In conclusion then, let me just say, that's the problem with this, and I think that we're putting an additional 36 million dollars in the budget this year when things are pretty tight. We just can't afford another 40. There is no upper limit. I see no reason why one private-paid patient should set the rate for the entire home. Thank you."

Ropp: "Just in response to that. One of the problems with the upper limit is that the private-paid person is getting to the place that he has reached his upper limit, and he, too, now is becoming a member of the public aid category; and, I think that's one of the tragedies of our current situation."

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

Brummer: "Yes, thank you. Will the Sponsor yield?"

Speaker Ryan: "Yes, he says he will."

Brummer: "What is the difference between cost and putting the word 'allowable' in there other than 36 million dollars? Would you define how that triggers a different standard?"

Ropp: "Well, the Department currently determines what are allowable services and allowable costs, and, if you just leave the word 'costs' in there, why you might permit someone to go out, who is the administrator, and buy a Mercedes Benz and use that rather than just a normal, good automobile with not too expensive of overhead."

Brummer: "What is the position of the Illinois Nursing Home Association on this legislation? Do they have an official

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position on it?"

Ropp: "They are so pleased with this Bill that they would probably contribute to your campaign fund."

Brummer: "The current formula refers to cost in determining the reimbursement to a nursing home. I'm still attempting to determine how this is different than the current formula, which speaks, specifically, to cost-related items. What new cost items would be included in here that are not included under the current state reimbursement formula?"

Ropp: "There wouldn't be any new costs, no new costs whatsoever."

Brummer: "Somehow there's new costs if it's going to cost 40 million dollars. What additional costs would be included that are not currently included in the reimbursement?"

Ropp: "Currently, the state now only pays up to a certain median and above that median is what the private person picks up that subsidizes the actual cost. We have a median allowable costs which, actually, are far under the actual inflationary costs that are incurred in operating the nursing homes."

Brummer: "Okay. Thank you. If this Bill were passed, and a nursing home had operated very inefficiently and had a higher cost would then be entitled to a higher rate of reimbursement. Is that right?"

Ropp: "I'm sorry. I didn't hear the first part, but I think you're right."

Brummer: "If this Bill passed, a nursing home, which operated very inefficiently and ran up a lot of cost, would then be entitled to a higher rate of reimbursement from public aid. Is that correct?"

Ropp: "Well, we would hope that people in Illinois would not do that."

Brummer: "But if they do that..."

Ropp: "That's a possibility. That's a possibility, yes."

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Brummer: "Thank you."

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

Ropp: "Mr. Speaker and Members of the House, this is a problem that I realize will cost some money. My concern is that those people, who have worked all of their lives, as many people in the State of Illinois have, who have contributed to our taxing structure to provide the goods and the services for governmental human service agencies, after they've spent a lifetime of work and endeavor, and then find, in their latter years, they must go to a nursing home for their remaining days have to, not only pay for their own care, but pay for the care of a public aid recipient who is in the adjacent room or maybe even in the same room. It seems to me an unfair situation, and it seems to me that we ought to, in some way, provide for equality in the payment of this particular program. And it's my feeling, even though this is extra dollars, that the sharing of these extra dollars throughout the state, by all people who are paying taxes, is a fairer approach, in the form of paying once, rather than to pay once during your working years and during your latter years you have to end up on your death bed subsidizing someone else who is also in the nursing home. And, for those reasons, I urge your legislative intent in support of this Bill."

Speaker Ryan: "The question is, 'Shall House Bill 1681 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Koehler, for what purpose do you seek recognition?"

Koehler: "Mr. Speaker, to explain my vote."

Speaker Ryan: "Proceed."

Koehler: "Representative Ropp, I understand the intent of your legislation, and I do understand that nursing homes here in

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central Illinois are in dire straights due to the inequitable situation that currently exists with their reimbursement payment. However, I think it is very important to point out that the private-paid person, in reality, is currently paying the whole cost already. Number one, he is paying through his fees, and number two, his taxes pay for the public aid person anyway."

Speaker Ryan: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 46 voting 'aye', 101 voting 'no' and 14 voting 'present', and this Bill, having failed to rece... Representative Bullock would like to be recorded as 'aye'. Now, that makes a big difference in the vote. It's... The vote now is 47 voting 'aye', 100 voting... 100 voting 'no' and 14 voting 'present', and this Bill, having failed to receive a Constitutional Majority, is hereby declared lost. Representative Pechous, House Bill 1713. Out of the record. House Bill 1715, Representative Tuerk. Representative Dunn."

Dunn: "Mr. Speaker, Ladies and Gentlemen of the House, for the purpose of an introduction, I've got some people who came down here from Country Club Hills and from Oak Forest School District 145 and 160. They are educators. They're on members of the school board, and I'd like you to welcome them to show them that we, too, are concerned with education in Illinois. Would you stand please up there? Thank you."

Speaker Ryan: "Welcome to the Illinois House. House Bill 1715, Representative Tuerk. That's safe. Oh, it's not that season yet, too early. Out of the record. 1768, Representative Satterthwaite. Out of the record. 1785, Representative Davis. Out. 1811, Representative Smith. Representative Smith. Out of the record. House Bill 1873,

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Representative Breslin. Representative Breslin in the chamber? Out of the record. Alright. On page two of the Calendar, under the Order of House Bills, Second Reading appears House Bill 964, Representative Hoffman. Are you ready, Representative? Are there any Amendments?"

Clerk O'Brien: "House Bill 964, a Bill for an Act to amend an Act to revise the law in relation to counties. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Are there any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Deuchler, amends House Bill 964 by deleting the title and inserting in lieu thereof the following and so forth."

Speaker Ryan: "Who's Amendment? Representative Deuchler, on Amendment #1 to House Bill 964."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House, this is a combination Amendment that would permit county boards to combine an annual salary with a per diem reimbursement. This is greatly desired by my county who have been operating on a basis of a per diem, felt to be of great advantage to them."

Speaker Ryan: "Is there any discussion on the Amendment? The Gentleman from Cook, Representative Getty."

Getty: "Will the Sponsor yield?"

Deuchler: "Yes, I will."

Getty: "Representative, the underlying Bill has to do with raising funds, as I understand it, for the DuPage County Board. This would permit any county, as I understand it, to have a combined per diem and annual salary. Would you explain to us why it would be desirable to permit, not only an annual salary for a county board member, but per diems also?"

Speaker Ryan: "Representative Deuchler."

Deuchler: "The combination of the two is seen to be more



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flexible, at least as far as Kane County is concerned. Heretofore, members have received a per diem so that you have a great disparity between members who are new on county boards coming in and attending a few meetings and those on the Executive Committee who are at the county seat for a meeting everyday. So that with putting a floor or a base salary amount, which might be small of course, it would permit a little bit more equality; whereas, now we see a great disparity in salary range."

Getty: "Is it that your present county board members are receiving a per diem? Is that what I understand?"

Deuchler: "Yes."

Getty: "And couldn't they switch to receiving an annual salary and that would... wouldn't that eliminate the disparity?"

Deuchler: "This would be a more flexible arrangement so that you could combine the two kinds of reimbursement, which is not now possible."

Getty: "Doesn't that give them the, really then, certainly the best of both worlds? They could peg a pretty high salary and then those who wanted to serve extra days would get a big bonus on top of it. Is that right?"

Deuchler: "I don't see it that way. I think this merely permits flexibility. Of course, county boards now can set any salary that they want and some of them are quite high. This merely is seen as my county making a more equitable arrangement and combining the two kinds of reimbursement."

Getty: "To your knowledge, has any other county requested this authority?"

Deuchler: "This issue has been studied before. I understand a Bill passed the House several years ago. There is a Senate Bill now on the Speaker's Table that passed the Senate and is on Second Reading before the House, but it is on the Speaker's Table so we are unable to act on that."

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Getty: "Was there another Bill, during this past Session, that died either in the House that did this?"

Deuchler: "Senate Bill 657."

Getty: "That's the one. Alright."

Deuchler: "Yes, it's on the Speaker's Table."

Getty: "Thank you. Mr. Speaker, Members of the House, on the Amendment. It's an interesting concept. It certainly would give additional flexibility, but I think it maybe also fraught with danger. I think you ought to consider it very carefully before you vote."

Speaker Ryan: "The Gentleman from Cook, Representative O'Connell."

O'Connell: "Will the Sponsor yield for a question?"

Speaker Ryan: "She indicates she will."

O'Connell: "Will enactment of this Amendment or adoption of the Amendment and enactment of the Bill, would it, in effect, circumvent the current requirements, constitutional requirements or statutory, I'm not sure, that you cannot raise the salary of an elected official prior to the increased salary going into effect prior to the new election?"

Deuchler: "Well, this would enable the county boards now to enact pay raises or combine per diem salary so that the new boards being sworn in, in January, who will really be completely turning over their membership, would not be having a total change of membership, for the next ten years, could all come in at the same rate."

O'Connell: "Well, let's assume that the effective date for this Bill would be immediately. Would the existing members of the county board that would be affected by this, would those existing members get an immediate raise?"

Deuchler: "No. No, they would not."

O'Connell: "Well, when would the raise go into effect?"

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Deuchler: "After this election. It wouldn't necessarily..."

O'Connell: "For all the members or..."

Deuchler: "It would not necessarily be a quote, unquote 'raise'.  
There seems to be a misconception on this."

O'Connell: "Well, a combination. The combination can, in effect,  
result in an increase in the amount of compensation though,  
could it not?"

Deuchler: "It might for some board members. It might be a  
decrease for others."

O'Connell: "For those who haven't attended meetings or activities  
where they get a per diem, it would, in effect, result in  
an increase."

Deuchler: "No, not necessarily, because whereas now, in our  
county, each county board member is paid 45 dollars, that  
per diem rate might go down to 25 dollars and a base salary  
of 3,000 dollars be available to each county board member."

O'Connell: "Do all the commissioners, county board members, are  
they all elected at the same time?"

Deuchler: "Yes."

O'Connell: "So there are no staggered years."

Deuchler: "This particular time and then I understand they will  
draw to see who has a two-year term and who has a four-year  
term."

O'Connell: "Well, if someone has a four-year term that expires in  
1986 or rather '84, in... or 1982, when the new election is  
held, would those people receive this method of  
compensation?"

Deuchler: "Well, all the county board members would be coming in  
on the same basis, in next January, and they would all  
receive this kind of compensation. If the county board, in  
fact in any county, has elected to participate, they can  
still stay with their salary or still stay with their per  
diem. It just merely allows flexibility."

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

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I hope you'll notice that the Amendment to this Bill strikes everything after the title, and that the entire Bill now is this Amendment. Let me just clarify... That's what it says. You deleted the title. That is not what it does? The Amendment... let's just talk about the Amendment and get back to the other issue later. I agreed to the introduction of this particular Amendment to this Bill, because the fact of the matter is that now county boards can set their salary and can set their... they have the authority to do that. All this does is give them an option of setting the combination. They may choose to do it, or they may choose not to do it; but, it doesn't seem to me that we say here in Springfield ought to impose those kinds of limits on them. Therefore, I endorse this Amendment."

Speaker Ryan: "Is there any further discussion? The Gentleman from DuPage, Representative Schneider, on Amendment #1."

Schneider: "Thanks, Mr. Speaker. One quick question. Susan, over here. If they... Is it my understanding that they would combine per diem and salary?"

Deuchler: "Yes."

Schneider: "Now, does that mean that you can use that per diem as income? Would it be declared as income? Is per diem to be understood as expenses, so to speak, daily...?"

Deuchler: "I'm not sure, but I think that they would both be considered as income."

Schneider: "As income. So that would apply then for retirement and for like declaring that on their income tax."

Deuchler: "It would certainly enable them to qualify for IMRF, if that's your question. Both sources would qualify..."

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Schneider: "Why don't you amend it to put the legislative per diem onto ours, under that Bill, so we can declare that as income and then that would raise our retirement dollars, and we would do very well with that?"

Deuchler: "I'll leave that up to you to amend on another Bill of your choice."

Schneider: "Oh, no. I think... you're leading the charge. I'd like you to do that. Thank you."

Speaker Ryan: "Representative Deuchler, to close on Amendment #1."

Deuchler: "Just to merely ask for your help in considering this new flexible arrangement. Having served on my county board, I know that it would be of help in my county. Thank you, very much."

Speaker Ryan: "Question is, 'Shall Amendment #1 to House Bill 964 be adopted?'. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'nos' have it, and the Amendment fails. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1120, Representative Preston. Representative Preston, House Bill 1120. Out of the record? House Bill 1178, Representative Hoffman. Representative Hoffman, on 1128... or 1178. Do you want to hear the Bill? Read the Bill."

Clerk O'Brien: "House Bill 1178, a Bill for an Act to amend Sections of an Act relating to alcoholic liquors. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Are there any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Steczo, amends House Bill 1178 by deleting the title and inserting in lieu thereof the following and so forth."

Speaker Ryan: "Representative Steczo, on Amendment #1 to House Bill 1178."

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Steczo: "Mr. Speaker, I ask leave of the House to table Amendment #1 please."

Speaker Ryan: "Gentleman withdraws Amendment #1. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Steczo, amends House Bill 1178 by deleting the title and so forth."

Speaker Ryan: "Representative Steczo, on Amendment #2."

Steczo: "Thank you, Mr. Speaker, Members of the House. Amendment #2 to House Bill 1178 is ... contains the exact language that this House approved of last year in House Bill 1371. That is, this Amendment would allow the sale or delivery of alcoholic liquor on in-park district buildings with the approval of the governing board of those park districts with the purchase of dram shop insurance and with the obtaining of a license from the local liquor authorities. This has been long sought after by the Park District Association of Illinois. This same legislation passed this House last... during the last Session of the General Assembly by a vote of 136 to 21 and was defeated in the Senate due to a misunderstanding and misexplanation by the Senate Sponsor there. So, the Sponsor is in agreement with this Amendment, and I would urge the adoption of Amendment #2."

Speaker Ryan: "Any discussion on the Amendment? Representative Mautino, on the Amendment."

Mautino: "Will the Gentleman yield?"

Speaker Ryan: "Indicates he will."

Mautino: "Terry, in Section 8-18 of your Amendment, it says, 'any park district may sell or deliver alcoholic beverages'. Would you define the term 'deliver'?"

Steczo: "Under the terms of that definition, it would be... it would allow rather park districts to rent their facilities to a local groups who would then bring in their beverages

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to be delivered or given to those people attending any kind of a function that they might be having."

Mautino: "It is not the intention of the legislation to allow the park districts to act as a warehousing central location for the delivery of products?"

Steczo: "No, the intent of the legislation, specifically, is to allow park districts to rent out their facilities, and, if the groups who rent those facilities should choose to serve alcoholic beverages, they would be able to do so. That's the only purpose and intent of the legislation."

Mautino: "Thanks for the clarification."

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

Steczo: "Thank you, Mr. Speaker. In closing, simply I would remind the Members of the House that the same provision contained within Amendment #2 was approved by this House last Session 136 to 21. So, I would ask for a favorable vote."

Speaker Ryan: "The question is, 'Shall Amendment #2 to House Bill 1178 be adopted?'. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1299, Representative Terzich. What does that mean? Go? Read the Bill, Mr. Clerk. 1299."

Clerk O'Brien: "House Bill 1299, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. No Committee Amendment."

Speaker Ryan: "Are there any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Ryan: "Third Reading. Representative Hallstrom, for what purpose do you seek recognition? Okay. House Bill 1317,

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Representative Daniels. Out of the record. House Bill 1346, Representative McClain. Representative McClain on the floor? Out of the record. 1351, Representative Winchester. Out of the record? Out of the record. 1423, Representative Henry. Read the Bill, Mr. Clerk."

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

Speaker Ryan: "Representative, I understand somebody has filed an Amendment on this Bill. It's being printed now. I'll get back to your Bill before we adjourn. ...1655, Representative Yourell. Representative Yourell in the chamber? Out of the record. Message from the Senate."

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives the Senate has adopted the following Senate Joint Resolution, the adoption of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Joint Resolution #75, 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 Wednesday, March 31, 1982, it stands adjourned until Tuesday, April 13, 1982 at 2:00 p.m., and, when the House of Representatives adjourns on Thursday, April 1, 1982, it stands adjourned until Tuesday, April 13, 1982 at 12:00 noon."

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

Telcser: "What am I..."

Speaker Ryan: "Gentleman moves the adoption of the Adjournment Resolution. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Resolution is adopted. Agreed Resolutions, Representative Conti? Read the Resolutions, Mr. Clerk. Agreed Resolutions. Representative Huff, we will get to your Bill. Representative Henry, we will get to your Bill as soon as



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the Amendment comes up."

Clerk O'Brien: "House Resolution 739, DiPrima - et al; 740, Kornowicz - et al; 741, Chapman - Macdonald - R. Meyer - et al; 743, DiPrima - et al; 744, DiPrima - et al; 745, McBroom - Ryan; 746, Zito; 747, Olson; 749, Mulcahey; and House Joint Resolution 75, DiPrima; and House Joint Resolution 76, Rea - et al."

Speaker Ryan: "Gentleman from Cook, Representative Conti, on Agreed Resolutions."

Conti: "You go talk to the Clerk about it. House Joint Resolution 75, we congratulate Carl Yager for his service to his nation during World War II and subsequent service to his community, state and nation as an active member of the American Veteran's of World War II, Korean and Viet Nam. That's from DiPrima - Ryan - Madigan - Lechowicz - Leadership. House Joint Resolution 76, Rea - Richmond - Winchester - et al, that we recognize and support the efforts to establish a national coal museum near the West Frankfort, Illinois to tell the story of coal, Illinois' strongest resource. House Resolution 739, Where Reverend Father Gummersheimer of Breese, Illinois was elected National Chaplain of the Sons of the American Legion of that group's convention September 1, 1981. That's by DiPrima - Ryan - Madigan. House Resolution 740, Kornowicz - Krska - Vitek - Terzich - Madigan - Beatty, Whereas Mr. and Mrs. Stanley Kornowicz will celebrate their Golden Wedding Anniversary on my birthday, April 9, 1982 and will be honored at the mass of St. Joseph's Parish by his family and his friends. House Resolution 741, Chapman and Meyers, it was the first time in Arlington Heights' 58 year history that the varsity basketball team among the elite eight venturing downstate to the basketball finals. We congratulate them. House Resolution 743, DiPrima - Ryan -

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Madigan, that we congratulate Harland Kepel, Sr. on the occasion of his election and installation to the high office of Illinois Department Commander of the American Veterans of World War II, Korea and Viet Nam. House Resolution 744, DiPrima - Ryan - Madigan, that we congratulate Marion Watson of the Louisville, Kentucky as elected National President of the Ladies Auxiliary to the Veterans of Foreign Wars of the 68th National Convention in August of 1981. McBroom - Ryan, House Resolution 745, whereas Henry Reuter and Sons of Kankakee, Illinois, established in 1882 as a one-man slater and sheet metal shop by Henry Reuter, a 26 year old immigrant from Grand Dutchy of Luxemburg, is celebrating its centennial as a family-owned enterprise. House Resolution 746 by Zito, whereas the highest award which the National Council of the Boy Scouts of America can bestow upon an Eagle Scout is that of Eagle Scout to Daniel Galante. House Resolution 747, Olson, the Dixon High School Girls Bowling Team recently captured the 1982 Illinois State Bowling Championship. House Resolution 749, Mulcahey - Ebbesen, whereas, for three consecutive years, Rayhorn was chosen for the All Mid-American Conference Team, the only player in NIU history to achieve this. Mr. Speaker and Ladies and Gentlemen of the House, I move for the adoption of the Resolutions."

Speaker Ryan: "Gentleman moves for the adoption of the Agreed Resolutions. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Agreed Resolutions are adopted. Mr. Clerk, where are we on the Amendment to Mr. Henry's Bill? Death Resolution."

Clerk O'Brien: "House Resolution 738, DiPrima - et al, with respect, in memory of Rose Messe."

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

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moves the adoption of the Death Resolution. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Resolution is adopted. General Resolutions for adoption...for introduction."

Clerk O'Brien: "House Joint Resolution 74, Henry. House Resolution 737, Hallstrom - Oblinger. House Resolution 742, Rea - McCormick - Alstat. House Resolution 748, Winchester - McCormick - Rea."

Speaker Ryan: "Committee on Assignment. Representative Henry, we have your Amendment. I think it's being distributed. Representative Friedrich, do you seek recognition?"

Friedrich: "Yes, Mr. Speaker. I would like to have unanimous consent for the record to show that there was an error in the posting on a Bill of Representative Yourell. It was posted as 1922. It was actually 1992. It was a clerical error between his office and mine, and I would like for the record to show that 1992 was properly posted and the Bill was heard this morning."

Speaker Ryan: "The record will so indicate."

Friedrich: "Okay. I would also like to announce that the recessed meeting of the Rules Committee will reconvene in room 118 immediately after the Session tomorrow."

Speaker Ryan: "Representative Henry back in the chamber? Now that we've got the Amendment, we haven't got the Sponsor. Representative Henry, on the Order of Second Reading, page two of the Calendar appears House Bill 1423, Representative Henry. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1423, a Bill for an Act to amend Sections of the Illinois Pension Code. This Bill has been read a second time previously and Amendment #2 was adopted."

Speaker Ryan: "Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, Henry, amends House Bill 1423

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on page one in line one and five, and so forth."

Speaker Ryan: "The Gentleman from Cook, Representative Henry on Amendment #4 to House Bill 1423."

Henry: "Yes, Mr. Speaker, on the board it shows House Bill 1424."

Speaker Ryan: "We'll change that immediately, if not sooner."

Henry: "Yes, thank you, Mr. Speaker. Amendment #4 to House Bill 1423 is a very simple Amendment. All we're trying to do is to amend the early retirement provision in the Chicago pension laws to make it consistent with the other teachers' system downstate, which have shown that it worked very well. It is not very costly, and we think it is discriminatory against the teachers in Chicago. We think they should have the same benefits in Chicago they have downstate. If they want to retire early and make room for younger people, if they feel they've worked hard all their lives and they want to get out of the system early, I think they should have that right. And I ask your support of Amendment #4 to House Bill 1423."

Speaker Ryan: "Is there any discussion? The question is, 'Shall Amendment #4 to House Bill 1423 be adopted?'. All in favor will signify by saying 'aye', all opposed by saying 'no'. Roll Call. All those in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 80 voting 'aye', 65 voting 'no', 1 voting 'present', and the Amendment is adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Ryan: "Third Reading. Representative Kulas, for what purpose do you seek recognition?"

Kulas: "Mr. Speaker, can the Members be apprised of when the Rules Committee will vote on the Bills that are in Rules Committee?"

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Speaker Ryan: "Representative Friedrich. Representative Friedrich in the Hou...in the chamber? Would you answer Representative Kulas' question concerning the Rules Committee, please?"

Kulas: "The question is just, when will the Rules Committee vote on the Bills that are in the Rules Committee?"

Friedrich: "It is my intention, at least, that they will vote in the meeting immediately after the Session tomorrow in room 118. Obviously, it is a public meeting. Tomorrow."

Speaker Ryan: "Representative Findley, do you seek recognition?"

Findley: "Thank you, Mr. Speaker. For purpose of announcement, the House Energy and Environment Committee will meet in room 118 immediately following adjournment today."

Speaker Ryan: "The Gentleman from Cook, Representative Terzich, for what purpose do you seek recognition?"

Terzich: "Mr. Speaker, I would like the permission to suspend the rules to...for immediate consideration on my Motion for Senate Bill 791."

Speaker Ryan: "The Gentleman has asked for suspension of the appropriate rules for immediate consideration of Senate Bill 791. Are there objections? Hearing none, leave is granted. The Gentleman from Cook, Representative Telcser. Representative Lechowicz, do you seek recognition?"

Lechowicz: "Mr. Speaker, I believe the request should have been using the Attendance Roll Call leave was granted."

Speaker Ryan: "Well, I thought we did that."

Lechowicz: "All right."

Speaker Ryan: "On...On Terzich's Motion? Leave to use the Attendance Roll Call."

Lechowicz: "Leave."

Speaker Ryan: "Leave is granted to use the Attendance Roll Call, Mr. Clerk. Now, Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, leaving the Clerk

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as much time as is necessary this afternoon, I now move that the House stand adjourned until 10:30 tomorrow morning, Perfunctory Session so that the Clerk may read a Constitutional Amendment, 11:00 tomorrow morning, Regular Session."

Speaker Ryan: "You've heard the Gentleman's Motion. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the House now stands adjourned."

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of the Bill with the following title to wit: House Bill #427, together with the attached Senate Amendment #2, passed by the Senate, as amended, March 31, 1982.' Kenneth Wright, Secretary. A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives the Senate has adopted the following Senate Joint Resolution, the adoption of which I am instructed to ask concurrence of the House of Representatives to wit: Senate Joint Resolution #36 Constitutional Amendment, adopted by the Senate March 31, 1982 by three-fifths vote.' Kenneth Wright, Secretary. Introduction and First Reading of Bills. House Bill 2404, Zito, a Bill for an Act to amend the Township Act. First Reading of the Bill. House Bill 2405, Zito, a Bill for an Act to amend the Township Act. First Reading of the Bill. House Bill 2406, Watson - Mautino, a Bill for an Act to amend the Illinois Architecture Act. First Reading of the Bill. House Bill 2407, Darrow, a Bill for an Act to amend the Capital Development Board Act. First Reading of the Bill. House Bill 2408, J. J. Wolf, a Bill for an Act to amend the Wildlife Code and Fish Code. First Reading of the Bill.

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House Bill 2409, J. J. Wolf, a Bill for an Act to amend the Fish and Wildlife Code. First Reading of the Bill. House Bill 2410, Giglio - O'Connell, a Bill for an Act in relation to public purchases of contracts for public work projects. First Reading of the Bill. House Bill 2411, White, a Bill for an Act to amend the Local Governmental and Governmental Employees Tort Immunity Act. First Reading of the Bill. House Bill 2412, Terzich, a Bill for an Act to amend the Pension Code. First Reading of the Bill. House Bill 2413, McPike - Kustra - Piel, a Bill for an Act to amend the Illinois Banking Act. First Reading of the Bill. House Bill 2414, Beatty, a Bill for an Act to amend the Worker's Compensation Act. First Reading of the Bill. House Bill 2415, Greiman, a Bill for an Act to provide relief to employees whose employment is involuntarily terminated by their employers. First Reading of the Bill. House Bill 2416, Rigney, a Bill for an Act to create the Conservation Tillage Risk Share Program. First Reading of the Bill. House Bill 2417, Yourell, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. House Bill 2418, Giorgi, a Bill for an Act to amend the Election Code. First Reading of the Bill. House Bill 2419, Yourell, a Bill for an Act to amend the Illinois Library System Act. First Reading of the Bill. House Bill 2420, Hannig, a Bill for an Act to amend...to revise the law in relation to plats. First Reading of the Bill. House Bill 2421, DiPrima - Kulas - Murphy - Carey - Doyle - Henry, a Bill for an Act to amend the Pension Code. First Reading of the Bill. House Bill 2422, Peters, a Bill for an Act making appropriations to the Secretary of State. First Reading of the Bill. House Bill 2423, Birkinbine - Hallock - Hallstrom, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. House Bill

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2424, Mautino - Van Dwyne - Matijevich - Watson, a Bill for an Act to amend the Capital Development Board Act. First Reading of the Bill. House Bill 2425, Friedrich, a Bill for a Act to amend the Retailers Occupation Tax. First Reading of the Bill. House Bill 2426, Woodyard, a Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 2427, Woodyard, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. House Bill 2428, Yourell, a Bill for an Act to amend an Act in relation to foreclosure of liens. First Reading of the Bill. House Bill 2429, Leon, a Bill for an Act in relation to the rate of interest and other charges in connection with the sales on credit and the lending of money. First Reading of the Bill. House Bill 2430, McAuliffe, a Bill for an Act to amend the Illinois Police Training Act. First Reading of the Bill. House Bill 2431, Hastert, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. House Bill 2432, Jaffe - Schneider, a Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 2433, Davis, a Bill for an Act to amend an Act in relation to state revenue sharing of local governmental entities. First Reading of the Bill. House Bill 2434, McClain - Bullock - Kane, a Bill for an Act making appropriations to the Commission on Delinquency Prevention. First Reading of the Bill. House Bill 2435, McClain, a Bill for an Act in relation to the adoption of persons. First Reading of the Bill. House Bill 2436, McClain, a Bill for an Act to amend Sections of an Act creating a Department of Children and Family Services. First Reading of the Bill. House Bill 2437, Karpriel, a Bill for an Act to amend the Municipal Code and County Zoning Act. First Reading of the Bill. House Bill 2438, Irv Smith, a Bill for an Act to amend the Illinois Income



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Tax Act. First Reading of the Bill. House Bill 2439, Terzich - Peters - Capparelli, a Bill for an Act to amend the Chicago Park Employees Article of the Pension Code. First Reading of the Bill. House Bill 2440, Terzich - Peters - Capparelli, a Bill for an Act to amend the Chicago Park Employees Article of the Pension Code. First Reading of the Bill. House Bill 2441, J. J. Wolf - Reilly - Republican Leadership, a Bill for an Act amending the Department of Children and Family Services Fiscal Year 1982 Appropriation Act. First Reading of the Bill. House Bill 4242...I'm sorry, House Bill 2442, Macdonald, a Bill for an Act to amend the Worker's Compensation Act. First Reading of the Bill. House Bill 2443, Macdonald, a Bill for an Act to amend the Worker's Compensation Act. First Reading of the Bill. House Bill 2444, Matijevich - Deuster, a Bill for an Act making an appropriation to the Department of Transportation. First Reading of the Bill. House Bill 2445, Saltsman, a Bill for an Act to permit employees to review personnel records. First Reading of the Bill. House Bill 2446, Satterthwaite, a Bill for an Act limiting exemptions for certain machinery and equipment including farm machinery by amending Acts relating to occupation and use taxes. First Reading of the Bill. House Bill 2447, Terzich, a Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 2448, Daniels, a Bill for an Act to amend the Regional Transportation Authority Act. First Reading of the Bill. House Bill 2449, Irv Smith, a Bill for an Act to amend the Illinois Income Tax Act. First Reading of the Bill. House Bill 2450, Daniels, a Bill for an Act to create the Narcotics Profit Forfeiture Act. First Reading of the Bill. House Bill 2451, J. J. Wolf - Winchester - Republican Leadership, a Bill for an Act to amend Sections of an Act making certain

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appropriations. First Reading of the Bill. House Bill 2452, J. J. Wolf - Winchester - Republican Leadership, a Bill for an Act to amend Sections of an Act making certain appropriations and reappropriations to the Department of Transportation. First Reading of the Bill. Introduction and First Reading of Constitutional Amendments. House Joint Resolution Constitutional Amendment #30, Jaffe. Resolved by the House of Representatives of the 82nd General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Section 6 of Article IV in Section 2 and 7 of Article V of the Illinois Constitution to read as follows: Article IV, Section 6, Organization. A) A majority of the Members elected to each House constitute a quorum. B) On the first day of the January Session of the General Assembly in odd-number years, the Governor shall convene the Senate to elect from its membership a President of the Senate as Presiding Officer, and the Lieutenant Governor shall convene the House of Representatives to elect from its membership a Speaker of the House of Representatives as Presiding Officer. If at such time no political party is numerically strongest in the House of Representatives, then the Lieutenant Governor shall serve as Speaker of the House of Representatives for the General Assembly, but he shall not vote on matters before that House. C) The purpose of powers of appointment conferred by this Constitution, the Minority Leader of either House is a Member of the numerically...of the numerically strongest political party other than the party in which the Speaker or the President belongs, as the case may be. D) Each House shall

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determine the rules of its proceedings, judge the elections, returns and qualifications of its Members and choose its officers. No Member shall be expelled by either House, except by a vote of two-thirds of the Members elected to that House. A Member may be expelled only once for the same offense. Each House may punish by imprisonment any person, not a Member, guilty of disrespect to the House by disorderly or contemptuous behavior in its presence. Imprisonment shall not extend beyond 24 hours at one time, unless the person persists in disorderly or contemptuous behavior. Article V, Section 2, Terms. These elected officers of the Executive Branch will hold office for four years beginning on the second Monday of January after their election and until their successors are qualified. They shall be elected at the general election in 1978 and every four years thereafter. Section 7, Vacancies in other Legislative Offices. If the Lieutenant Governor or Attorney General, Secretary of State, Comptroller or Treasurer fails to qualify or if his office becomes vacant, the Governor shall fill the office by appointment. The appointee shall hold office until the elected officer qualifies or until a successor is elected and qualified, as may be provided by law, and shall not be subject to removal by the Governor. Schedule: This Constitutional Amendment shall take effect on the second Wednesday of January, 1983. First Reading of the Constitutional Amendment. Constitutional Amendments, Third Reading. House Joint Resolution Constitutional Amendment #13. Resolved by the House of Representatives of the 82nd General Assembly of the State of Illinois, the Senate concurring herein, there shall be...it shall be submitted to the electors of this state for adoption or rejection at the general election next occurring at least six months

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after the adoption of this Resolution, a proposition to amend Section 8 and 12 of, to add Section 12.1, 12.2, 12.3, 12.4 and 12.5 to Article VI of the Constitution, the amended and added Sections to read as follows: Article VI, Section 8, Associate Judges. Each Circuit Court shall have such members of Associate Judges as provided by law in a judicial circuit which adopts Section 12.1 and 12.3 by local option referendum, pursuant to Section 12.2. Associate Judges shall be selected by appointment in the manner provided by those Sections; otherwise, the Associate Judges shall be appointed by the Circuit Judges in each circuit, as the Supreme Court shall provide by rule. In the Cook County circuit, unless otherwise provided by law, at least one-fourth of the Associate Judges shall be appointed from and reside outside Chicago. The Supreme Court shall provide, by rule, for matters to be assigned to Associate Judges. Section 12, Election of Circuit Judges. A) The judicial circuit, which adopts Section 12.1 and 12.3 by local option referendum and pursuant to Section 12.2, Circuit Judges shall be selected in the manner provided by those Sections; otherwise, in the manner provided by this Section. B) Circuit Judges shall be nominated at primary elections or by petition and shall be elected at general or judicial elections, as provided by law. A person eligible for the office of Circuit Judge may cause his name to appear on the ballot as a candidate for Circuit Judge at the primary and at general or judicial elections by submitting petitions. The General Assembly shall prescribe by law the requirement for petitions. The Circuit Judge elected to office, under Section 12B, may stand for retention for a full term, pursuant to Section 12.4. C) The office of Circuit Judge shall be vacant upon the incumbent's death, resignation, retirement, removal or

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upon the conclusion of a term without retention in office or whenever an additional Circuit Judge is authorized by law. D) A vacancy occurs in the office of Circuit Judge shall be filled as the General Assembly may provide by law or, in the absence of a law, by appointment by the Supreme Court. A person appointed to fill a vacancy 60 or more days prior to the next primary election to nominate Circuit Judges shall serve until the first Monday in December following the general...the next general or judicial election. A person appointed to fill a vacancy less than 60 days prior to the next primary election to nominate Circuit Judges shall serve until the first Monday in December following the second next general or judicial election. Section 12.1, Appointment of Judges of the Supreme Court and Appellate Courts and Circuit Courts upon Adoption. A) The provisions of this Section shall govern the selection of all Supreme and Appellate Judges and of those circuit and Associate Judges of any circuit which adopts this Section and Section 12.3 by a local option referendum, pursuant to Section 12.2. For purpose of this Section and Section 12.4, the term 'Judge' includes all such Supreme, Appellate, Circuit and Associate Judges except where a distinction is indicated. B) Judges shall be appointed by the Governor from nominees submitted by Judicial Nominating Commissions, except when appointed by the Supreme Court in accordance with Paragraph F of this Section. C) The office of a Judge shall be vacant upon the incumbent's death, resignation, retirement, removal or upon conclusion of a term without retention in office or whenever an increase in the number of Judges is authorized. D) As soon as a vacancy occurs in the Office of Judge, or will occur within six months by a day certain, the Administrative Director of the Illinois Courts shall

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promptly notify the Chairman of the appropriate Judicial Nominating Commission, who shall immediately convene the Commission. E) Within 42 days after the receipt of such notice of a vacancy, the Commission shall submit to the Governor a list of three nominees, in alphabetical order, who, by their character, temperament, professional aptitude, experience and commitment to equal justice under the law, is deemed by the Commission to be best qualified to fill a vacancy. The Commission may not include on the list a nominee who is on another list then pending before the Governor or the Supreme Court pursuant to Section 12.1F to fill a vacancy in the same judicial office. The function of a list shall determine upon making...shall terminate upon making the required appointment therefrom. F) Immediately upon receipt of a list, the Governor shall make it public. Not fewer than 28 nor more than 56 days after receipt of a list, the Governor shall appoint therefrom a person to fill the vacancy. If any appointment is not made by the Governor within 56 days, the Commission shall immediately submit the list to the Supreme Court, which shall promptly make the appointment from the list. G) A person appointed to fill a vacancy, pursuant to this Section 12.1, shall serve an initial term ending on the first Monday in December following the next general election held after the completion of one year in office. At that general election, the Judge may stand for retention in office for a full term, pursuant to Section 12.4. H) Upon adoption by a circuit of this Section and Section 12.3, by a local option referendum pursuant to Section 12.2, the terms of the Associate Judges of that circuit shall conclude as provided in this Subsection H, regardless of the date or dates of previous appointment and regardless of any other provisions in this Article VI. I) Admi...The

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Administrative Director of the Illinois Courts shall forthwith divide the Associate Judgeships of the circuit, including those then vacant, into two groups, equal in number as near as may be, with terms to expire as follows: Group 1, on the first Monday in December after the general election next following the adoption of the local option referendum and on every fourth anniversary of that day; Group 2, on the first Monday in December after the second general election next following the adoption of the local option referendum and one every fourth anniversary of that date. ii) The Administrative Director of the Illinois Courts shall forthwith, by lot, assign the Associate Judges then in office to the above groups. iii) As Associate Judgeships may be added or terminated in a circuit, the Administrative Director of the Illinois Courts shall promptly adjust the groups accordingly while maintaining their equality in number as near as may be. Section 12.2 Circuit Local Option Referendums. A) The electors of any judicial circuit may, by referendum, here designated as the local option referendum, adopt a proposition requiring Section 12.1 and 12.3 to govern the selection of Circuit Judges and Associate Judges of that circuit. The electors of a circuit shall vote on the proposition at the next general election held not less than three months following the filing of petitions with the Secretary of State, signed by now fewer than five percent of the total number of electors who voted at the next preceding general election of that circuit asking that the proposition be submitted to referendum. If a majority of votes cast in the proposition are in the affirmative, Sections 12.1 and 12.3 shall, thereafter, govern the selection of Circuit Judges and Associate Judges of the Circuit Court of that circuit. B) After the eighth year following a local option referendum

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or by the electors of a circuit shall adopt Sections 12.1 and 12.3 to govern the selection of Circuit Judges and Associate Judges pursuant to this Section. The electors of a circuit may terminate their adoption of Section 12.1 and 12.3 by a local option referendum. Such a referendum shall be subject to the same requirements and conducted in the same manner as a referendum for adoption of Section 12.1 and 12.3. If a majority of the votes cast on the proposition to terminate are in the affirmative, the selection of Circuit Judges and Associate Judges of the circuit shall, thereafter, be governed by Section 12 and 8, respectively, unless and until Section 12.1 and 12.3 are again adopted pursuant to this Section. Section 12.3, Judicial Nominating Commissions. A) There shall be a Judicial Nominating Commission in each judicial district for the nomination of Judges for the Supreme and Appellate Courts for the district and in each judicial circuit which, by a local option referendum, adopts Section 12.1 and this Section 12.3 for the nomination of Circuit and Associate Judges for that circuit. B) Each Judicial Nominating Commission shall consist of eleven members who are residents of the appropriate district or circuit: six non-lawyers, five lawyers. C) The non-lawyer members of each Judicial Nominating Commission shall be appointed as follows: three by the Attorney General and three by the Secret...state official or officer first in the order indicated who are elected to office and not affiliated with the same political party as the Attorney General. The Secretary of State, the Comptroller, the Treasurer, the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives. D) The lawyer members of each Judicial Nominating Commission shall be elected by secret ballot



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without political party or their designation by those lawyers admitted to practice in Illinois whose principle office is in the appropriate district or circuit in such manner as provided by Supreme Court rule. E) Upon appointment of the initial non-lawyer members of each Judicial Nominating Commission, the Attorney General shall divide the appointees by lot into three groups equal in number, as near as may be, with one of his appointees in each group and shall, by lot, designate the groups to serve initial terms of two, four and six years, respectively. The initial lawyer members of each Judicial Nominating Commission shall also be divided by lot into three groups equal in number as near as may be and the groups shall, by lot, be designated to serve initial terms of two, four and six years, respectively, all in the same manner as provided by Supreme Court rule. Thereafter, the terms of all Commission members shall be six years. F) A vacancy in non-lawyer membership of the Judicial Nominating Commission shall be filled for the unexpired term or for a full term, as the case may be, by the Attorney General, if qualified by being affiliated with the same political party as the official who had appointed the person whose vacancy is to be filled; otherwise, by the elected state official who is so qualified and first in the order indicated in Subsection C of Section 12.3. A vacancy in the lawyer membership of the Judicial Nominating Commission shall be filled for the unexpired term or for a full term, as the case may be by election, as set forth in Section D of Section 12.3. G) The Chairman of each Judicial Nominating Commission shall be selected by vote of all the members of the Commission from among its non-lawyer members. The term of the Chairman shall be three years unless his or her remaining term as a member of the Commission expires sooner. H) Any

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person who holds any off...who holds any office under the United States or this state or any political subdivision or municipal corporation or municipally...municipality or unit of local government of this state and receives compensation for services rendered in such office or who holds any office or official position in a political party shall be ineligible to serve on a Judicial Nominating Commission. Compensation for service in the Illinois...in the state militia or the armed services of the United States or other period...for such period of time as may be determined by Supreme Court Rule, shall not be considered a disqualification. No member of a Judicial Nominating Commission may be appointed to judicial office while serving on the Commission or for a period of three years thereafter. I) A member having served a full term of six years on a Judicial Nominating Commission may not serve on a Commission during the next three years. No person may serve on more than one Judicial Nominating Commission at the same time. J) The Commissions may conduct such investigations, meetings and hearings, all of which may be secret and employ such staff members as may be necessary to perform their duties. Members of Commissions shall not receive any compensation for their services, but shall be entitled to reimbursement for necessary expenses. The General Assembly shall appropriate funds to the Supreme Court for such reimbursement and for all other administrative expenses of the Commissions. K) Nominations shall be submitted to the Governor only upon occurrence of not less than three-fifths of all members of the Commission. L) All members and non-lawyer members...rather, all lawyers and non-lawyer members of each Judicial Nominating Commission shall be subject to ethics and economic disclosure requirements, as provided by

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law, and lawyer members shall be subject to campaign financing disclosure requirements, as provided by law. Section 12.4, Retention Elections. A) Not less than six months before the general election next preceeding expiration of the term of office of i) a Supreme, Appellate or Circuit Judge who was elected to that office, or of ii) an Associate Judge in office in a judicial circuit upon an option of that circuit of Section 12.1 and 12.3 by local option referendum, pursuant to Section 12.2, or of iii) a Supreme, Appellate , Circuit or Associate Judge who was appointed to that office pursuant to Section 12.1, he or she may file, in the Office of the Secretary of State, a declaration of candidacy for retention in that office for a full term. Not less than 63 days before the election, the Secretary of State shall certify the Judge's candidacy to the proper election officials. At the election, the name of each such Judge, who has timely filed a declaration of candidacy for retention, except for Associate Judge who, pursuant to Section 12.5, has been qualified to serve for the succeeding term, shall be submitted to the electors separately and without party designation on the sole question of retention in office for another term. Retention election shall be conducted at general elections in the appropriate judicial districts and circuits. The affirmative vote of three-fifths of the electors voting on the question of retention shall elect a Judge to that office for a full term, commencing on the first Monday in December following the election. B) A Judge eligible to file declaration of candidacy for retention who fails to do so within the time herein specified, or having failed...or having filed, fails of retention, shall vacate the office on the first Monday in December following the election, whether or not a successor

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shall yet have qualified. If the incumbent Judge, eligible to do so, does not timely file a declaration of candidacy for retention, the selection of a successor, if any, shall proceed immediately in the manner provided in Section 12 or 12.1, whichever applies, so that the successor may take office as soon as the vacancy occurs. C) An authorized reduction in the number of Judges shall be without prejudice to the right of Judges in office at the time to seek retention in accordance with the provisions of this Section. The reduction shall become effective when the vacancy occurs in the affected unit. Section 12.5, Judicial Review Commissions for Associate Judges. A) In each judicial circuit having population greater than one million, upon adoption of such circuit of Sections 12.1 and 12.3, by a local option referendum pursuant to Section 12.2, the provisions of this Section 12.5 shall govern the retention of Associate Judges in that circuit. B) In any circuit having population of one million or less, the adoption of the provisions of this Section 12.5, shall be submitted to the electors as a separate question at the election, if any, at which a local option referendum is held pursuant to Section 12.2. If a majority of the votes cast on such separate questions are in the affirmative, the provisions of this Section 12.5 shall thereafter be governed...thereafter govern the retention of Associate Judges in that circuit, provided that Section 12.1 and 12.3 are adopted at the circuit pursuant to Section 12.2. C) In each judicial circuit in which the retention of Associate Judges is governed by this Section, pursuant to Section A or B, a Judicial Review Commission shall be created and empowered to determine qualification for retention of Circuit Judges...of Associate Judges. D) The members of a Judicial Review Commission shall be appointed

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or elected, as provided by Sections C and D of Section 12.3, with respect to members of a Judicial Nominating Commission. E) The terms of all members of a Judicial Review Commission shall begin six months before the general election in each year in which a general election is held and shall expire on the first Monday in November of the same year. Appointments and elections to a Judicial Review Commission may not take place earlier than 45 days before the term is to commence. F) A vacancy in the membership of a Judicial Review Commission shall be promptly filled as provided in Subsection F of Section 12.3, with respect to vacancies on a Judicial Nominating Commission. G) Judicial Review Commissions shall be governed by the provisions of Subsections B, G, H and J of Section 12.3, with respect to Judicial Nominating Commissions, as well as by this Section. H) A person having served on a Judicial Review Commission may not serve on a Judicial Review Commission during the next eight years. A person who has served on a Judicial Nominating Commission may not serve on a Judicial Review Commission for a period of eight years thereafter. No person may serve on a Judicial Nominating Commission while serving on a Judicial Review Commission. I) In circuits governed by this Section 12.5, for each Associate Judge who has timely filed a declaration of candidacy for retention in office pursuant to Section 12.4, the Secretary of State shall, within 14 days of receipt of such declaration of candidacy, submit the Judge's name to the Administrative Director of the Illinois Courts. Not more than six nor less than five months before the general election next preceeding, the expiration of the terms of office of such Judge, the Administrative Director of the Illinois Courts shall notify the Chairman of the appropriate Judicial Review Commission of the Judge's

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candidacy. The Chairman shall then promptly convene the Commission. J) If, by concurrence of not less than three-fifths of its members, the Commission finds the candidate to be qualified to serve another term, the candidate shall be retained in office for a full term commencing on the first Monday in December following the election. Not less than 84 days before the election, the Commission shall prepare and submit to each candidate its findings as to whether the Commission finds or fails to find that candidate qualified to serve for another term. Not less than 77 days before the election, the Commission shall submit to the Secretary of State, a list stating by name i) which candidates it has found qualified to serve another term, ii) which candidates it has failed to find so qualified, and iii) which candidates have withdrawn their candidacy by written notification to the Commission. K) Failure of the candidate to be found qualified for retention by a Judicial Review Commission shall be without prejudice to the candidate's right to stand for retention by an electorate at a general election, pursuant to Section 12.4. Schedule: If approved by the electors, this Amendment shall take effect the next day following the proclamation of the vote, except that, to provide time for the establishment of district Judicial Nominating Commissions, vacancies occurring in the Office of Supreme and Appellate Court...Supreme and Appellate Judge to and including the following June 30, shall continue to be filled as provided in Section 12C, Article VI of the Constitution adopted in 1970, effective July 1, 1971 for a term ending the first Monday in December after the next general election and vacancies occurring after the following June 30 shall be filled as provided herein. In a judicial circuit, which adopts Section 12.1 and 12.3 by a

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local option referendum, the following schedule shall apply: those Sections which shall take effect the next day following a proclamation of the results of the referendum, except that, to provide time for the establishment of circuit Judicial Nominating Commission, vacancies occurring in the Office of Circuit Judge and Associate Judges to and including the following March 31, shall continue to be filled as provided in Section 8 and 12, Article VI of the Constitution adopted in 1970, for a term ending the first Monday in December after the next general election. Vacancies occurring after the following March 31, shall be filled as provided herein. Second Reading of the Constitutional Amendment, as amended, on Third Reading. The Constitutional Amendment will be held on Third Reading and taken out of the record. House Joint Resolution Constitutional Amendment #19. Resolved by the House of Representatives of the 82nd General Assembly of the State of Illinois, the Senate concurring herein, there shall be submitted to the electors of this state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Section 12 of Article VI of the Constitution to read as follows: Article VI, The Judiciary. Section 12, Election and Retention. The Supreme, Appellate and Circuit Judges shall be nominated at primary elections or by petition. Judges shall be elected at general or judicial elections, as the General Assembly shall provide by law. A person eligible for the Office of Judge may cause his name to appear on the ballot as a candidate for Judge at the primary and at the general or judicial elections by submitting petitions. The General Assembly shall prescribe, by law, the requirements for petitions. B) The Office of a Judge shall be vacant upon

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his death, resignation, retirement, removal or upon the conclusion of his term without a successor being elected. Whenever an additional Appellate or Circuit Judge is authorized by law, the office shall be filled in the manner provided by filling a vacancy in that office. C) A vacancy occurring in the Office of Supreme, Appellate or Circuit Judge shall be filled, as the General Assembly may provide by law. In the absence of a law, vacancies may be filled by appointment by the Supreme Court. A person appointed to fill a vacancy 60 or more days prior to the next primary election to nominate Judges, shall serve until the vacancy is filled for a term at the next general or judicial election. A person appointed to fill a vacancy less than 60 days prior to the next primary election to nominate Judges shall serve until the vacancy is filled at the second general or judicial election following such appointment. D) A law reducing the number of Appellate or Circuit Judges shall become effective when a vacancy occurs in the affected unit. Schedule: If approved by the electors, this Amendment shall take effect the next day following proclamation of the result of the vote. Second Reading of the Constitutional Amendment, as amended, on Third Reading. The Resolution will be held on Third Reading and taken out of the record. Introduction and First Reading of Bills. House Bill 2453, McClain, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. No further business. The House now stands adjourned until 10:30 Perfunctory Session, 11:00 o'clock General Session, April 1, 1982."



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