

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

104th Legislative Day

May 6, 1982

Speaker Ryan: "The House will be in order, and the Members will be in their seats. Our Chaplain today is Reverend Rudolph Schultz from the Union Baptist Church of Springfield. Reverend Schultz."

Reverend Schultz: "Let us pray. Almighty Father, Your children gather from all parts of this state, dear Lord, to enact laws to govern the lives of those they represent. They are seeking this day, oh divine Father, Thy guidance, for they know, Lord, that unless You build a house, they labor, but in vain. Give them wisdom, dear Lord, and understanding, and may they be willing to listen to that still small voice within them and that willingness to remember Your message when You so stated that the least You have done to one of these, You have done it unto me. Bless those that You have given leadership responsibility. May they ever remember that this is a trust from Thee and account must be given, someday, of their stewardship. Pronounce Your benediction upon them. Each one, in this chamber, we pray this day, in the name of our Father, Son and the Holy Ghost. Amen."

Speaker Ryan: "Thank you, Reverend. We'll be led in the Pledge today by Representative Giglio."

Giglio: "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. With 170 Members answering the roll, a quorum of the House is present. Representative Telcser."

Telcser: "Mr. Speaker, would the record please show that Representative McBroom is absent because of illness in the family?"

Speaker Ryan: "The record will so indicate. Representative

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Madigan, do you have any excused absences, Representative Madigan?"

Madigan: "Would the record show that Representative Getty is excused because of official business?"

Speaker Ryan: "Representative Getty is excused because of official business?"

Madigan: "Yes."

Speaker Ryan: "The record will so indicate. I'm glad to see we have your mike fixed, Mr. Madigan. I understand your mike was broke yesterday. I had a little problem with it. Glad to see that it's back in full repair."

Madigan: "Didn't affect my velocity."

Speaker Ryan: "Representative DiPrima, for what purpose do you seek recognition?"

DiPrima: "Yes, Sir, Mr. Speaker, I wanted to thank you and the leadership, on the other side of the aisle, for ending that deal last night in time to have most of the Members come to that banquet. Herb Huskey accused me of making it a Democratic convention, because there were more Democrats on the platform than Republicans; but, the Republicans didn't show up. You were all invited, you, Mr. Speaker. Wait a while? I know... Hey listen, I'm indebted. If I'd have known Topinka and Penny Pullen were there and I knew you weren't going to show up, I'd have had them up on the dais, believe me. But I did praise our good friend here, Craig Findley, whom I mentioned was son of Congressman Findley who was a dear friend of my Congressman 'Libinatti', and I says... And Findley backs the veterans to the hilt. And I asked for Findley to stand up, and he was gone. But, no, I'm really grateful to all the fellows and ladies and girls that showed up. Thank you."

Speaker Ryan: "On the Calendar, on page two, under the Order of House Bills, Second Reading appears House Bill 958,

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Representative Younge. Out of the record. House Bill 960,
Representative Younge. Out of the record. House Bill
1072, Representative Wolf, J. J. House Bill 1072,
Representative. Second Reading, page two. ...want the
Bill read? Out of the record. House Bill 1119,
Representative Preston. Gentleman on the floor? Out of
the record. House Bill 1320, Representative McMaster. Out
of the record. You want to run it, Representative? Read
the Bill. 1320."

Clerk Leone: "House Bill 1320, a Bill for an Act to amend an Act
to revise the law in relationship to township organization.
Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Miller, amends House Bill 1320
on page one..."

Speaker Ryan: "Representative Miller, on Amendment #1 to House
Bill 1320."

Miller: "Withdraw that, Mr. Speaker."

Speaker Ryan: "Withdraw Amendment #1. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Yourell, amends House Bill 1320
on page one and so forth."

Speaker Ryan: "Representative Yourell, on Amendment #2 to House
Bill 1320. Representative Yourell, on Amendment #2."

Yourell: "Mr. Speaker, is this... is this Representative Dunn's
Bill?"

Speaker Ryan: "No, it's 1320. It's Representative McMaster's
Bill."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the
House, Amendment #2 to House Bill 1320 provides for a
provision for filling vacancies in the Office of Township
Assessor and multi-township assessors af... We passed the
Consolidation Election Bill some years ago. We
inadvertently left that language out and made no provisions

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for it; and, since then, there's been a loophole in the current law. This Amendment is necessary. The township officials of Illinois are in favor of it. I move the adoption of Amendment #2 to House Bill 1320."

Speaker Ryan: "Is there any discussion? Gentleman moves for the adoption of Amendment #2 to House Bill 1320. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Miller, amends House Bill 1320..."

Speaker Ryan: "Representative Miller, on Amendment #3."

Miller: "Withdraw Amendment #3."

Speaker Ryan: "Withdraw Amendment #3. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Miller, amends House Bill 1320..."

Speaker Ryan: "Representative Miller, on Amendment #4."

Miller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #4 was an Amendment that was agreed with the Committee would be offered on the floor. It restricts, very greatly, the condemnation powers that a township could have to a very limited program of a federal community development program. There are only a couple of townships in the state which participate in this, and this is supported by the township officials; and, as I said, it was an agreed Amendment with the Committee Members."

Speaker Ryan: "Is there any discussion? Gentleman moves for the adoption of Amendment #4 to House Bill 1320. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1425, Representative Henry. Want your Bill read, Representative? Out of the record. House Bill 1463, Representative Catania. Out of

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the record. House Bill 1954, Representative Vinson. Want your Bill read? Out of the record. House Bill 1969, Representative Younge. Out of the record. House Bill 1974, Representative Catania. Out of the record. House Bill 2039, Representative Huskey. Out of the record. House Bill 2041, Representative Epton. Representative Epton, on House Bill 2041, Second Reading. Page two of the Calendar, Representative. Read the Bill."

Clerk Leone: "House Bill 2041, a Bill for an Act to amend Sections of the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 2079, Representative Watson. Out of the record. House Bill 2081, Representative Topinka. Representative Topinka, on House Bill 2081. Read the Bill."

Clerk Leone: "House Bill 2081, a Bill for an Act relating to the Illinois Insurance Code. Second Reading of the Bill. Amendment #1 was tabled in Committee."

Speaker Ryan: "Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Terzich, amends House Bill 2081..."

Speaker Ryan: "Representative Terzich, on Amendment #2 to House Bill 2081."

Terzich: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment #2 provides that, under the uninsured motorist insurance, that the under insurance coverage would also be equal to the amount that you carry under the uninsured motorist coverage, and I would move for its adoption."

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

Topinka: "I just wanted to double check, Mr. Speaker. We did ta... I made the effort yesterday to ask leave of the House

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to table Amendment #1, and I can't recall. Was that done?"

Speaker Ryan: "Yes. Amendment #1 has been tabled."

Topinka: "Very fine. Thank you, Sir."

Speaker Ryan: "Any further discussion on Amendment #2?
Representative Epton."

Epton: "Thank you, Mr. Speaker. If I understand the Gentleman correctly, he's suggesting that uninsured motorist coverage and underinsured motorist coverage are the exact one same thing. Is that the purport of your Motion, Representative?"

Terzich: "What the Amendment does is that means that, if the other party's insurance does not fully compensate the insured, he may recover additional money under his own uninsured motorist coverage. And, by implication, that this would be that the limit of his uninsured motorist, less the recovery from the underinsured other party."

Epton: "Well, as the Sponsor well knows, I seldom rise to disagree with any Motion of his, even when it's bad. Is this what we discussed yesterday?"

Terzich: "Yes, it was. I discussed this with the Sponsor, also members of insurance..."

Epton: "No, no, no. I mean, is this what you discussed with me?"

Terzich: "Similar, yes, Representative Epton. A great piece of legislation."

Epton: "You're taking me at a disadvantage. I'm under sedation right now. I think this is a horrible Motion, but I suspect it won't do any more harm than any others."

Speaker Ryan: "Further discussion? Representative John Dunn."

Dunn: "Mr. Speaker, if this is the Amendment I think it is, it's an excellent Amendment. A problem that sometimes arises is that... that a motorist is insured but with a minimum amount; and, actually, uninsured motorist coverage would be greater than that. And I think what the Sponsor is trying

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to provide is that, if the.. if the insurance coverage is less than the uninsured motorist coverage, that the uninsured motorist coverage could kick in and pay the difference. Is that right, Mr. Sponsor?"

Terzich: "That's correct."

Dunn: "It's an excellent Amendment, and I hope we all will support this... this good piece of legislation. I urge an 'aye' vote."

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

Stearney: "Would the Gentleman yield?"

Speaker Ryan: "Indicates he will."

Stearney: "Mr. Terzich, under this proposed Amendment, it would not be necessary then for an individual to actually sue and recover by verdict, from the third party defendant, before he could proceed after his uninsured motorist carrier, would it?"

Terzich: "That's correct, Representative Stearney."

Stearney: "So, in other words then, an individual who has uninsured motorist coverage could settle out with a third party carrier without going to suit, and yet proceed under his uninsured motorist provisions."

Terzich: "That is the intent of the legislation."

Stearney: "Yeah. Well, Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this Amendment. It was two years ago that Representative Leverenz and I enacted into law; we proposed legislation creating under insurance. Well, in doing so, however, there was so many mechanisms. There was no mechanism, rather, and no procedure for ever collecting under it, except by waiting for a period of five years, in recovering judgement, and then proceeding against your own carrier, under the underinsured motorist provision. And Mr. Terzich's Amendment, however, makes

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great... a great deal of sense, because it creates a procedure for one to collect under either his... especially under this provision here, through his uninsured motorist provision. And, so for.. I would, therefore, urge an 'aye' vote on this particular Amendment, because it clarifies the existing mechanism under the law."

Speaker Ryan: "Is there any further discussion? Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Ryan: "Indicates he will."

Brummer: "This seems to be a... a reasonable concept, but I'm confused, I suppose. Why would anyone carry underinsured motorist, which was authorized and required under the legislation sponsored by Representative Leverenz and Stearney several years ago? Wouldn't this abolish any necessity or need for underinsured motorists?"

Terzich: "That's correct. Most people are under the impression that, if you have uninsured motorist, you are covered for, you know, in case you are in an accident and a person does not have any insurance. They were not aware that, if the person had other coverages, that that would negate their uninsured motorist. So, if you're going to pay for uninsured motorists, you should..."

Brummer: "I understand... I understand that portion of the Bill. Why would anyone carry underinsured motorists, then, if this Bill becomes law?"

Terzich: "That's correct."

Brummer: "They would not."

Terzich: "That's correct."

Brummer: "Why... Why, then, as a matter of cleanup, don't you just eliminate all the language in the statute, regarding underinsured motorists, so we don't have those conflicting provisions?"

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Terzich: "Because I had staff make up the Amendment, and this is the Amendment that he made up to do that type of job."

Brummer: "Thank you."

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

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, and I only say this at this particular point, because I've noticed that the Minority Leader is on the floor. I wonder if you could advise the House as to what the costs were of repairing the Minority Leader's microphone yesterday?"

Speaker Ryan: "I... That's not available to me, right now, Representative Vinson, but I'll try and find out."

Vinson: "I understand you... I understand, as you did yesterday, you diligently pursue inquiries from Members about things, and I wonder if you could report back to us on that at some appropriate moment, Mr. Speaker."

Speaker Ryan: "Is there any further discussion on Amendment #2 to House Bill 2081?"

Terzich: "I move for its adoption, Mr. Speaker."

Speaker Ryan: "Gentleman moves for the adoption of Amendment #2 to House Bill 2081. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "On this issue, Representative? Third Reading. Representative Giorgi, for what purpose do you seek recognition?"

Giorgi: "In answer to 'Senateur' Sam Vinson, I thought that he should have an answer, and I thought we'd peruse the Governor's gift book and see if there's a donor that would contribute towards fixing these mikes."

Speaker Ryan: "House Bill 2091, Representative Virginia Frederick. Read the Bill, Mr. Clerk."

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Clerk Leone: "House Bill 2091, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

Clerk Leone: "Motion: 'I move to table Amendment #1 to House Bill 2091', Virginia Frederick."

Speaker Ryan: "Representative Frederick, on your Motion to table Amendment #1."

Frederick: "Yes, Mr. Speaker, I move that we table Amendment #1 to House Bill 2091. I ask leave of the House to do that."

Speaker Ryan: "Lady asks leave to table Amendment #1 to House Bill 2091. Are there any objections? Hearing none, leave is granted. Amendment #1 is tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Virginia Frederick, amends House Bill 2091 by deleting..."

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

Frederick: "I move for adoption of Amendment #2 on House Bill 2091, by deleting lines 8 through 11 and inserting in place thereof, Section 115-10. 'In a prosecution for a criminal offense defined in Article XI of the Criminal Code of 1961, where the alleged victim of the offense is a minor under 13 years of age, the court may exclude from the proceedings, while the victim is testifying, all persons who, in the opinion of the court, do not have a direct interest in the case, except the media.'"

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

Piel: "Thank you, Mr. Speaker, question of... question of the Chair. Has this Amendment been distributed?"

Speaker Ryan: "I didn't hear you, Representative."

Piel: "Has this Amendment been distributed?"

Speaker Ryan: "Yes. The Clerk informed me the Amendment is

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printed and distributed. Was that your question?"

Piel: "We haven't gotten it."

Speaker Ryan: "Well, Representative Barr."

Barr: "Yes, Mr. Speaker, would the Lady yield for a question?"

Speaker Ryan: "I'm sure she would."

Barr: "Yes, Representative Frederick, in... your Amendment uses the term 'media'. Is that a term defined in the statute?"

Frederick: "No, it isn't."

Barr: "What does it mean?"

Frederick: "The press, actually."

Barr: "Well, would it include representatives from television stations or radio stations?"

Frederick: "No."

Barr: "Just the print media? In other words, under your Amendment, you could not exclude representatives of the printed media, but you could exclude representatives from television or radio stations?"

Frederick: "I think, when you say media, according to my advise now, you do have to include television and radio as well."

Barr: "I'm sorry. You would have... You would include..."

Frederick: "Yes."

Barr: "... television and radio in that definition? I'm just wondering, Representative Frederick, if this term, 'the media', which is one that's used commonly in discussion, is one that has any precise definition so that a court would know exactly what it means, and whether it could be interpreted properly by a court, as to who could be excluded and who could not. I'm concerned about the use of that word."

Frederick: "Well, I... I am not sure that there is a definite, actual distinction between what media means and what it does not mean, but it would be my opinion that the court would make that decision."

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Barr: "I'm... I'm really... wonder if that's something that's possible to be done, Representative Frederick, especially since your... your Amendment says that these various people may be excluded, except the media, and what the media is is something that I don't know, for sure. I don't know if it means representatives of the media; although, that isn't what it says. It just says 'the media'. I think that we're in danger here of putting something into the statute that is impossible of any precise definition, and I would be concerned about that and would suggest that, perhaps, this Amendment is improper and should not be adopted. Thank you, Mr. Speaker."

Speaker Ryan: "Is there any further discussion? Representative Stearney."

Stearney: "Would the Lady yield?"

Speaker Ryan: "Indicates she will."

Stearney: "Representative, just to establish legis... legislative intent, can you tell us who would have a direct interest in the case and, therefore, be permitted into the courtroom?"

Frederick: "The parents, the relatives, guardians and other persons associated with the defendant."

Stearney: "Okay. Will they, necessarily, have to be related to the defendant?"

Frederick: "Not necessarily."

Stearney: "As to... Does this reflect, too, on the complainants family as well?"

Frederick: "Yes, yes."

Stearney: "Okay, thank you."

Speaker Ryan: "Further discussion? Representative Frederick, to close."

Frederick: "I.. I think you have heard the discussion of this Amendment, and I simply ask for an affirmative vote."

Speaker Ryan: "Lady moves for the adoption of Amendment #2 to

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House Bill 2091. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 2096, Representative Tate. Out. Out of the record. House Bill 2102, Representative McAuliffe. 2102, Representative. Out of the record? 2147, Representative Reilly. Out of the record. 2153, Representative Ralph Dunn. Out of the record. 2234, Representative Matijevich. Want to go with the Bill, Representative? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2234, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Matijevich, amends House Bill..."

Speaker Ryan: "Representative Matijevich, on Amendment #1."

Matijevich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, House Bill 2234, as introduced, is a Bill to try to help those school districts, which are losing some aid, where military dependents have their children attending public schools, and the Amendment was a clarification so that, in those instances where a military base is situated in such a way that students of military dependents may attend schools in more than one school districts. In other words... In other words, a military base may be on the line near two school districts so that both of those school districts may take advantage of the intent of this Bill. I would ask and move for the adoption of Amendment #1 to House Bill 2234."

Speaker Ryan: "Is there any discussion? Gentleman moves for the adoption of Amendment #1 to House Bill 2234. All in favor

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will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 2286, Representative Telcser. Out of the record. House Bill 2287, Representative Findley. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2287, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Representative Madigan, for what purpose do you seek recognition?"

Madigan: "Question of the Chair. House Bill 2334 was just moved by the Chair to the Order of Third Reading. A Fiscal Note request was filed relative to that Bill, as amended, yesterday. My... My question is whether the Fiscal Note, in response to the request for a Fiscal Note as amended, has been filed."

Speaker Ryan: "Well, I understand the Fiscal Note was not filed in a timely manner, Representative. The Clerk tells me that, during the vote almost, is when this was laid on his desk. The request of the Clerk is, if you're going to file fiscal notes, that you would get them in a little earlier."

Madigan: "Is your... That's when the Amendment was adopted. Is it your position, Mr. Speaker, that..."

Speaker Ryan: "Wait a minute, Representative. First of all, you've got the wrong number on the Bill. Are you talking about House Bill 2334, or are you talking about House Bill 2234?"

Madigan: "The file I have in my hand is 2334."

Speaker Ryan: "Well, we haven't reached that Order of Business. Don't have that Bill on our Calendar. So, this request is out of order. You've got the wrong Bill."

Madigan: "That is the incorrect number."

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Speaker Ryan: "You'll be glad when Getty gets back, I'll bet."

Madigan: "That's right. Now, what is the correct number?"

Speaker Ryan: "You tell me, Representative. It's your request.
How about 2234?"

Madigan: "Mr. Speaker, you'll be happy to hear that... that I, in
my previous comments, was in error. You'll be happy to
hear that."

Speaker Ryan: "No, I'm not happy to hear that at all, but your
point's well taken."

Madigan: "Mr. Speaker, since I have been so privileged as to be
given recognition to speak, at some..."

Speaker Ryan: "... since your mike works."

Madigan: "... point today, I wish to renew a point of order and
file a protest and dissent relative to House Bill 2008. If
you wish, I can do that right now."

Speaker Ryan: "Well, Representative, if you will wait 'til we
complete the... I've already called House Bill 2287. We're
in the middle of a debate on that, and I'll come back to
you as soon as we're finished with that. 2287, Mr. Clerk.
Mr. Findley, for what purpose do you seek recognition?"

Findley: "I move to withdraw... to table Committee Amendment #1."

Speaker Ryan: "Gentleman asks leave to table Amendment #1 to
House Bill 2287. Are there any objections? Hearing none,
Amendment #1 to House Bill 2287 is tabled. Further
Amendments?"

Clerk Leone: "Amendment #2 was withdrawn previously. Floor
Amendment #3, Findley, amends House Bill 2287..."

Speaker Ryan: "Representative Findley, on Amendment #3."

Findley: "Floor Amendment #3, Mr. Speaker, corr... corrects a
technical and other deficiency in the Amendment previously
adopted in Committee, and I move for its adoption."

Speaker Ryan: "Is there any discussion? Gentleman moves to adopt
Amendment #3 to House Bill 2287. All in favor will signify

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by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Findley, amends House Bill 2287..."

Speaker Ryan: "Representative Findley, on Amendment #4."

Findley: "Amendment #4, Mr. Speaker, provides that an Illinois municipality may elect to use federal revenue sharing funds for approved senior citizen projects. Statute does not provide that municipalities may do so, at present. I move for adoption of the Amendment."

Speaker Ryan: "Is there any debate, any questions? Representative Cullerton, for what purpose do you seek recognition?"

Cullerton: "Thank you, Mr. Speaker. This is a question of the Sponsor of Amendment #4."

Speaker Ryan: "Representative Cullerton, have you changed seats?"

Cullerton: "Yes, I'm sitting in Representative Getty's seat today."

Speaker Ryan: "Well, I'll have the electrician change the board?"

Cullerton: "No, this would be fine. I'll vote from my own seat. If it's okay with you, Mr. Speaker. Otherwise, I'll go back to my seat and sit down."

Speaker Ryan: "I under... The Parliamentarian tells me, Representative, that you're not in order unless you speak from your own seat and your own microphone."

Cullerton: "Okay. I'll be right back then. I'll go over to my..."

Speaker Ryan: "I'll call on you from there. I'd like to point out to the Members of the House that we have with us, in the Democrat side of the aisle, is that Representative Taylor there? Senator James Taylor, former Member of the Illinois House. Welcome back. Representative Cullerton, at his own desk."

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Cullerton: "Thank you, Mr. Speaker. Question of the Sponsor."

Speaker Ryan: "Indicates he'll yield."

Cullerton: "Does your Amendment #4 pick up the previous Amendments that have been adopted?"

Findley: "Amendment #4 has nothing to do with the previous Amendments, Sir."

Cullerton: "Well, it doesn't... It doesn't make sense, unless that... We feel it doesn't make sense as it's drafted. Would you take it out of the record so that... for a while, until we can check out to see if whether or not it's proper?"

Findley: "Will you come back to the Bill, Mr. Speaker?"

Speaker Ryan: "I can't guarantee I'll get back to it today, Representative."

Findley: "Mr. Cullerton, is there a serious problem with this?"

Cullerton: "No, it just doesn't make any sense."

Findley: "Alright. I move to table Floor Amendment #4, Mr. Speaker. I'll try it another day. I want to pass the Bill."

Speaker Ryan: "Are you the Chief... You're the Sponsor of the Amendment, Representative? You want to withdraw the Amendment?"

Findley: "Yes, Sir."

Speaker Ryan: "Withdraw Amendment #4. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 2380... 23...Rep... Representative Madigan, did you seek recognition at this time to make a point of order or to register some dissent in the record, as I understand?"

Madigan: "Yes, Mr. Speaker, I rise on a point of order that was raised yesterday. The question concerns House Bill 2008, and the action of the Chair, in moving that Bill from the Order of Second Reading to the Order of Third Reading,

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despite the filing of a request for a fiscal note, which had not been complied with in conformance with the temporary rules of the House of Representatives and Illinois law. Mr. Getty, yesterday, raised this point that the Illinois law and that Rule 32 of the temporary rules had been violated, and a request was made that this Bill be moved back to the Order of Second Reading. I presume, Mr. Speaker, that you would deny that request; and, if you do, why then I will renew my dissent, and I will wish to file with you a protest and dissent. Declaration should mention that several Democratic Members have signed this declaration of protest and dissent. I would like to point out, Mr. Speaker, that the... the ... someone filed, with the Clerk, a fiscal note, which carried the letterhead of the Illinois Economic and Fiscal Commission, and it was... it was offered by the Chair that this purported fiscal note of the Illinois Economic and Fiscal Commission satisfied the requirements of the temporary rules and the state law, relative to fiscal notes. I have, in my hand, a notarized statement by Marshall Langburg, the Executive Director of the Illinois Fiscal and Economic Commission, which states that he has not received a request for a fiscal note concerning House Bill 2008; that records of the Illinois Economic and Fiscal Commission do not show that a fiscal note was issued for House Bill 2008. And, lastly, he states that the revenue Bill analyses, prepared by the staff of the Illinois Economic and Fiscal Commission and provided to the Revenue Committees of the Illinois General Assembly, are not prepared and provided pursuant to the Fiscal Note Act, an Act requiring fiscal notes in relation to certain Bills. This was signed and notarized on May the 6th, 1982. So, once again, Mr. Speaker, with this evidence being offered to you and put on file in a public record, I

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ask you once again, because of the very apparent violations of the temporary rules of the House and Illinois law, that House Bill 2008 be moved back to the Order of Second Reading."

Speaker Ryan: "Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, let me simply state that, if one refers to the Statute Book, Chapter 33, Section 42.32, it clearly states that, in the case of Bills having a potential fiscal impact on units of local government, the fiscal note shall be prepared by the Department of Local Government Affairs, unless some other state agency is better qualified to assess the fiscal impact by reason of the subject matter of a Bill. The statute, therefore, in my view, clearly, clearly states that the fiscal note which was filed was, indeed, proper, filed at a proper time and filed in a proper manner. And so, Mr. Speaker and Members, it is my view that the Gentleman's point of order is not well taken, and that the fiscal note was, indeed, properly filed; and, your ruling, yesterday, was a proper ruling."

Speaker Ryan: "Representative Madigan."

Madigan: "In response to the Majority Leader's remarks, number one, his remarks were directed to the Bill, as it was considered in the Committee. The Bill was substantially amended; therefore, the information which was provided to the Committee became inoperative. Number two, Mr. Speaker, I wish to reiterate what I stated earlier; that I have, in my hand, a signed affidavit from the Executive Director of the Fiscal and Economic Commission which states that the Fiscal and Economic Commission never prepared a fiscal note for this Bill. And, as a follow-up, the Chair is arguing that a fiscal note from the Illinois Economic and Fiscal Commission satisfies the requirements of the temporary

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rules and the statute, but I have evidence to contradict that, right in this packet."

Speaker Ryan: "Representative Madigan, Representative Telcser's point is well taken. If you want to register your dissent and file it with the Clerk, it will be journalized and so recorded. House Bill 2366, Representative Birkinbine. Out of the record. House Bill 2384, Representative Hoffman. Out of the record. House Bill 2416, Representative Rigney. Right after lunch? Out of the record. House Bill 2437, Representative Karpiel. Out of the record. House Bill 2448, Representative Daniels. Representative Daniels on the floor? Out of the record. House Bill 2450, Representative Daniels. Out of the record. House Bill 2473, Representative Stiehl. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2473, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 and 2 were adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1 or 2?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, C. M. Stiehl, amends House Bill..."

Speaker Ryan: "Representative Stiehl, on Amendment #3."

Stiehl: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment is filed as an agreement with the Members of the Judiciary Committee. The Bill increases the penalty for killing a person while driving a vehicle, while under the influence of alcohol or drugs. This Amendment simply spells out the... tracks the Vehicle Code in spell... defining the conditions for driving under the influence of alcohol. I would ask for a favorable vote."

Speaker Ryan: "Is there any discussion? Lady moves for the

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adoption of Amendment #3 to House Bill 2473. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 2474, Representative Telcser. Representative Telcser, on 2474. Out of the record. House Bill 2486, Representative Bell. Out of the record. House Bill 2489, Representative Kustra. Out of the record. House Bill 2501, Representative Vinson. Out of the record. House Bill 2505, Representative Robbins. Representative Robbins, 2505. Out. Out of the record. Representative Woodyard. House Bill 2516, Representative Daniels. House Bill 2519, Representative Meyer, Ted Meyer. Out of the record. House Bill 2520, Representative Nelson. Out of the record. House Bill 2521, Representative Griffin. Out of the record. House Bill 2531, Representative O'Brien. Representative O'Brien on the floor? Out of the record. House Bill 2535, Representative Fawell. Out of the record. House Bill 2540, Representative Huskey. Read the Bill."

Clerk Leone: "House Bill 2540, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Yourell, amends House Bill 2540 on page one and so forth."

Speaker Ryan: "Representative Yourell, on Amendment #1."

Yourell: "Thank you, Mr. Speaker. Amendment #1 was suggested by the Department of Insurance, at my request, to determine whether House Bill 2540 would be in order without these Amendments. What Amendment #1 does is provide that the liability insurance shall include appropriate reductions, as determined by the Director of Insurance, and they've

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asked me to present Amendment #1 to House Bill 2540. I
move to adopt Amendment #1 to House Bill 2540."

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

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

Speaker Ryan: "Indicates that he will."

Birkinbine: "Do I gather from this Amendment that you would be
having the Director of Insurance establish what a discount
rate given to senior citizens?"

Yourell: "That's correct."

Birkinbine: "Why put it in the hands of the Director of
Insurance?"

Yourell: "Well, if we don't do that, we'll put it in the hands of
the insurer, and I don't think they want to do that.
They've indicated, in the letter to me that that's the
language that they want to live with. Now, this rule...
this Amendment and the Bills itself has been published in
the rules for the Joint Committee to consider, and the
Department of Insurance has included that in their rule to
the Joint Committee on Administrative Procedures."

Birkinbine: "Do I... I understand that rule mandates a 10%
discount?"

Yourell: "That's what they're asking for, yes."

Birkinbine: "Well, are you aware that there are insurance
companies today that, on their own, offer 10% discounts to
certain senior citizens?"

Yourell: "Yes, I'm aware of that."

Birkinbine: "What is the benefit of giving it to all people over
a certain age, as opposed to letting the industry decide...
Well, my point is, I know that Allstate gives a 10%
discount to senior citizens who are also retired. Now,
it... that seems to make sense, as opposed to giving it to

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a senior citizens who might still be working and clocking as many miles and somebody who's 35 or 36. Don't you agree?"

Yourell: "Well, this is the Amendment. This has nothing to do with the Bill. I think what you're talking about has to do with the Bill. I understand and I'll read the letter from the Department of Insurance to me, 'whether other reductions offered all senior citizens should be permitted to offset this particular discount is a policy decision which the Legislature should decide'. Some insurance companies already offer safe-driver discounts for all senior citizens, based on their driving habit, as a group. There will be other Amendments that come along that take out that cover all...that blanket covering all senior citizens; those that have been convicted of drunken driving and so forth."

Birkinbine: "Well, Mr. Speaker, if I could speak to the Amendment, I think we're heading in the wrong direction here. We're vesting in the hands of one person, the Director of Insurance, the right to set rates, rather than leave it up to the various companies to compete and offer as many rates as they can and they will. Illinois is one of the lucky states, in that we probably have more insurance companies competing for business here than most any other state in the country; and, to take away that element of competition, and I understand that there are Bills involving competition that are rolling through the Senate now. And I think Senator D'Arco is a Cosponsor of it. We seem to be heading in the opposite direction here, involving competition by vesting it all in one man or one person, the Director of the Department of Insurance, whoever that happens to be at the time. I think it's heading in the wrong direction. I would recommend that we

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vote this Amendment down. Thank you."

Speaker Ryan: "Is there any further discussion? Representative Huskey."

Huskey: "Well, thank you, Mr. Speaker. Ladies and Gentlemen of the House, the Amendment that has been offered was sent to me with the... with the letter from the Department of Insurance, but the Department of Insurance found that they did make a mistake. They did not like that Amendment, and they have given me some subsequent Amendments that will take care of that Amendment. This Amendment is a rate fixing Amendment. It should not be adopted. This... Illinois has probably one of the most competitive... As Representative Birkinbine stated, it has one of the most competitive insurance rates of any state in the nation. We have the lowest due to that competition, and this Amendment would cause it to fix rates. It's, absolutely, a bad Amendment. It will gut the Bill, and I hope it will be defeated."

Speaker Ryan: "Representative Yourell, to close."

Yourell: "Yes, thank you, Mr. Speaker. This Bill is a recycling of, as you know, House Bill 781. It has exactly the same language as House Bill 781 that was passed into law and sponsored by Representative Lechowicz and others in 1981. During that time, in answer to Representative Birkinbine's question and Representative Huskey's, not one insurance company, in the State of Illinois, has seen fit to do anything except agree with the language in 781, which was also in 2540, which calls for an appropriate reduction to those over 55 who are not senior citizens, incidentally. So, this cannot be considered a senior citizen discount insurance Bill. Not one insurance company, in the State of Illinois, has seen fit to use the language that was appropriate in House Bill 781 which called for an

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appropriate reduction, after that individual took a prescribed safety driving course offered by the National Safety Council. So, this, I think, is indicative of the fact that the insurance companies have not taken the lead in this, after having been given the directive by Senate... by the provisions of House Bill 781. I renew my Motion for the adoption of Amendment #1 to House Bill 2540."

Speaker Ryan: "Representative Van Duyne, for what purpose do you seek recognition?"

Van Duyne: "Mr. Speaker, I was just going to explain my vote, but now that you've given me the floor I'll take this opportunity..."

Speaker Ryan: "Well, it's really... The best thing for you to do would be to explain your vote, Representative. The Representative did just close the debate."

Van Duyne: "That's what I thought you said; that he was going to close."

Speaker Ryan: "He closed and moved. Gentleman moves for the adoption of Amendment #1 to House Bill 2540. All in favor will signify by saying 'aye', all opposed 'no'. The 'nos' have it, and the Amendment fails. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Yourell, amends House Bill 2540..."

Speaker Ryan: "Oh, Representative Van Duyne, did you want to explain your 'no' vote?"

Van Duyne: "A parliamentary inquiry, Mr. Speaker. How do I explain my ... explain my 'no' vote when you don't take a Roll Call? Nevertheless, let it go."

Speaker Ryan: "Further Amendments?"

Clerk Leone: "Floor Amendment #2, Yourell."

Speaker Ryan: "Representative Yourell."

Yourell: "Yes, thank you, Mr. Speaker. Amendment #2 to House Bill 2540 provides that... Well, presently, law requires

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that no discounts are required for persons who have been required to take the action prevention course because of a motor vehicle violation conviction. This Amendment broadens that exception. Under this Amendment, any motor vehicle violation conviction, whether or not is a moving violation or not, would make the person ineligible for the discount for a period of one year. Any moving violation, during that year, would start the clock all over again, so that they would have to start at a later date. There are also some technical and spelling errors in the Amendment... the Bill that should be corrected with Amendment #2. I move the adoption of Amendment #2 to House Bill 2540."

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

Huskey: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, the best way of explaining the danger of this Amendment is to explain it in the following manner. Let me give you an example of what might happen under Amendment #2. You have a senior citizen couple in your district who have one car, as many older couples do, and the husband is convicted of a moving violation, let's say drunk driving ticket. Representative Yourell's Amendment is so restrictive that it would deny the poor man's wife a discount, even though she's a good driver herself. And, Ladies and Gentlemen, I would hope you'd see, in your vast wisdom, the power to defeat this bad Amendment."

Speaker Ryan: "Representative Yourell, to close."

Yourell: "Yes, thank you, Mr. Speaker. The reference Mr. Huskey made to the Amendment is taken care of in another Amendment, which is his own Amendment, and I move the adoption, again, of Amendment #2 to House Bill 2540."

Speaker Ryan: "Gentleman moves for the adoption of Amendment #2 to House Bill 2540. All in favor will signify by saying 'aye', all opposed 'no'. In the opinion of the Chair, the

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'nos' have it, and the Amendment fails. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Huskey, amends House Bill 2540 as amended... 2540 on page one and so forth."

Speaker Ryan: "Representative Huskey, on Amendment #3."

Huskey: "Mr. Speaker, I would ask that Amendment #3 be withdrawn or tabled."

Speaker Ryan: "Withdraw #3. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Terzich, amends House Bill 2540 on page one and so forth."

Speaker Ryan: "Representative Terzich, on Amendment #4."

Terzich: "Yes, Mr. Speaker, this Amendment, again, gives more respectability to this Bill. It's similar to the one about the uninsured motorists, which we passed favorably, and I would move for its adoption."

Speaker Ryan: "Any discussion? Representative Birkinbine."

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

Terzich: "Certainly."

Birkinbine: "Great. You indicated that this had been added to another Bill. Is that 2081?"

Terzich: "That's correct."

Birkinbine: "Could you explain to the assembled multitude exactly what the Amendment does, rather than simply say it's already been added to another Bill?"

Terzich: "Yes, it provides that, under your uninsured motorist, that you are covered under the limits, regardless of whether there is other insurance involved."

Birkinbine: "Having already added it on to 2081, why add it on to 2540?"

Terzich: "Never know what's going to happen to 2081."

Birkinbine: "That's true, especially with Mr. Cullerton behind you."

Speaker Ryan: "There any further discussion? Representative

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Terzich, to close."

Terzich: "I move for its adoption, Mr. Speaker."

Speaker Ryan: "Gentleman moves for the adoption of Amendment #4 to House Bill 2540. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #5, Huskey, amends House Bill 2540 as amended."

Speaker Ryan: "Representative Hastert, on Amendment #5. Representative Huskey, on Amendment #5."

Huskey: "Mr. Speaker..."

Speaker Ryan: "Just a minute, Representative Huskey. For what purpose do you seek recognition, Representative Hastert?"

Hastert: "For purposes of an introduction, Mr. Speaker. I'd like to introduce the students of Thompson Junior High School from Oswego, Illinois represented by Mr. Laz Murphy and Susan Deuchler and myself, up in the Speaker's gallery."

Speaker Ryan: "Welcome to the Illinois House. Amendment #5, Representative Huskey. Representative Huskey, on Amendment #5. Wait just a minute. We have one more. Representative Peters."

Peters: "Mr. Speaker, for the purpose of introduction, while we're doing that. In the balcony, the students from the Drummond Elementary School visiting Springfield, ably represented by Representatives Mike Abramson, Al Ronan and Bruce Farley, on that side. Welcome to Springfield."

Speaker Ryan: "Welcome to the Illinois House. Representative Huskey, on Amendment #5 to House Bill 2540."

Huskey: "Mr. Speaker, I request that #5 be withdrawn."

Speaker Ryan: "Withdraw Amendment #5. Further Amendments?"

Clerk Leone: "Floor Amendment #6, Huskey, amends House Bill 2540."

Speaker Ryan: "Representative Huskey, on Amendment #6."

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Huskey: "Well, Mr. Speaker, Amendment #6 is less restrictive in its application. We would not have the problems that could happen with Representative Yourell's Amendment. My Amendment would allow the marketplace to determine the exact discount, and this approach has been very successful in many, many other states. My Amendment insures that the seniors will receive substantial discounts; whereas, under the other Amendment, the discounts have been as low as three or four percent. Also, this allows the poor, little, old lady to take advantage of the senior citizen discount that I spoke of before. Ladies and Gentlemen, this is a fine Amendment. It will give the senior citizens that take the prescribed drivers course. It will let them qualify for senior citizens discount on their drivers... on their insurance, and I move for its adoption."

Speaker Ryan: "Representative Yourell."

Yourell: "Yes, thank you, Mr. Speaker. I'm sorry that Representative Huskey has withdrawn all those good Amendments, because I would ask now, to the Parliamentarian, a question on the Amendment, as to its correctness."

Speaker Ryan: "Proceed. What's your question?"

Yourell: "Question is, on Amendment #5 that was withdrawn, lines 27 and 28 that are contained in lines 20..."

Speaker Ryan: "We're on Amendment #6, Representative."

Yourell: "I know. I'm going to get to that, Sir. Are on lines 31 and 32 of Amendment #6. That language is not in the present statute; and, if you look at the Amendment, you'll find it's wrong."

Speaker Ryan: "Repeat the lines for us for the Parliamentarian."

Yourell: "31 and 32. That language is not presently in the statute, and it is not, on page two of the Amendment, it's not underlined. It's new language."

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Speaker Ryan: "Your point is well taken, Representative, and the Amendment's out of order. Representative Huskey."

Huskey: "Well, Mr. Speaker, the points that ... I would beg to differ a bit. The point that we're talking about is in the new law that was just passed last year."

Speaker Ryan: "The Parliamentarian will look at it again, Representative, but..."

Huskey: "Yeah, Mr. Speaker, this language that we're talking about here is in House Bill 781 that was passed last year, Representative Lechowicz's Bill."

Speaker Ryan: "Representative Huskey, the Parliamentarian informs me that Representative Yourell's point is well taken, and that the Amendment is out of order. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Did you want to move the Bill, Representative."

Huskey: "Move it to Third Reading, Mr. Speaker."

Speaker Ryan: "Representative Yourell."

Yourell: "Well, I think this is excellent legislation. The only thing I objected to, in the beginning, was Mr. Huskey's Amendments to take the 10% out, because that's what it was all about to begin with; to take the... to leave the 10% so that senior citizens would be certain of having at least 10% reduction after taking the driving course. Now, I would ask Mr. Huskey to leave this Bill on Second and get his staff to draw the proper Amendments so that we can move a good Bill forward."

Speaker Ryan: "Representative Huskey."

Huskey: "I'd like to put it on Third Reading, Mr. Speaker."

Speaker Ryan: "Third Reading. House Bill 2563, out of the record, Representative Collins. House Bill 2564, out of the record, Representative Collins. House Bill 2569, Representative Barr. Out of the record. House Bill 2574,

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Representative Ewing. Out of the record. 2617,
Representative Daniels. Out of the record. House Bill
2622, Representative Giorgi. Representative Giorgi on the
floor? Out of the record. On the Calendar, on page four,
under the Order of House Bills, Third Reading, Short Debate
Calendar appears House Bill 2288, Representative Greiman.
Out of the record. House Bill 2356, Representative
Leinenweber. Read the Bill."

Clerk Leone: "House Bill 2356, a Bill for an Act to amend the
Illinois Purchasing Act. Third Reading of the Bill."

Speaker Ryan: "Representative Leinenweber, on the Bill."

Leinenweber: "Thank you, Mr. Speaker. House Bill 2356, when I
can find it, is a Bill that will permit state agencies and
units of local government to purchase goods and services
from sheltered workshops for the handicapped without
competitive bidding. Now, the procedure suggested by the
Bill, and it's not mandatory but is permissive for units of
government to do this. The... There is a committee in the
Department of Administrative Services that is to review the
various products, which it decide... the committee decides
could be submitted to negotiated contracts with these
sheltered workshops. The problem the sheltered workshops
have is, under current... Well, the way they operate now
is, they... they negotiate with private industry to sell
various items, and they also deal with units of government
and the State of Illinois; but, they're limited by the 2500
dollar limit in the Purchasing Act. This has proved to be
too low, and there are many things that the sheltered
workshops can do; for example, make park benches. And I
think it would be very, very helpful to financing of the
sheltered workshops, in this day when state funds are very
limited for this particular purpose, to permit the state...
the sheltered workshops to negotiate with units of

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government. The Bill does require that any such contract, the specifications must be met, and it must be at a fair market price. So, it is not a case where the state will end up paying substantially more. The state will have to... The state will only pay a fair market price, but the sheltered workshops will be allowed to enter into these agreements with the state and units of local government and be able to make some money, in order to keep their doors open in this time of very... of declining government support for this type of program. I urge its adoption."

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

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

Speaker Ryan: "Indicates that he will."

Bullock: "Representative Leinenweber, this is a laudable objective on your part, you and Representative Collins. My question is, even if we allow the sheltered workshops to bid... or not to bid, but to acquire some jobs or ability to manufacturer goods, what insurance do we have that they're going to be used? Is this targeted towards some set-aside program for these sheltered workshops? How do we insure that they are, in fact, going to achieve your... your laudable goal?"

Leinenweber: "Well, the Bill is permissive and, if enacted into law, would allow the state and units of local government to negotiate with sheltered workshops to buy needed products at a fair market price. The Bill establishes criteria. Basically, the law defines what a sheltered workshop is, and that's what... that's what's included within the Act. But I don't see any problem. If the state doesn't want to go ahead, they don't... they don't have to."

Bullock: "Well, Mr. Speaker, I think it's a great Bill. I'm just concerned that the Sponsor is not going to achieve what's

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intended here. Representative Leinenweber, I think that, you know, it's a laudable objective; but, quite frankly, I don't see the Bill doing anything. I think, if you really want to make meaningful change to help these sheltered workshop facilities, you should have included provisions in here that give them a percentage of the set-aside, as we do with small businesses in our state. I don't object to the Bill. I just don't think it's going to do a lot, Harry."

Speaker Ryan: "Is there any... No further discussion. Representative Leinenweber, to close."

Leinenweber: "Well, the Gentleman's right. It's not a set-aside, and I, specifically, did not intend a set-aside. There are... The sheltered workshops do, on occasion, negotiate with units of government, but they're stymied by the small amount that can be included in a contract. The Gentleman admits it's a worthy objective. I think it will work. We'll know, I suppose, a few years down the pike. So, let's give it a chance."

Speaker Ryan: "The Gentleman... The question is, 'Shall House Bill 2356 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 160 voting 'aye', none voting 'no', and 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Greiman has asked leave to go back to his Bill, House Bill 2289. 2288. Representative Younger, for what purpose do you seek recognition?"

Younger: "I seek recognition, Mr. Speaker, to move that that matter be taken off of Short Debate, and I'm joined by ten of my colleagues."

Speaker Ryan: "Which Bill? Representative Greiman's Bill?"

Younger: "Yes, 2288."

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Speaker Ryan: "You'd like to have House Bill 2288 removed from the Short Debate Calendar? Do you have ten... ten Members to join you, Representative? Count Giorgi twice, Henry twice. You've got them, Representative. Representative Greiman, on House Bill 2288."

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

Speaker Ryan: "Long debate."

Greiman: "On long debate. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2288 seeks to cre... to correct an error that we made in the last Session of the General Assembly. It was the law previous that, when there was a mortgage foreclosed, the owner had one of two time limitations within which to come and redeem the property. One of the time limitations was up to 12 months from the date of service of summons. The other was six months from the date of sale, whichever was the longest. In 1981, Representative Vinson offered a Bill that attempted to shorten the period from 12 months from the date of service of summons to six months to the date of service of summons. In drafting that Bill, they took out the provision that said, 'or six months from the date of sale, whichever is longer'. Representative Vinson's Bill passed. I opposed it, at that time, but it passed. That left the state of the law in Illinois mortgage foreclosures to be this; that an owner could redeem anytime up to six months from the date of service. The only problem with that is, is that, very often, a case takes more than six months. A case may take a year. A case may be appealed to the Supreme Court. There may be all kinds of issues involved, and so what happens is, at the end of... of the case which may be well after six months, that owner, in Illinois, no longer has a right to redeem, simply because the case took longer than six months. That was not the author, Representative

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Vinson's, intent at that time, and you'll notice this Bill... this Bill is a rarity and may go down in history in Illinois legislation. It is Greiman - Vinson. Indeed, an unusual combination. So, that this Bill corrects what was, I believe, a scrivener's error in the last General Assembly and raises, and sets, once and for all, that an owner, whose home is foreclosed, will have six months from the date of sale to redeem. I would prefer a longer period, but that's what this General Assembly passed; and, what I want to do, in this Bill, is correct, to correct the error that we made in scratching that out. At this moment, the courts do not know what to do with mortgage foreclosure redemptions. Now, there is another small part of the Bill, an Amendment which was provided from the Legislative Reference Bureau. Another Bill raised interest from 10... from six to 10 percent on mortgage foreclosures and on other lien foreclosures, and they changed the statute all throughout the statute dealing with lien foreclosure. I opposed that Bill, too; however, they forgot to put it into this particular Section. So, what we have now are two conflicting Sections as to how much interest should be charged in mortgage foreclosures. One says six percent. One says 10 percent. Chances are a court would say 10 percent is the amount that would be charged, because that's the last legislative pronouncement on that subject. So, in order to conform what we did last time, there is an Amendment which changes the six to a 10. I, normally, oppose those things, but this General Assembly has already made that increase. So, this is really a technical... technical Amendment, in any event. The Bill has gone from Consent Calendar to Short Debate to full-blown debate. I'm not sure I understand why...why it's here, but the question you might ask, 'Can a Vinson - Greiman Bill be all bad, or

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can it be all good?'.."

Speaker Ryan: "Is there any further discussion? Representative Younge."

Younge: "How long was the interest rate six percent, Mr. Sponsor?"

Speaker Ryan: "He indicates that he'll yield. Would you repeat the question, Representative?"

Younge: "Yes, for how long was the interest rate six percent?"

Greiman: "Probably... Probably some time immemorial, frankly.

You know, what they did was... There are two places where you must amend the mortgage foreclosure. When you amend the mortgage foreclosure procedures, you must amend in Chapter 77, which is the Judgement Act, as well as Chapter 110. In the 1981 Bill, they did amend in Chapter 77, but they failed to amend in Chapter 110. The two provisions are mirror provisions, and they just didn't amend it in the appropriate place. I would love to be with you and say we should take them all back to six percent, but that was not the judgement of this General Assembly. And what we have now is... is two conflicting interest provision. Courts would, theoretically, a) not know what to do, or they would, b) take, I think, they would take the latest legislative pronouncement, in any event. So then, what we're doing is probably just conforming these two Sections. That's all I can tell you."

Younge: "If this... Mr. Speaker, may I ask another question. If this Amendment is not passed, then the law would not be that the interest rate is 10 percent. Is that correct?"

Greiman: "No, the law would still... No, I believe the law would still be 10 percent, because we did change one place of it. In other words, it's in two places, and it's exactly the same provisions. They deal exactly with the same question, but they forgot to change it in one place. I think a court

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would say the last legislative mention of this was to make it 10 percent. That's what they would do. So, I don't think it changes anything, one way or the other."

Younger: "Certainly, if we do not pass this Amendment, it would indicate that our intention would be that we do not want the interest rate to be 10 percent. Wouldn't that be true?"

Greiman: "Well, I'll tell you. If this Bill doesn't pass, if this Bill doesn't pass, mortgage people with mortgage foreclosures will not have a right of redemption, Mrs. Younger. That is what the effect of the defeat of this Bill would be. They will have no right of redemption. We will be taking that right away from them. That's what defeat of this Bill will mean."

Younger: "I think, Mr. Speaker, that we need to look at this matter very carefully, because the effect of this Amendment will be to make the interest rate on these foreclosures 10 percent, and I don't think that we ought to be doing that. I think, if there is a problem with the redemption period, we ought to straighten that out straight-away, but a lot of old people are losing their property because they can't pay... make the payments on it. And I think, if the interest rate is too high, and I don't think... First of all, this matter was on the Consent Calendar, and I think that's absolutely absurd. I think that we ought to be very careful, and we should not be raising the interest rate on foreclosed property at this juncture, when many foreign families are losing their property, many elderly people. Many people on fixed income are losing their property, and I think that this is not the time to be raising the interest rate."

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

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Vinson: "Thank you, Mr. Speaker. Virtually, everything that Representative Greiman said was accurate. I join with him in sponsoring this Bill, because it will correct a technical error in the law. The effect of that error will be that there will be, virtually, no redemption period for any homeowner foreclosed upon in the State of Illinois, if this Bill does not pass. It's appropriate that we pass this. I am, actually, for a shorter redemption period than we have in the law, but I am not for no redemption period; and, unless we pass this Bill, there will be no redemption period. I would urge an 'aye' vote."

Speaker Ryan: "Representative John Dunn."

Dunn: "Mr. Speaker, question of the Sponsor. I lose... I'd like to know what the redemption period was before the Bill was passed last year, what it is now, and what it will be, under this Bill. I think the.. that's the important matter, not so much the interest rate, in this issue, I think. Isn't that right, Mr. Sponsor?"

Greiman: "Yes, okay. Before the Bill was passed, it was the longer of the... of the two, the longer of 12 months from the date of service of summons, or six months..."

Dunn: "From the date of sale."

Greiman: "... from the date of sale, whichever is longer."

Dunn: "Okay, whichever is longer."

Greiman: "It was the judgement of this General Assembly to shorten it, against both yours and my better judgement, but it was their judgement."

Dunn: "That's right."

Greiman: "So that they shortened it but took out a very essential provision. So that, today, it is six months from the date of service of summons. So that, whenever you have a sale, whenever you have a judgement, that's not important. It's the summon...the service of summons. Now, we are taking

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one date, and we are saying six months from the date of sale. And that will be... after this is passed and signed into law, that will be the foreclosure redemption period in Illinois. It is the longest possible period that we could probably hope for, in this General Assembly, plus it gives that person an opportunity to know the precise amount that's due, because all the fees and costs and whatnot are in that judgement at the time of sale."

Dunn: "Thank you, Mr. Sponsor. Mr. Speaker, to the Bill. I'm convinced this is an excellent piece of legislation to correct the shortcoming in our statute. The Sponsor of the legislation is correct. Both he and I opposed the Bill that was adopted, and passed, and signed into law a year ago, even without the shortcoming that did result. We need to have a reasonable time, for those who are subject to a foreclosure proceeding, to see if they can get their act together, to find the money to redeem from the foreclosure. They need to know how much is due, and this is a good piece of legislation. I oppose the increase in interest rates, but it's like so many other things around here. You don't get your druthers. If you want to do what's correct in the most important aspect of this Bill, that is to create a redemption time, you'll have to vote for the interest rates; and, I recommend that everybody support this Bill. Vote green, vote 'aye'."

Speaker Ryan: "Any further discussion? Representative Van Duyne."

Van Duyne: "Yes, Mr. Speaker, I was going to explain my vote, but I thought maybe you might take another voice vote. So, I thought I'd better explain my position right now. I stand..."

Speaker Ryan: "Proceed, Representative."

Van Duyne: "Thank you, Sir. I stand four-square behind

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Representative Greiman, and I echo what Representative Dunn just said. In fact, I echo it so much that I took the trouble to enter House Bill 2480, with which a number of my colleagues saw fit to sign on with me on; and so, therefore, I just want to make sure that I get my voice added to the rest of the people who are voting in favor of this Bill, and I wanted everybody to... I'd like to have everybody support Representative Greiman."

Speaker Ryan: "Representative Greiman, to close."

Greiman: "Well, thank you, Mr. Speaker. I just wanted to say, I'm not used to the diversity of support that I'm receiving on this Bill; but, to Mrs. Younge's concern, I've sort of learned. My Daddy told me, 'Never make personal remarks. Never force anything mechanical. Never tell a hostess you enjoyed yourself, and never screw around with the inevitable.' So, it's for that reason that I have to accept the interest change as being sort of inevitable. As a consequence, I'd ask that you vote 'aye' on this."

Speaker Ryan: "Question is, 'Shall House Bill 2288 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 153 voting 'aye', 4 voting 'no', 3 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Chair would like to announce that Zale Globberman's wife had a seven pound baby boy yesterday morning. Aaron Joseph Globberman. House Bill 2359, Representative Giorgi. Read the Bill."

Clerk Leone: "House Bill 2359, a Bill for an Act in relationship to loans granted to corporations from Corporate Loan Fund. Third Reading of the Bill."

Speaker Ryan: "Representative Giorgi."

Giorgi: "Mr. Speaker, this is a Bill that retrieves the 20

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million dollars that we skimmed off the Lottery, and we put it in our Corporate Trust Loan Fund Act and were going to use it for the Lottery... were going to use it for the Chrysler loan; but, they decided to go to the industrial revenue bonds. And this Bill makes it possible to take the 20 million dollars from that Trust Fund, put it back in the General Revenue Fund, and today the Governor found 20 million dollars. I urge your support."

Speaker Ryan: "Is there any discussion? Question is, 'Shall House Bill 2259 (sic, 2359) pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Take the record, Mr. Clerk. On this question there are 154 voting 'aye', none voting 'no', 3 voting 'present'. This Bill, having received a ... Representative Leinenweber, for what purpose do you seek recognition?"

Leinenweber: "Well, just to point out that we passed 2259 and Senate 2359. It's now..."

Speaker Ryan: "Well, the question's been on House Bill 2359, and that's what we've passed. House Bill 2359, having received 154 'yes' vote, no 'no' votes, and 3 'present' votes, is hereby declared passed, having received a Constitutional Majority. House Bill 2407, Representative Darrow. Read the Bill."

Clerk Leone: "House Bill 2407, a Bill for an Act to amend the Capital Development Board Act. Third Reading of the Bill."

Speaker Ryan: "Representative Darrow."

Darrow: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 2407 merely changes 'shall' to 'may' and allows the Capital Development Board to set aside one-half of one percent of state funds authorized for construction or reconstruction of public buildings for the purpose of placement of artworks in such buildings."

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

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House Bill 2407 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Collins, do you seek recognition? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 136 voting 'aye', 13 voting 'no', 7 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2425, Representative Friedrich. Friedrich, Dwight Friedrich, 2407... 2425, Representative. Read the Bill."

Clerk Leone: "House Bill 2425, a Bill for an Act to amend the Retailers' Occupation Tax Act. Third Reading of the Bill."

Speaker Ryan: "Representative Friedrich."

Friedrich: "Mr. Speaker, Members of the House, this Bill is a result of a ruling, by the Federal Government, that those who are selling motor fuel to Amtrak cannot charge the tax to Amtrak. As a result of that, and the Department of Revenue said that they could not back off and fail to collect the tax. The Department of Revenue now has agreed to this; and, as far as I know, there's no opposition. The producers or the people who are selling the fuel to Amtrak was caught in a situation where they were forced to pay it and couldn't collect it. So this... The Department of Revenue has agreed to this; and, in fact, furnished the Amendment. I would appreciate your vote."

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

Matijevich: "Would the Gentleman yield?"

Speaker Ryan: "Indicates he will."

Matijevich: "Representative Friedrich, would you tell the Body what fiscal impact this Bill may have?"

Friedrich: "We're not sure, but our estimate is 100,000 dollars."

Matijevich: "But you're not sure."

Friedrich: "I'm not sure."

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Matijevich: "Neither am I."

Speaker Ryan: "Representative Friedrich, to close."

Friedrich: "I would just appreciate a favorable vote. As far as I know, there's no opposition."

Speaker Ryan: "Question is, 'Shall House Bill 2425 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 151 voting 'aye', 8 voting 'no', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2430, Representative McAuliffe. Representative McAuliffe on the floor? Out of the record. House Bill 2485, Representative Bell. Read the Bill."

Clerk Leone: "House Bill 2485, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Ryan: "Representative Bell."

Bell: "Thank you, Mr. Speaker and Ladies and Gentlemen. What this Bill simply does is give downstate taxpayers the authority to appeal valuation to the State Property Tax Appeals Board, where the Department of Revenue or Board of Review equalization factor causes the individual assessment to exceed what they believe to be the statutory level of 33 1/3%. It's quite a simple Bill, and I'd certainly appreciate a positive vote."

Speaker Ryan: "Is there any discussion? Representative Van Dwyne."

Van Dwyne: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker Ryan: "Indicates he will."

Van Dwyne: "Representative Bell, as I know it, now, the only difference would be, in this Bill, is that you wouldn't have to go through the Treasurer's Office. Is that right?"

Bell: "Could you repeat the end of that about that..."

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Van Duyne: "Well, the way we do it now, when you get your tax bill and you are... when the end result of all this series of proceedings take place, you get your tax bill, and you have an opportunity to protest this by, but you still have to pay your taxes to the Treasurer. Isn't that true?"

Bell: "Yes."

Van Duyne: "And then, when you get your card back, you have to file that card with the Tax Board... the State Board of Tax Appeals... Tax Appeal Board within 20 days. Is that correct?"

Bell: "I believe so."

Van Duyne: "What?"

Bell: "I believe so."

Van Duyne: "Alright. So, the net effect of your Bill then would be... What provision are you making in your Bill for the lack of payment in taxes?"

Bell: "Alright, what we're trying to do with this, Representative, is to see to it and to guarantee that we have expanded our hearing from just a township multiplier base to also those who need the hearing on the Department of Revenue or a county-wide multiplier. Right now, this is... the tax... the State Property Tax Appeal Board hears township multiplier cases, and we're trying to expand it to all multiplier cases. And, also, it makes the burden of proof quite a bit easier on the taxpayer by going through this, rather than having to resort to a court also."

Van Duyne: "Well, but my main thrust is to find out whether or not the individual taxpayer, as well as corporations, would have to still pay their tax to the Treasurer, as compared to withholding that payment to the Treasurer, and then going through the appeal process before they pay the tax. Now, as you can see, this would result in literally millions and millions of dollars in loss of money to the

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County Treasurer and, consequently, to the taxing bodies in the counties if it was reversed."

Bell: "This should not cost any money. All we're trying to do is guarantee the taxpayers that they have a remedy. Right now, the State Property Tax Appeal Board does hear most of these cases. We're trying to guarantee that the taxpayers will also have... will always have a course of action to have their cases heard."

Van Dyne: "Well, I don't know. I think I know the tax procedure; and, as I have stated, when you... when all the procedures of assessment are finally fulfilled and you do get your tax Bill, we are now for... everyone is forced to pay the Treasurer his first installment of taxes. I think the taxes raised in our county are somewhere in excess of 40 million dollars, and I can visualize half of the people not paying their taxes, if there's no penalty. So, I think somebody that's more knowledgeable than I in the tax collection procedures should address themselves to this and find out for sure, before we vote on this Bill, whether or not there would be any penalties attached to a person's refusal to pay his taxes on his first installment. Now, you haven't really answered my question, I don't believe."

Bell: "Well, I'm trying to find out if I can find an exact answer to your question; but, as I understand it, this is not going to cause any loss of revenue. As I understand it, the only thing we're doing is... is guaranteeing the people they'll always have the access to the State Property Tax Appeals Board; because, a few years ago the Board had said that they probably, or they might not continue granting these hearings. We want to guarantee that they will always grant the hearing. And, it should not.. yeah. It should not change the law at all. All this is trying to do is guarantee that they will always have access to this Board.

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It's... It really is not that much of a ..."

Van Duynes: "Well, then there's no reason for the Bill. They have access to the Board right now, and..."

Bell: "Right. They do have access, but the Board has said that they intend to ...or a year ago they said that they intended to quit having that access, to quit granting the hearings, and we want to guarantee that the people, who are township multipliers, that they continue to have the... the right of hearing."

Speaker Ryan: "This Bill is on Short Debate, Gentlemen, and we've had one point of discussion at this point. That's what the rules call for. I guess... one for and one against. Did you want to speak in behalf of it, Representative Yourell?"

Yourell: "Just to assure Representative Van Duynes that this has nothing to do with the interest rate charged on delinquent taxes. We just passed out a Bill to increase that from one percent a month to one and a half percent a month or 18 cents a year. That was designed to get at the tax cheaters who do not pay their real estate property taxes on time."

Speaker Ryan: "Representative Dunn, what did you want to add?"

Dunn, John: "I'd like to ask a question of the Sponsor."

Speaker Ryan: "Okay. Proceed."

Dunn: "Can... Can the Sponsor tell me, in the event the Department of Local Governmental Affairs places a multiplier on assessments back at the county or township level, will this Bill enable a taxpayer whose assessed valuation exceeds one-third of market value, as a result of that equalization, will this Bill afford that taxpayer an opportunity to protest that equalized assessment?"

Bell: "To appeal it, Representative."

Dunn: "And, at the present time, there is ... there is no avenue open for this sort of appeal. Isn't that correct?"

Bell: "At the present time, you can go through the court system,

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and you, practically, have to show fraud. This will be a much easier burden of proof on the taxpayer."

Dunn: "How much time will the taxpayer have for this appeal, after the equalized assessment is made?"

Bell: "I will have to be honest. I do not know how much time."

Dunn: "Okay. Well, if ... That may be something that may need a little further amending, but I think this is a good concept, Mr. Speaker. And I hope that we will all support this legislation, because a number of us, in downstate Illinois at least, are finding that, when multipliers come into our counties, they result, in many instances, particularly in areas where construction of single-family residences is new, in new subdivisions; those subdivisions in those homes, generally, were assessed at close to one-third of market value in the first place. And, when a multiplier lands on a county or a township, it applies to all property within that particular jurisdiction or district. What can happen is that the homeowner, who is affected by this, has an assessed valuation of one-third of market value to begin with, and that valuation exceeds one-third of market valuation, when the multiplier is applied, after equalization. At the present time, there is simply no good avenue of appeal. This would afford the taxpayer an opportunity to go to the Board of Property Tax Appeals and try to bring that assessment back into... into the area where it should be. This is not the best remedy in the world, because it may force them to go out of their county to make this protest, but it is better than no remedy at all. And I urge an 'aye' vote on this Bill."

Speaker Ryan: "Representative Bell, to close."

Bell: "I think that Representative Dunn has done an excellent job of closing, and I would ask for your favorable vote."

Speaker Ryan: "The question is, 'Shall House Bill 2485 pass?'."

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All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 161 voting 'aye', none voting 'no', 2 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2503, Representative Hastert. Read the Bill."

Clerk Leone: "House Bill 2503, a Bill for an Act in relationship to the conveyances of certain public land. Third Reading of the Bill."

Speaker Ryan: "Representative Hastert."

Hastert: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2503 is a land conveyance Bill from the Department of Conservation to the Bristol-Kendall Sanitary District. It's a parcel of land which is about .55 acres, about a little over a half an acre. It's been abandoned by the Department of Conservation since 1954. It's part of an easement for the Yorkville-Bristol... or Kendall-Bristol Sanitary District. There's been an appraisal done on it by the Department of Conservation, and the land conveyances for a half an acre of land is approximately 2900 dollars. I'd like to have your favorable consideration on this Bill."

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

Grossi: "Mr. Speaker, in violation of the rules, I would like to introduce a class from Infant Jesus of Prague in Flossmore, Illinois represented by Representative Jack Dunn, Harry Steczo and Dick Kelly. Up here in the left-hand side of the gallery."

Speaker Ryan: "Welcome to the Illinois House. The question is, 'Shall House Bill 2503 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question

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there are 163 voting 'aye', none voting 'no' and 1 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2577, Representative Stearney. Representative Stearney on House Bill 2577. Is the Gentleman in the chamber? Out of the record. House Bill 2601, Representative Barkhausen. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2601, a Bill for an Act relating to the Lake County Forest Preserve District. Third Reading of the Bill."

Speaker Ryan: "Representative Barkhausen."

Barkhausen: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2601 is a Bill to authorize the Lake County Forest Preserve District to exchange certain tracts of land with two parties in Lake County, the Midwest Diocese of the Serbian Orthodox Church and the Globe Corporation. As you know, any convey... receipt or transfer of land, by a forest preserve district in the state, requires specific authorization of the General Assembly, and that is the reason for this Bill. It was approved unanimously in the Executive Committee, and I would ask for your support."

Speaker Ryan: "Are there any opponents? Representative Pierce, are you an opponent?"

Pierce: "Mr. Speaker, I know nothing about this Bill. The Lake County Forest Preserve didn't have the courtesy to tell me about what land they're getting... public land they're getting rid of, and I know nothing about it. All I know is they're coming here and getting rid of public land, and I certainly haven't been explained why they're getting rid of the public land, why they want to get rid of land. Why would they want to take forest preserve land and trade it off to some Serbian Church somewhere? I don't know what it's all about. I don't think the voters know what it's

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about, and I think it may... it may be ... it may be a desecration of public lands to put them into a private use for a cemetery or something. Is that what it is, a cemetery? I don't know what it is. And so, the Gentleman hasn't explained what he's doing here. He's never told me what he's doing, and I can't vote 'aye', if he's going to take forest preserve land and start trading it off with private interests, some golf company and some Serbian Church. There's always litigation. So, it would seem to me that this is... this is very suspicious. There aren't any appraisals here, and the Lake County Forest Preserve has played around with public lands before. I hope they're not doing it now, and I certainly haven't been convinced to vote for this Bill."

Barkhausen: "I believe the Gentleman asked a question. Let me try to answer it. First of all, I'd like... even though the Midwest Diocese of the Serbian Orthodox Church, and I'd like to assure the Representative this isn't some kind of communist plot. And I was... I was requested to handle this Bill, and I assumed that the principle involved, the Democratic member of the... Chairman of the Forest Preserve District in Lake County had talked to Representatives on the other side of the aisle, as well as myself, because I believe the Representative is a Cosponsor of the Bill, as are all the Lake Members of the Lake County delegation. To... To, specifically, an... specifically answer the questions that have been raised, let me... I didn't think any objections would be raised, and I would, therefore, ask the indulgence of the Body just to take a moment to explain that, specifically, the Forest Preserve is conveying 30.4 acres of farmland to the Church. And, in exchange for the 30.4 acres, it's receiving 41.9 acres, which sounds like a pretty good deal to me. And the

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second part of this arrangement is that then... they are then taking 9.7 acres of the 41.9 acres that they're getting from the Church and conveying that to the Globe Corporation, for which they are receiving 5.87 acres plus a...a cash payment at the rate of 8000 dollars per acre, the appraised value of that land. The reason for this two-way transfer, as the Representative is familiar with the Forest Preserve District's development of trails along the Des Plaines River, one of the... one of the nicest conservation and recreational developments in the state, and this two-way transfer is in furtherance of that recreational development. I, again, would ask the support of this Body."

Speaker Ryan: "Question is, 'Shall House Bill 2601 pass?'. All in favor will signify by saying 'aye', all... by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 110 voting 'aye', 33 voting 'no', and 9 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. It's the intention of the Chair to work until about 3:30 or 4:00 this afternoon and adjourn or recess, I'm not sure at this point, so the Appropriations Committee can do their work. We will definitely be in tomorrow. You can plan on it. I don't know how long, at this point, and there's a possibility that we'll be in Saturday. But you can certainly plan on being here next Monday. That's not in the schedule, but it is now scheduled. We will be in Session next Monday. Representative Kulas, you got that straight? Representative Flinn."

Flinn: "Well, Mr. Speaker, I would like to have a little more information. Some of us have done a lot of hard work in planning a golf tournament, legislative golf tournament,

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the first annual one, if you may, on Monday; and, I would like to know about what time we're expected in here. I realize our legislative duties come first, but we've already went to a lot of trouble, collected the money, in most cases, gathered up the foursomes. It was a day off on the Calendar, and we would not have done it. And there are a lot of tee times already scheduled. People are coming in here on their own time. I would like to have a little bit more information as about Monday's schedule. How about 6:00 p.m.? Would that be... sound nice?"

Speaker Ryan: "Representative John Dunn."

Dunn, John: "Never mind. I'm just disappointed in this news, Mr. Speaker. I don't see why we have to be here tomorrow and Monday and..."

Speaker Ryan: "I didn't hear you, Representative."

Dunn, John: "Well, it's probably just as well. I'm just very disappointed to learn that we're talking about being here all day tomorrow, Saturday and Monday, and I think these Bills are all going to die in the Senate anyway. You can probably put them all on one Roll Call and send them over there and go home. I... Frankly, I'd be..."

Speaker Ryan: "Do you make that Motion, Representative?"

Dunn, John: "I do. I'll make that Motion, yeah. Let's put them all on one Roll Call and let's pass them over there and go home. I so move."

Speaker Ryan: "Gentleman moves... Specific Bills, Representative?"

Dunn, John: "All Third Reading Bills."

Speaker Ryan: "Gentleman moves that all Third Reading Bills pass. The question is, 'Shall all Bills, on the Order of Third Reading pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Beatty, do you seek recognition?"

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Beatty: "Yes, I think that's a pretty good idea. We'll get the Judges their pay raise, which they need badly, and I am voting 'yes'."

Speaker Ryan: "Representative Friedrich, for what purpose do you seek recognition?"

Friedrich: "Well, I think we may be playing with fire here. In the event this fails, I think all those Bills are dead, and I would like to suggest that he withdraw his Motion."

Speaker Ryan: "Your point's well taken, Representative. Have all voted who wish? I would imagine that you can't even put these on Postponed Consideration. Representative Dunn, for what purpose do you seek recognition?"

Dunn, John: "Well, let's make a deal. How about no work on Saturday?"

Speaker Ryan: "What?"

Dunn, John: "And Monday."

Speaker Ryan: "Representative Flinn, for what purpose do you seek recognition?"

Flinn: "Well, I didn't want to interfere with this Motion, but I... I never did get an answer about the Monday thing. There has been a lot of time put in on the golf tournament. A lot of people, other than here, are depending on doing it, and I realize, I say, I realize that our legislative duties come first; but, certainly, the way we mess around here and get in big yelling contests and don't do anything day in and day out, except talk about Bills for an hour at a time and they pass 159 to nothing, I think it's high time we give some consideration for the plans that were made according to the Calendar."

Speaker Ryan: "Representative Peters."

Peters: "Mr. Speaker, I would just suggest and maybe inquire, if this Motion made by Representative Dunn does continue to receive 120 'no' votes, that then means that all of those

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Bills, in that Motion, fail. This Motion can now not be withdrawn, because there is a Roll Call taken and it is on the board. I suggest that there is somewhat of a dilemma now, and those individuals, who have so studied the rule, can perhaps now advise or, at least, suggest a way out of the dilemma they have now presented, once again."

Speaker Ryan: "Representative Collins."

Collins: "Mr. Speaker, I'd like to suggest to Representative Dunn that, if all these Bills do fail as they, apparently, are going to fail, then his next Motion should be that all Bills on Second Reading lie upon the table."

Speaker Ryan: "Representative Yourell."

Yourell: "Yes, Mr. Speaker, would it... would it serve our dilemma any to everybody switch to 'present' that want to salvage this Motion?"

Speaker Ryan: "I don't believe so, Representative. Representative Johnson. Representative Johnson."

Johnson: "Well, there... there doesn't seem to be any order here one way or another. I would just like to... I'm not going to play golf on Monday, but I think a lot of us, when we got a schedule a month ahead of time, set up meetings with constituents and business meetings and so forth. If we really are going to be here on Monday, we're going to have to go back and change all that. Can you give us an idea when we're going to be here on Monday?"

Speaker Ryan: "No, I can't, Representative. It will probably be sometime around noon."

Johnson: "Can you tell me why we get a schedule a month ahead of time and then turn around three days ahead of time, and then we have to change all..."

Speaker Ryan: "Your question's not in order, at this time, Representative. We're on the Order of Third Reading. Representative Telcser."

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Telcser: "Well, Mr. Speaker, on two points. One, I'm not quite sure what your ruling is going to be and whether or not all these Bills pass or fail. It is my view that what you simply did was put a Motion to consider all the Bills at once, and whether or not the Motion fails or not just simply deals with the Gentleman's Motion, not with each individual Bill. And I would also say, Mr. Speaker and Members, that, if the Members would get down to work and not have some meaningless debates and prolonging of debates, we wouldn't have to stay the extra hours. But, as long as there are some Members who want to enter into meaningless debate and filibusters, we're going to be constrained to stay longer."

Speaker Ryan: "Your point is well taken, Representative. Have all voted who wish? Representative Matijevich, one minute to explain your vote."

Matijevich: "No, I thought, to get this Bill on track, why don't you announce it? Then we can reconsider the vote, and then, when we reconsider it, then he can withdraw it."

Speaker Ryan: "I.. I... Representative Telcser stated, and his point was well taken, Representative, that this was only a Motion to consider the Bills. So, if the Motion fails, we won't be able to consider the Bills. Now, Representative Pierce, for what purpose do you seek recognition?"

Pierce: "I think I was going to confirm what Representative Telcser said; that the Gentleman from Macon can't call other people's Bills for passage or defeat. So, his Motion was to consider Bills that weren't before us. It's probably an improper Motion to begin with, but the Chair, in his wisdom, entertained it. And so, I would say the Motion is, basically, a nullity, but someone made a point. I'm trying to figure out what it is. Thank you."

Speaker Ryan: "Are you still a candidate for Attorney General?"

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Pierce: "No, Lieutenant Governor."

Speaker Ryan: "Good. Representative Braun."

Braun: "Thank you, Mr. Speaker. Thank you, Mr. Speaker. I recognize the Chair's prerogative to set the Calendar, but there's some of us who won't be able to be here on Monday, who care about being here to vote on Bills. And I was wondering..."

Speaker Ryan: "Representative, your point is... You're out of order, right now. We're on a vote. We're not voting on Monday. We're... You're out of order. Now, Representative John Dunn."

Dunn, John: "I'm certainly willing to be accommodating, Mr. Speaker, and open to any suggestions."

Speaker Ryan: "Representative John Dunn... Representative Dunn, I understand your Motion was to consider these Bills, and it looks like your Motion's going to fail. So, it won't be able to come clear."

Dunn, John: "That was, in fact, not the Motion, Mr. Speaker."

Speaker Ryan: "Well, that was my understanding; that it was to consider..."

Dunn, John: "Well, that was not the Motion."

Speaker Ryan: "Representative, did you want to restate the other Motion? Another Motion?"

Dunn, John: "The Motion, Mr. Speaker, was that all these Bills pass."

Speaker Ryan: "Well, that Motion would be out of order, as pointed out by Representative Pierce. Representative Flinn."

Flinn: "Well, Mr. Speaker, maybe we could ... a few more of us could vote green 'til we get up to 70. Then we'll put them all on Postponed Consideration."

Speaker Ryan: "Oh, we can all go play golf."

Flinn: "I was going to do that right now; because, for what we're

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doing now, we'd be better off playing golf."

Speaker Ryan: "Take the record, Mr. Clerk. On this question there are 12 voting 'aye', 124 voting 'no', 26 voting 'present', and the Gentleman's Motion fails. On page five, under the Order of House Bills, Third Reading appears House Bill 560, Representative Katz. Out of the record. House Bill 668, Representative Catania. Out of the record. House Bill 995... 955, Representative Vinson. Out of the record. Representative Wolf, do you have an announcement?"

Wolf, J. J.: "Yes, Mr. Speaker, Members of the House, I would just like to announce to the Members of the Appropriation Committee and also to any agency people or witnesses who may be within earshot that the House Appropriations Committee will meet in room 114, immediately after adjournment. We hope to conclude our business tonight, hopefully."

Speaker Ryan: "Representative Madigan. I have been informed by the Parliamentarian that your dissent that you filed on House Bill 2008 is not in order, pursuant to Rule 69, requiring two Members to file a dissent. Your dissent is only filed by one Member, and he's absent today. Representative Madigan."

Madigan: "Mr. Speaker, do the rules permit additional Members to sign that dissent and protest at this time?"

Speaker Ryan: "I didn't hear you, Representative."

Madigan: "Do the rules permit additional Members to sign that dissent and protest, at this time?"

Speaker Ryan: "It requires two, Representative."

Madigan: "Fine, and is it possible to add Representative Matijevich, who wishes to be added to that?"

Speaker Ryan: "Certainly is. If he'll come to the well and sign his name, the dissent will then be in order."

Madigan: "And I have a further question of the Parliamentarian."

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If we receive further rulings from the Parliamentarian, will he specifically rule on the point raised by the Landburg affidavits?"

Speaker Ryan: "Parliamentarian doesn't make rulings regarding any dissents, Representative. They're merely filed and journalized, as your dissent will be."

Madigan: "I thought you just stated, Mr. Speaker, that he rendered a ruling relative to this protest and dissent."

Speaker Ryan: "No, I said... Yeah, he ruled that the dissent was not in order, pursuant to the rules, but he will not rule on the dissent itself."

Madigan: "I see."

Speaker Ryan: "You will be glad when Representative Getty gets back, I'm sure. Representative Telcser."

Telcser: "Mr. Speaker, allowing the Clerk the necessary time he needs, I now move the House stand adjourned until Friday, May 7th, the hour of 11:00 a.m.."

Speaker Ryan: "Gentleman moves the House stand adjourned until Friday, May the 7th, at the hour of 11:00 a.m. All in favor signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the House now stands adjourned."

Clerk Leone: "Introduction and First Reading of Senate Bills. Senate Bill 1288, Reilly, a Bill for an Act concerning a disease. First Reading of the Bill. Senate Bill 1455, Kociolko, a Bill for an Act to amend the Illinois Horseracing Act. First Reading of the Bill. Senate Bill 1470, C. M. Stiehl - Flinn - Slape, a Bill for an Act concerning the authority of the Southwestern Illinois Metropolitan Regional Planning Commission. First Reading of the Bill. Senate Bill 1471, Ralph Dunn - Ted Meyer, a Bill for an Act to amend the Illinois Coal and Energy Development Bond Act. First Reading of the Bill. Senate Bill 1480, Greiman, a Bill for an Act to amend the State

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Comptroller Act. First Reading of the Bill. Senate Bill 1510, Terzich, a Bill for an Act to amend Sections of an Act to authorize sanitary districts to issue full-faith and credit corporate notes in lieu of tax anticipated warrants. First Reading of the Bill. Senate Bill 1518, Keane - Jack Dunn, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1519, McAuliffe, a Bill for an Act to amend Sections of the Criminal Code. First Reading of the Bill. Senate Bill 1530, a Bill for an Act concerning the officers and employees of the Illinois State Board of Investments. First Reading of the Bill. Senate Bill 1650, Younge - Stewart, a Bill for an Act to amend Sections of the Capital Development Board Act. First Reading of the Bill. Senate Bill 1653, Giglio, a Bill for an Act in relationship to land acquisition, engineering, reconstruction and finance of airports. First Reading of the Bill. Being no further business, the House now stands adjourned 'til Friday, May 7th at 11:00 a.m."