

STATE OF ILLINOIS  
83RD GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

108th Legislative Day

April 26, 1984

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. All unauthorized personnel will leave the House floor. We shall be led in prayer today by the Reverend Sammy L. Hooks, Pastor of St. John's Methodist Church in Springfield. Reverend Hooks is a guest of Representative Michael Curran. Would the guests in the gallery please rise to join us in the invocation?"

Reverend Hooks: "We're gathered here today to give praise to God for this day He has made, and we all ought to be glad in it. Let's bow our hearts in meditation. Oh Mighty God, we Lord and magnify Thy holy name evermore given Thee the praises for we have all sinned. But yet Thou has allowed us to assemble here today to administer the business at hand. We ask as we labor that we might be able to reason one with another without cursing and swearing, that the words of our mouths be the words of blessings. Now we ask in the name of Jesus that old grudges pass away, that we might be new creatures in Christ. We ask that our minds be stayed on Thee that our ears might hear, our eyes might see and that our tongues might be guided. We pray for power over flesh. We pray for wisdom. We pray for understanding and we pray for love, peace, joy and all good gifts that this day might be a day that we shall be called blessed. Now if it be Thy will grant this prayer in the precious name of Jesus. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Ropp."

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

Speaker Madigan: "Roll Call for Attendance. Mr. Matijevich, are

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there any excused absences?"

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, on this side of the aisle the excused absences are Representative Christensen and Representative Taylor."

Speaker Madigan: "Would the record reflect those excused absences? Mr. Fiel."

Piel: "Yes, Mr. Speaker, we have no excused absences at this time. Thank you."

Speaker Madigan: "Thank you Mr. Fiel. Have all voted who wish to record themselves? The Clerk shall take the record. There being 114 Members responding to the Attendance Roll Call, there is a quorum present. Committee Reports."

Clerk O'Brien: "Representative Christensen, Chairman of the Committee on Aging, to which the following Bills were referred, action taken April 26, 1984, reported the same back with following recommendations: 'do pass' House Bills 2707 and 2751; 'do pass as amended' House Bill 2560. Representative Steczo, Chairman of the Committee on Counties and Townships, to which the following Bills were referred, action taken April 25, 1984, reported the same back with following recommendations: 'do pass' House Bills 2662, 2740, and 2812; 'do pass as amended' House Bill 2559; 'do pass Short Debate Calendar' House Bill 2291 and 2887. Representative Huff...Representative Stuffle, Chairman of the Committee on Economic Recovery, to which the following Bills was referred, action taken April 26, 1984, reported the same back with following recommendation: 'do pass' House Bill 2175. Representative Nash, acting Chairman of the Committee on Elections, to which the following Bills were referred, action taken April 25, 1984, reported the same back with following recommendations: 'do pass' House Bills 2853 and 3033; 'do pass as amended' House Bill 2483; 'do pass Short Debate' House Bill 2420; 'do pass as amended

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Short Debate\* House Bill 2596. Representative Van Duyne, Chairman of the Committee on Energy, Environment and Natural Resources, to which the following Bills were referred, action taken April 25, 1984, reported the same back with following recommendations: 'do pass' House Bills 762 and 2833; 'do pass as amended' House Bill 2787; 'do pass as amended Short Debate' House Bill 2359. Representative Satterthwaite, Chairman of the Committee on Higher Education, to which the following Bills were referred, action taken April 25, 1984, reported the same back with following recommendation: 'do pass' House Bill 2400; 'do pass as amended Short Debate' House Bill 2328; 'do pass Consent Calendar' House Bill 2815; 'do pass as amended Consent Calendar' House Bill 2619; 'be adopted' House Resolution 364. Representative Jaffe, Chairman of the Committee on Judiciary, to which the following Bills were referred, action taken April 25, 1984, reported the same back with following recommendations: 'do pass' House Bills 2253, 2805 and 2670; 'do pass as amended' House Bill 2486 and 2186, Senate Bill 671 and Senate Bill 541; 'do pass as amended Consent Calendar' House Bill 1935; 'tabled in Committee' House Bill 1801. Representative Kulas and Domico, Chairmen of the Committee on Registration and Regulation, to which the following Bills were referred, action taken April 25, 1984, reported the same back with the following recommendations: 'do pass' House Bill 2511; 'do pass as amended' House Bill 2434."

Speaker Madigan: "The Chair recognizes Representative Hoffman for the purpose of a Motion."

Hoffman: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I would move that we waive the posting requirement for a number of Bills that I will read off which were considered in the Rules Committee this morning which will

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allow the Sponsor to these Bills to have them heard in Committee next week. The Bills are as follows: 2472, 2613, 2753, 2818, 2899, 2912, 2923, 2935, 2967, 2975, '76, '77, '78, '79, '80, '81, '82, '83, '84, concluding that series with 2985, 3024, 3052, 3086, 3106, 3165, 3188, 3225, 3227, and concluding with 3243. Mr. Speaker I renew my Motion that the posting requirements be waived for the Bills that I have just read."

Speaker Madigan: "The Gentleman moves to suspend the posting requirements to permit the consideration of Bills in Committee next week which were approved for consideration by the Rules Committee this morning. Is there leave? Leave is granted. The posting requirements are hereby suspended to permit the consideration of those Bills in the appropriate Committees next week. Mr. Clerk, Messages from the Senate."

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives the Senate has adopted the following Senate Joint Resolution, the adoption of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Joint Resolution #106 and Senate Joint Resolution #82, adopted by the Senate April 25, 1984. Kenneth Wright, Secretary."

Speaker Madigan: "On page 11 of the Calendar on the Order of Constitutional Amendments Second Reading there appears HJRCA 20. This Constitutional Amendment was just reported by the Committee yesterday, and the Clerk will now proceed to read this Amendment for the second time. Mr. Clerk."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #20. Resolved, by the House of Representatives of the 83rd General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the

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electors of the state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Section 9 of Article VII of the Constitution to read as follows: Article VII, Section 9. Salaries and Fees. (A) Compensation of officers and employees and the office expenses of units of local governments shall not be paid from fees collected. Fees may be collected as provided by law and by ordinance. (B) An increase or decrease in the salary of an elected official of any unit of local government shall not take effect during the term for which that officer is elected. Schedule. This Amendment to Section 9 of Article VII of the Constitution takes effect upon its approval by the electors of this state. Second Reading of the Constitutional Amendment."

Speaker Madigan: "On the Order of Constitutional Amendments Second Reading, on page ten of the Calendar, there appears HJRCA 1. This Resolution has been read a second time, and that matter shall now be moved to Third Reading. Let's strike the movement of the Resolution to Third Reading. Let's place the matter on the Order of Second Reading. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #1. This Resolution has been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any further Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Madigan: "This Resolution shall be placed on the Order of Third Reading. On page 11 of the Calendar there appears HJRCA #14. Mr. Clerk."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment

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#14. This Constitutional Amendment has been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Madigan: "Third Reading. On the Order of Constitutional Amendments Second Reading, on page 11 of the Calendar, there appears HJRC #5. Mr. Clerk."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #5. This Constitutional Amendment has been read a second time previously. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Daniels - Vinson. This Amendment has been read in full previously."

Speaker Madigan: "Mr. Hoffman are you prepared to offer the Amendment?"

Hoffman: "No."

Speaker Madigan: "Could we pass over this and then come back to you? We are under a time constraint, so the Amendment must be offered today. So let us take HJRC 5 out of the record; and, on the same Order of Business, there appears HJRC 6. Mr. Clerk."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #6. This Constitutional Amendment has been read a second time previously. No Committees Amendments."

Speaker Madigan: "Are there Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Friedrich, Dwight."

Speaker Madigan: "Mr. Friedrich. Mr. Friedrich. Mr. Friedrich, we are on the Order of Constitutional Amendments Second Reading and in particular HJRC 6, sponsored by Mr. Terzich, which is an Amendment to Section 9, Article IV of the Constitution as it relates to the Veto Procedure. Let

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us take this out of the record for just a minute to permit Mr. Friedrich to prepare himself. Let us put in the record HJRCA 8. Mr. Clerk."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #8. This Constitutional Amendment has been read a second time previously. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. HJRCA 13, Mr. Clerk."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #13. This Constitutional Amendment has been read a second time previously. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Taylor, amends House Joint Resolution Constitutional Amendment #13 and so forth."

Speaker Madigan: "Mr. Hoffman, are you prepared? Mr. Clerk, let's take this matter out of the record and let us go to HJRCA 5 where there is an Amendment; and, on the Amendment, the Chair recognizes Mr. Hoffman. For what purpose does Mr. Fiel seek recognition?"

Piel: "A question of the Clerk. Has that Amendment been distributed?"

Speaker Madigan: "Why don't you ask the Sponsor of the Amendment?"

Piel: "Well the Sponsor of the Amendment might not know, but the Clerk might."

Speaker Madigan: "Mr. Friedrich, are you prepared? Okay. Let's take HJRCA 5 out of the record and let us go to HJRCA 6 where there is an Amendment offered, and the Chair recognizes Mr. Friedrich."

Friedrich: "Thank you, Mr. Speaker, for accommodating me to get prepared here. The Amendment I have merely limits the Amendatory Veto to technical errors or matters of form. I

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can tell you and I'm sure, Mr. Speaker, you're aware, too, that at the Constitutional Convention, it was never intended for the Governor to have the broad powers that the courts have given through their interpretation. So this merely limits the Governor's Amendatory Veto to the correction of technical errors and matters of form. It does not do any damage to the other part of the Resolution."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Is there any discussion? Mr. Terzich."

Terzich: "Well, I did not speak to the Sponsor of this Amendment to this Constitutional Amendment. However, my Constitutional Amendment simply will stipulate that if no action is taken on a piece of legislation after the Amendatory Veto, that this would give a time schedule to either have the legislation become law or be defeated. There's been a number of pieces of legislation that the Legislature has agreed to the Amendatory Veto, put on the Governor's desk and we never hear from it, and this will simply give these guidelines. I don't really know why he wants this Amendment put on, because I haven't really reviewed it."

Speaker Madigan: "Mr. Terzich are you standing in opposition to the Amendment?"

Terzich: "Well, for the time being, because I didn't see the Amendment. If the Sponsor would like to talk to me, I will just leave it where it's at and then we'll take it up a little later."

Speaker Madigan: "Mr. Friedrich, you may not have heard over the din arising from the floor. Mr. Terzich is the Sponsor of the Resolution, and he indicated that he might like to talk to you about your Amendment. Maybe it would facilitate..."

Friedrich: "I'd be delighted."



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Speaker Madigan: "Fine."

Friedrich: "I wouldn't mind to include you in the conversation, too, Mr. Speaker, since you've shown an interest in this matter."

Speaker Madigan: "Fine, very good. So, let us take this matter out of the record. Mr. Cullerton, are you prepared?"

Cullerton: "Mr. Speaker, I believe that that Amendment has not been distributed. We don't have it in our file. Representative Taylor's Bill..."

Speaker Madigan: "Resolution."

Cullerton: "Resolution. I don't believe we have a copy of the Amendment."

Speaker Madigan: "I see. Okay. Well, if the Amendment has not been printed and distributed then we will not be able to consider this Resolution."

Greimain: "Maybe it has been. Maybe we can ask the Clerk. Has it been printed and distributed?"

Speaker Madigan: "Okay. The Page indicates that the Amendment has not been printed and distributed. So, therefore, we will not be able to consider HJRCA 13 today which may constitute an impediment to the further consideration of this Amendment. Mr. Cullerton."

Cullerton: "Well then perhaps we should move ahead with the Constitutional Amendment. Whoever offered the Amendment did not have it in time to have it printed and distributed so perhaps we should..."

Speaker Madigan: "Mr. Clerk, who is the Sponsor of the Amendment?"

Clerk O'Brien: "Representative Taylor."

Speaker Madigan: "Well, it's Mr. Taylor's Resolution. It's his Amendment. I think that we better just take it out of the record. So HJRCA 13 shall be taken from the record. Is Mr. Hoffman ready?"

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Hoffman: "Excuse me, Mr. Speaker. I would like to wait about two minutes."

Speaker Madigan: "Fine."

Hoffman: "Two."

Speaker Madigan: "On the same Order there appears House JBCA 20. Mr. Clerk."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #20. This Resolution has been read a second time previously. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. On page ten of the Calendar on the Order of the Consent Calendar Third Reading there appears a series of Bills. Mr. Clerk."

Clerk O'Brien: "Consent Calendar Third Reading, Second Day. House Bill 1427, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 2395, a Bill for an Act to amend an Act in relation to fire protection districts. Third Reading of the Bill. House Bill 2398, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. House Bill 2488, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Madigan: "The question is, 'Shall these Bills pass?' All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? We are on the Order of the Consent Calendar. Have all voted who wish? This is a Third Reading Roll Call. Have all voted who wish? The Clerk shall take the record. On this question there are 96 'ayes', 1 'no'. These Bills, having received a Constitutional Majority, are hereby declared passed. On the Order of Constitutional Amendments there appears HJBCA 6 where an Amendment has been offered by Mr. Friedrich. Mr. Friedrich, on your Amendment."

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Friedrich: "Mr. Speaker, again this Amendment which affects the Amendatory Veto of the Governor would limit his Amendatory Veto to technical...or to correct technical errors and matters of form. It would not let him change the substantive part of the Bill as has been the practice. I'll tell you how we got this way. In the Executive Article Committee of which I was a Member, we intended this Amendatory Veto to be used to clear up technical errors and so on without having to resubmit a Bill. And in the explanation I think it was Senator Netsch asked the question, 'Well, I guess if he can do that, the Governor can literally rewrite a Bill.' And the person who was presenting it said, 'Yes, I guess that's right.' And on that answer the court has hung their opinion that the Governor literally can rewrite a Bill. It was not the intent of the Constitutional Convention, and I don't think it's desirable that he should be able to do that, although every Governor since 1970 has done it. That's all this Amendment does."

Speaker Madigan: "The Gentleman moves for the adoption of Amendment #1. On that question, the Chair recognizes Mr. Terzich. The Gentleman indicates that he does not wish to debate the question. The question is, 'Shall Amendment #1 be adopted?' Those in favor signify by saying 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Hoffman. On the Order of HJRCA 5, there is an Amendment offered by Mr. Daniels. The Amendment will be handled by Mr. Hoffman. Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, ladies and Gentlemen of the House. The Amendment...Amendment #1 to HJRCA 5 adds some language to Section 3 on election. Currently, the

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Constitution reads that all elections shall be free and equal, and the Sponsors of the Amendment wish to add the following language to clarify that rather succinct sentence. And what they want to add is that the entitlement to vote of any elector of this state shall not be usurped. The exercise of the right to vote of any elector of this state shall not be expropriated. No elector of the state shall be denied the right to have his or her vote accurately tabulated. And, Mr. Speaker, Ladies and Gentlemen of the House, I move the adoption to... of Amendment #1 to HJBCA 5."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. On that question, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, I'd like to make parliamentary inquiry as to what the status of this Amendment or proposed Amendment would be should this Amendment be adopted to it. The original Amendment deals with Article III, Section 1 of the Constitution. This Amendment deals with another Section of the Constitution, and I would question whether it would be permissible to place this into the proposition that seeks to be amended."

Parliamentarian Pollak: "On behalf of the Speaker, the Amendment is nongermane. The Constitutional Amendment deals with the qualifications for the voting, and the Amendment deals with who is entitled to vote."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker. I would appreciate a citation on that ruling. My understanding was that you could only include one Article, and this is in the same Article."

Speaker Madigan: "Well, my thought was it would have been nice if Representative Satterthwaite had raised that objection before we sent you scurrying around to find out what the

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Amendment was all about."

Hoffman: "I did that already, Sir."

Speaker Madigan: "I know... So, the Lady's point is well taken. The Amendment is not germane. Are there any further Amendments? Mr. Hoffman, we will get back with you with the citation."

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "No further Amendments. Third Reading. If I could have your attention, Ladies and Gentlemen. The plan of the Chair relative to Constitutional Amendments is to provide that where necessary the Amendments will be read in Perfunctory Session. For Constitutional Amendments there is a requirement that the Amendment be read three times in the House. So, if there is an Amendment to the Amendment, then you need three new Readings. Some of these Amendments have been amended. If they are to be considered by the House in a timely fashion so that there would be time for consideration in the Senate, then we need time for reading of the Amendments, and that will be done in Perfunctory Session today, tomorrow and Monday so that when we come into Session on Tuesday, all of these Amendments will have met the requirement of three readings and will be ready to be considered on Tuesday for final passage. On page four of the Calendar on the Order of House Bills, Second Reading Short Debate Calendar, there appears House Bill 1594. Mr. Leverenz, do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1594, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

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Clerk O'Brien: "No Floor Amendments."

Speaker Madigan: "Third Reading. House Bill 1734, Mr. Pierce. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1734, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Madigan: "Third Reading. House Bill 2390. For what purpose does Mr. Piel seek recognition?"

Piel: "Question of the Clerk. Has Amendment #1 already been adopted to 1734? According to our Calendar it has, but I wasn't sure if it had."

Speaker Madigan: "Mr. Clerk...Mr. Piel, could you repeat that?"

Piel: "According to the Calendar it says that Amendment #1 has already been put on the Bill, and I was just checking to make sure it had been called."

Speaker Madigan: "It was a Committee Amendment, Mr. Piel. There was a Committee Amendment adopted to the Bill, and there were no Motions filed relative to that Amendment."

Piel: "Thank you."

Speaker Madigan: "Thank you. So the Bill shall be placed on the Order of Third Reading. House Bill 2394. Mr. Steczo indicates that he does not wish to call his Bill. House Bill 2507, Mr. Wolf. Mr. Wolf indicates he does not wish to call his Bill. House Bill 2521, Mr. Giorgi. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2521, a Bill for an Act in relation to the interest rates on special assessments in certain sanitary districts. Second Reading of the Bill. No Committee Amendments."

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Speaker Madigan: "Are there any Committee Amendments?"

Clerk O'Brien: "No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bills Second Reading. House Bill 328, Mr. Hallock indicates he does not wish to call his Bill. House Bill 713, Mr. Fierce. Mr. Fierce indicates he does not wish to call his Bill. House Bill 1334, Mr. Terzich. Mr. Terzich, do you wish to call your Bill? Mr. Terzich? Mr. Terzich, you are the Sponsor of House Bill 1334. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1334, a Bill for an Act to amend Sections of an Act to create sanitary districts and remove obstructions in the Des Plaines and Illinois Rivers. Second Reading of the Bill. Amendments #1 and #2 were adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Madigan: "Third Reading. House Bill 2366, Mr. Panayotovich indicates he does not wish to call his Bill. House Bill 2369, Mr. Brookins. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2369, a Bill an Act to create the Probation Challenge Program. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Committee Amendments?"

Clerk O'Brien: "Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, Brookins, amends..."

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Speaker Madigan: "Mr. Brookins, on Floor Amendment #2."

Brookins: "Yes, Mr. Speaker, I would like to amend the Bill to bring it into compliance with some objections that was raised concerning the probation, Cook County Adult Probation Department."

Speaker Madigan: "The Gentleman moves for the adoption of Amendment #2. On that question, Mr. Johnson."

Johnson: "Representative Brookins, is that all Amendment #2 does?"

Brookins: "No, it does a couple of other things. Number one, it also makes the claim on the probation officer and accountable to the probation officer. It also makes him accountable to the Cook County Adult Probation officer."

Johnson: "It does more than that though, too, doesn't it? Matter of fact, didn't you sell this Bill in the Judiciary Committee as an experiment in Cook County and a number of people voted for it under the premise that, as a Cook County experiment and Cook County paying for it, we should allow Cook County to do its own thing? You had witnesses in and presented testimony and so forth. As I understand this Amendment, it provides that the state's going to bear the cost of your experimental program. Is that right?"

Brookins: "That is right, and that is the way it was sold in Judiciary, also."

Johnson: "Well, that's not the way it was explained to us."

Brookins: "I think it was if you'll check...jog your memory."

Johnson: "If we adopt the Amendment, you're right. That's what we'll do."

Brookins: "And it was also that way in Committee."

Johnson: "Well, for downstate Legislators who want to pay for Cook County's experiment with a probation program, then I guess you should vote for it. If your a downstate Legislator who believes as I do that while this may be



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worthy program, and it may not be a worthy program, its something we should let the Cook County Administrative Procedures pay for, then you should vote no on the Amendment and the Bill."

Speaker Madigan: "Mr. Fiel, are you seeking recognition?"

Piel: "Yes, will the Gentleman yield for a question?"

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

Piel: "Representative Brookins the noise level is a little bit high, and I wasn't sure if the question was answered or not. But could you tell us what the approximate cost, if this Amendment if it goes on, will be to the State of Illinois?"

Brookins: "Yes it, was approximately \$750,000."

Piel: "Do you have a fiscal note in reference to that?"

Brookins: "Yes."

Piel: "Has it been filed?"

Brookins: "It's supposed to have."

Piel: "If this Amendment goes on?"

Brookins: "The fiscal note wasn't needed. It has a separate appropriation Bill."

Piel: "That wasn't my question. My question was, 'Has it been filed?' And you said, 'Yes'. Has it been filed with the Amendment on?"

Brookins: "No, there is no fiscal note."

Piel: "Thank you very much."

Speaker Madigan: "Mr. Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Representative Brookins, would you yield for a question?"

Brookins: "Yes."

Bullock: "Representative Brookins, one of the previous speakers mentioned that this proposition, which we are really not debating until they gets to Third Reading, I presume. We

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are talking about the Amendment. He talked about downstate Legislators financing this program. Do you have any idea what it costs to incarcerate someone in the State of Illinois in one of the state institutions?"

Brookins: "Yes, it costs roughly forty some thousand dollars per year."

Bullock: "Is that per individual?"

Brookins: "Per individual."

Bullock: "And I'm certain that you don't have it at your fingertips but you could pick up later on as to the number of inmates in state institutions that are from the City of Chicago and the County of Cook."

Brookins: "No, I don't."

Bullock: "One of the things, Mr. Speaker, Ladies and Gentlemen of the House, that Representative Brookins is trying to do, forget the Amendment, is that he is trying to create an alternative to incarceration which we all support. The alternative is certainly much cheaper than the price of incarceration and he's cited views, even though the statistics may be somewhat on the liberal side, it certainly would equal out in my estimation about \$20,000 a year which is what it costs to incarcerate someone in one of our state institutions. And for \$750,000 I think that's a drop in the bucket to incarceration. And so with that in mind, I hope those of you who are listening to the debate and remarks would not be prejudiced by one of the previous speaker's remarks in this being a downstate Chicago issue. It certainly is not and should not be, and it should be decided strictly on the merits."

Speaker Madigan: "Representative Jaffe."

Jaffe: "Yes, Mr. Speaker, I rise in support of this Amendment. I don't know what all the tumults is about. This Amendment doesn't talk about costs at all. The costs are in the Bill

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itself. We should really limit our remarks to this particular Amendment, and all that this Amendment does is that it adds reporting requirements that were asked for by the Probation Department. That's all we are talking about in Amendment #2. Don't get Amendment #2 confused with the Bill. I think that some of the Gentlemen gave speeches against the Bill. We're not on the Bill. We are on Amendment #2. We're on an instance in the Bill where the probation officers have asked that a reporting requirement be put in the Bill. It's cleanup language. There is nothing to this particular Amendment outside of cleanup language and I would urge an 'aye' I vote on it."

Speaker Madigan: "Mr. Huff."

Huff: "Thank you, Mr. Speaker. I rise on a point of information. The question was raised by one of the previous speakers as to the number of inmates in our penal system. I believe that number to be about 16,000 and growing, and 98% of those inmates come from Representative Brookins' and my district. This Amendment clearly is an attempt to cut some of that penal cost of \$20,000 per inmate. It's a good Amendment."

Speaker Madigan: "Mr. Johnson."

Johnson: "I realize I have spoken in debate, but I think Representative Brookins wouldn't object to just clarifying against the matter of parliamentary inquiry. I've looked at the Bill and I've looked at your Amendment; and, on line 4 and 5 of the Amendment, the language is, quote, 'the state shall bear the cost necessary to carry out the functions of such program'. The original Bill doesn't provide that in any way, and Representative Jaffe, if he says that this is a...The original Bill clearly didn't provide that the state would pay the cost of it. This Amendment says that statewide we're gonna pay the cost of the Cook County

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Program. I think you ought to at least honestly tell the Members of the Legislature that the Amendment does change that aspect of the Bill."

Speaker Madigan: "Mr. Erockins."

Brookins: "Yes, that was Representative Brummer's complaint in Committee as you remember. So we put that in as to clarify that."

Johnson: "But the fact is the Bill as you passed it in Committee didn't provide for statewide funding. This Amendment now provides that all 102 counties fund the Cook County Program and you said in answer to my previous question that it didn't do that, and it absolutely does that."

Brookins: "I've been advised by my staff that it does not provide."

Johnson: "Well show where in the Amendment or the Bill that I'm wrong. I'm just reading from the first page of your Amendment, and I'm looking at the same provision in the original Bill. And that's an absolute, clear additional provision."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker. Representative Johnson, perhaps I can be of some assistance here, because I do recall what happened in Committee. It's true that, I believe Representative Brummer raised the point, that the Bill didn't say that the state was going to pay for the cost of the program. It was represented by the Sponsor of the Bill, however, that that was what his intention was. The Bill was voted on in Committee with the understanding that it was going to be paid for by the state. So he views this Amendment as trying to fulfill and clarify what was represented as a problem in the Committee. So the intention in the Committee was that the state would pay for it if the state...set up by the state, and the intention of

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the Sponsor right now is that the state will pay for it. And that's the purpose of the Amendment. So I don't think anyone intentionally is trying to misrepresent what the Amendment does. They do it as a clarification, but you are absolutely correct when you say that this Amendment would specifically require the state to pay for the Program."

Speaker Madigan: "The question is 'Shall Amendment #2 be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. The question is on the Amendment to the Bill. Those in favor of the Amendment shall vote 'aye', those opposed to the Amendment shall vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 60 'ayes' and 52 'nos'. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Strike that from the record and let the record show that there has been a request for a fiscal note. Therefore, the Bill will remain on the Order of Second Reading until the fiscal note has been filed with the Clerk, and the record shall reflect that the Bill will remain on the Order of Second Reading. House Bill 2371, Mr. Mulcahey. Do you wish to call your Bill? The Sponsor indicates he does not wish to call his Bill. House Bill 2379. Mr. Bowman, do you wish to call your Bill? Mr. Bowman indicates he does not wish to call his Bill. House Bill 2381, Mr. Hannig. Mr. Hannig, do you wish to call your Bill? 2381? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2381, a Bill for an Act to add Sections to an Act concerning public utilities. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Committee Amendments?"

Clerk O'Brien: "No Committee Amendments."

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Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Erien: "None."

Speaker Madigan: "Third Reading. House Bill 2384, Mr. Matijeovich. Do you wish to call your Bill? The Sponsor indicates he does not wish to call his Bill. House Bill 2388, Mr. Ewing. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2388, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Committee Amendments?"

Clerk O'Brien: "Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, Pierce."

Speaker Madigan: "Mr. Pierce, on Amendment #2."

Pierce: "Floor Amendment #2 makes sure that the advantages of this Bill are limited to 1984 and 1985 assessment years, because we don't know what's going to happen in the future and we have to sunset this limitation on assessments. It will not prevent the Bill from taking effect in 1984, tax bills that are received in 1985, and will continue...it will continue the limitation for 1985, but after that, after that, after the tax is paid in '86, the sponsors of the legislation, the Illinois Farm Bureau and the school boards who wanted it, will have come back to this Legislature to find another good Sponsor for the Bill or the same one, we hope, and extend it. So what the Amendment does is limit the benefits of the Bill to two assessment years, 1984 and 1985."

Speaker Madigan: "The Gentleman moves for the adoption of Amendment #2. On that question, the Chair recognizes Mr. Ewing."

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Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I oppose this Amendment. This Bill is pretty much an agreed Bill and, to make it reviewable in two years, could deprive many of our units of local government and schools in two years of the needed tax assessment base which they need to operate. Everything we pass down here is reviewable each year. It would be foolish to put on an Amendment on every piece of legislation saying it was reviewable in two years or three years, and I would ask for this Amendment to be defeated."

Speaker Madigan: "Mr. Stuffle."

Stuffle: "Mr. Speaker, Members of the House, I agree with Representative Ewing. This was thrashed out rather carefully, in my opinion, by all parties. The fact of the matter is that the Bill in its current form places, I think, some reasonable caps on revenue, both up and down in terms of a percentage cap in possible lost revenue due to the Farm Assessment Law and its implications or increases. To do what this Amendment does places potentially school districts and others in grave jeopardy down the line on an issue too important, I think, to deal with on this two year limitation basis as the Amendment does. I think Representative Ewing's absolutely right in his opposition. It's been a bipartisan effort to date by school districts, by farm groups and others to attempt to deal with the unforeseen circumstances that have surrounded the Farm Assessment Law in terms of what has been a depression on the family farm. I don't think we should place the limitations of the Amendment on the Bill. I think the Bill is in good shape the way it is, and the Amendment ought to be defeated."

Speaker Madigan: "Mr. Brummer."

Brummer: "Yes, I rise in opposition to Gentleman's Amendment."

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Originally, when we passed the Farm Land Assessment, there, in fact, were limitations up and down. Unfortunately, those sunsetted. Had those not sunsetted, we would not be faced with the relative crisis that we are today. I think it would be foolhearty to now put limitations up and down and sunset those within a couple of years. We ought to leave those limitations in place on a permanent basis. Of course, any future Legislature can come in and do what they deem best at that time, but we ought not to manufacture a problem two years from now that may not exist at all, and we ought to defeat this Amendment."

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

Pierce: "Mr. Speaker, the country boys are pulling the wool over our eyes today. You try to get a 10% cap on the increase of your home taxes or the decrease, either way, and they'll vote it against it. And they'll berate you, and they'll criticize you. They passed the Farm Land Assessment Bill. They put the sunset into it and then when it didn't work right, as a lot of us predicted it wouldn't because farm values and productivity fell with the drought and so on last year and with the Reagan economic programs and the value of the farms and productivity went down, then they come crying in here and they want a 10% limit down and a 10% limit up. And I sympathize with them, because they're my brothers. And because they're my brothers and because they're in trouble I say alright for 1984 if you don't want your assessment to drop more than 10%, fine; and, for 1985, fine. But what is happening now is the farmland values are leveling. So what they're doing by continuing it beyond 1985 is to hurt the schools. Representative Stuffle actually spoke today as enemy of schools, because what will happen starting with the assessment year '86, as these values go up, he's capped the increase to the school



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districts of their revenue and starting in 1986 he'll be an enemy of the schools, unless, unless when he passed this Amendment which limits the cap to 1984 and 1985. Everyone knows that the fall in farm prices has now stopped and that in the future they will be going up; and, if we keep this cap on, they've got a cap on their farm property that we don't have on our residences or our commercial property. So, because of the emergency, I'm going to support this Bill with a two year limitation covering 1984 and 1985 assessments, and that's why I am moving the adoption of Amendment #2 to House Bill 2388."

Speaker Madigan: "Those in favor of the Amendment will vote 'aye', those opposed will vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 47 'ayes', 64 'nos'. The Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Ewing, amends House Bill 2388 as amended in Section 1 and so forth."

Speaker Madigan: "Mr. Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, the Bill as drafted did not have an effective date, and this Amendment merely puts an immediate effective date in the Bill."

Speaker Madigan: "The Gentleman moves for the adoption of Amendment #3. On that question, Mr. Cullerton."

Cullerton: "I wondered if the Amendment was distributed."

Speaker Madigan: "Has the Amendment been distributed? This Amendment has not yet been distributed, Mr. Ewing."

Cullerton: "Trying to go too fast, Representative."

Speaker Madigan: "Mr. Ewing."

Ewing: "Mr. Speaker, this Amendment was filed a week ago."

Speaker Madigan: "Okay."

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Cullerton: "It got lost in the bowels."

Speaker Madigan: "Mr. Ewing, I can only look to the Chief Page who tells me that the Amendment has not been distributed. So we'll have to come back to this at a later time." Ewing: "Thank you."

Ewing: "Thank you."

Speaker Madigan: "Thank you. This Bill shall be taken out of the record and left on the Order of Second Reading. One the Order of House Bill 2429, Mr. Wolf. The Gentleman indicates he does not wish to call his Bill. House Bill 2431, Mr. Farley. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2431, a Bill for an Act to amend Sections of the Code of Civil Procedure. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Committee Amendments?"

Clerk O'Brien: "Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, Farley."

Speaker Madigan: "Mr. Farley."

Farley: "Thank you, Mr. Speaker. Amendment #2 just provides for an effective date, and I would move for the adoption."

Speaker Madigan: "The Gentleman moves for the adoption of Amendment #2. Is there any discussion? There being no discussion, the question is, 'Shall the Amendment be adopted?' Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 2441, Mr. Mulcahey. The Gentleman indicates he does not wish to call his Bill. House Bill 2462, Mr. Flinn. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 2462, a Bill for an Act to amend Sections of the Uniform Disposition of Unclaimed Property Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Cullerton, amends House Bill 2462."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a technical Amendment, amends the Bill on line 21 after the word 'hearing' by inserting the 'word conducted by a hearing officer'. I ask for the adoption of the Amendment."

Speaker Madigan: "Is there any discussion? The question is 'Shall the Amendment be adopted?' Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 2464, Mr. Greiman. The Gentleman indicates he does not wish to call his Bill. House Bill 2522, Mr. Giorgi. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2522, a Bill for an Act in relation to certain sanitary districts and amending Acts herein named. Second Reading of the Bill. No Committee Amendments. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 2523, Mr. Giorgi. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2523, a Bill for an Act in relation to emergency purchases of services or material by certain sanitary districts. Second Reading of the Bill. No Committee Amendments."

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Speaker Madigan: "Are there any Committee Amendments?"

Clerk O'Brien: "No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 2545, Mr. Laurino. The Gentleman indicates he does not wish to call his Bill. House Bill 2549, Mr. Capparelli. Mr. Capparelli? House Bill 2592, Mr. Matijevich. Do you wish to call your Bill? The Gentleman indicates he does not wish to call his Bill. House Bill 2659, Mr. Leverenz. Mr. Clerk read the Bill."

Clerk O'Brien: "House Bill 2659, a Bill for an Act making certain appropriations to the State Board of Elections. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Amendment #2 was tabled in Committee. Floor Amendment #3, Berrios, amends House Bill 2659 as amended."

Speaker Madigan: "Mr. Berrios. Is Mr. Berrios on the floor? Mr. Leverenz."

Leverenz: "I would hope Representative Berrios... We took this out of the record as a courtesy to him yesterday. I know what the Amendment does. I do not care to have the Amendment on the Bill, and I'd move to table the Amendment."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. I believe I was the Cosponsor with Representative Berrios who just handed me the legislation and a note on it that, because he could not be hear right now, he would like...he and I together as Cosponsors of the Amendment in the Appropriations Committee, would like to table Amendment #3 to House Bill

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2659 or withdraw it. I'm sorry. He also made the same request of Representative Capparelli."

Speaker Madigan: "Mr. Mautino, do you plan to offer the Amendment?"

Mautino: "No, Sir."

Speaker Madigan: "Mr. Leverenz has moved to table Amendment #3. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. Amendment #3 is tabled. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 2663, Mr. Matijevich. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2663, a Bill for an Act to amend...a Bill for an Act making appropriations to the Supreme Court. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 2664, Mr. Matijevich. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2664, a Bill for an Act making appropriations to the Supreme Court. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bills Third Reading, Short Debate Calendar. We are now on the Order of Third Reading. Mr. Matijevich, would you come to the podium? House Bill 2166, Mr. Hicks. Do you wish to call your Bill? Is Mr. Hicks in the chamber? House Bill 2365, Mr. Fangle. Do you wish to call your Bill? Mr. Clerk, read the Bill. Mr. Matijevich in the Chair."

Clerk O'Brien: "House Bill 2365, a Bill for an Act to amend

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Sections of an Act in relation to the establishment, maintenance and operation of county law libraries. Third Reading of the Bill."

Speaker Matijevich: "Representative Pangle."

Pangle: "Thank you, Mr. Speaker. I've been approached by our county government, both Iroquois and Kankakee County, in which the law library is located within the county courthouse. The problem that they're having, and I would imagine a lot of counties throughout the State of Illinois, is, with the increase in the trials and the court cases now pending, they're running out of square footage. What this Bill will do will permit the county board to vote on moving the law library out of that facility into a public location. I'd appreciate your support."

Speaker Matijevich: "Representative Pangle has moved for the passage of House Bill 2365. On that, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield for a question?"

Speaker Matijevich: "Indicates he will. Proceed."

Cullerton: "Representative Pangle, if I understand your Bill, you're allowing these libraries to go from a public building to a privately-owned building. Is that correct?"

Pangle: "Yes, it is."

Cullerton: "The law also requires that these facilities shall be freely available to all members of the public. Now is there a way in which you can ensure that all members of the public can freely avail themselves of a library that's on private, that is in a privately-owned building?"

Pangle: "This would, of course, be up to the county board, and I would think they would use their own discretion in that matter."

Cullerton: "Well, I'm suggesting that the law would require that

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the privately-owned building must, even though it's privately owned and contains this library, must make the facilities freely available to all members of the public, and I think that the legislative intent should be clear that even though it's a privately-owned building it must still be open to the public. And that's the reason why I question you on it."

Speaker Matijevich: "The question is 'Shall House Bill 2365 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 111 'ayes', no 'nays', and none answering 'present'. And House Bill 2365, having received the Constitutional Majority, is hereby declared passed. House Bill 2396, Representative Peterson. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 2396, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

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

Peterson: "Thank you, Mr. Chairman...Mr. Speaker and Members of the House. House Bill 2396 provides that an unincorporated area in Cook, Lake or DePage County, which is 60 acres or less and which is wholly bounded by a creek in one or more municipalities, may be annexed by one of the bordering municipalities by the ordinance. It would prohibit municipalities from annexing territory in the Cook County Forest Preserve District without first obtaining the district's approval, and I would hope that you could support this Bill. Thank you."

Speaker Matijevich: "Representative Peterson has moved for the passage of House Bill 2396. Does anybody stand in

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opposition? Seeing none, the question is, 'Shall House Bill 2396 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 112 'ayes', no 'nays', none answering 'present'. House Bill 2396, having received the Constitutional Majority, is hereby declared passed. House Bill 2452, Representative Peterson. The Clerk will read the Bill."

Clerk Leone: "House Bill 2452, a Bill for an Act to amend Sections of the Township Law. Third Reading of the Bill."

Speaker Matijevich: "Representative Peterson."

Peterson: "Thank you, Mr. Speaker and Members of the House. House Bill 2542 would amend the existing Township Law and permit pay of up to \$25 per diem for members of a multi-township board of trustees. When the multi-township boards were created in 1980 by the General Assembly, the authority was...this authority was inadvertently omitted. It is important that this Bill become law this year in order for the newly elected trustees in April of '85 to be able to set salaries for their next four year terms. I would appreciate your support for this Bill. Thank you."

Speaker Matijevich: "Representative Peterson has moved for the passage of House Bill 2452. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. Will the Sponsor yield?"

Speaker Matijevich: "Indicates he will. Proceed."

Peterson: "Yes."

Cullerton: "On page two of the Bill, line three, you say that they'll be available for a \$25 per day for each day of 'such service'. What does 'such service' mean?"

Peterson: "Whenever a legally constituted meeting of that multi-township board of trustees takes place, they would be



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eligible for per diem. If...They don't have to get a per diem. This would just give them the authority to set anything up to \$25 if they so desire."

Cullerton: "But since you don't define 'such service', I thought I'd make it clear that your talking about when they actually meet. Right?"

Peterson: "That's correct. A legally constituted meeting."

Cullerton: "Fine. Thank you."

Speaker Matijevich: "The question is, 'Shall House Bill 2452 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there 110 'ayes', no 'nays', none answering 'present'. House Bill 2452, having received the Constitutional Majority, is hereby declared passed. House Bill 2491, Representative White. The Clerk will read the Bill."

Clerk Leone: "House Bill 2491, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative White."

White: "Mr. Speaker, Ladies and Gentlemen of the House, by action of the President of the United States making Dr. Martin Luther King's birthday a legal holiday, the school districts are across the State of Illinois would, in order to affix their 1986 calendars, would like to...would like for this Bill to be passed into law so that on Monday, the third Monday in January starting 1986, instead of it, Dr. Martin Luther King's birthday, being a commemorative holiday, it will be classified as a legal holiday."

Speaker Matijevich: "Representative White has moved for the passage of House Bill 2491. Is there any discussion? Hearing none, those in favor signify by voting 'aye', those

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opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 90 'ayes', 12 'nays', none answering 'present'. House Bill 2491, having received the Constitutional Majority, is hereby declared passed. House Bill 2519, Representative Stuffle. Read the Bill."

Clerk Leone: "House Bill 2519, a Bill for an Act in relationship to motor fuel tax indentification devises. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Mr. Speaker, Members of the House, House Bill 2519 is an attempt, on a bipartisan basis, to put into place better enforcement provisions with regard to those trucks which pass through Illinois and which are currently required by law to pay for the privilege of driving through this state on the basis of estimated payments that would ctherwise be made for taxes on motor fuel. Currently, we have a problem of a lack of enforcement with regard to the existing law. That lack of enforcement, coupled with the fact that we have now raised our taxes for the privilege of driving in this state on gasoline and other motor fuels, diesel for example, has caused us to have a situation where our taxes are high enough that trucks from adjoining states passing through this state are not complying with our law and we have lost tremendous amounts both of revenue to the state in the form of motor fuel taxes and business to our border line operators of truck stops. Consequently, through a bipartisan effort, the Secretary of State, Motor Vehicle Laws Commission, the State Police, Department of Revenue and Transportation and the Midwest Truckers' Association, along with Legislators of both Parties and the petroleum marketers have put this Eill together which would now

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require a tax identification sticker on the trucks in this state, commercial vehicles, so that we will be able to identify and enforce and administer the existing law, collect revenue and protect our border businesses from a loss of revenue. The Bill came out of Committee on a unanimous 11 to nothing vote. It is essential that it be passed to protect the revenue base of this state that we put in place last year with the new transportation laws and taxes and to protect those businesses such as in Oakwood and Plainfield and Joliet, Effingham and the Quad Cities that border adjoining states with lower motor fuel taxes. I would ask for your affirmative vote on House Bill 2519."

Speaker Matijeich: "Representative Stuffle has moved for the passage of House Bill 2519. Is there any discussion? Hearing none, the question is, 'Shall House Bill 2519 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 106 'ayes', 2 'nays', none answering 'present'. House Bill 2519, having received the Constitutional Majority, is hereby declared passed. House Bill 2534, Van Duyn. The Clerk will read the Bill."

Clerk Leone: "House Bill 2534, a Bill for an Act to amend Sections of the Environmental Protection Act and the Illinois Environmental Facilities Financing Act. Third Reading of the Bill."

Speaker Matijeich: "The Gentleman from Will, Representative Van Duyn."

Van Duyn: "Thank you, thank you, Mr. Speaker. This Bill is very simple. It just allows companies to go into landfills. It amends the Environmental Protection Act and the Illinois Environmental Facilities Financing Act, and it defines the landfill gas recovery...recovery facilities and pollution

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control equipment making them eligible for financing from the Illinois Development Finance Authority. And that is actually all it does. It does allow these people to go in there and pump gas out of these landfills, and it does define or redefine the tax situation so that they do become eligible for tax investment credits. And it went through the Committee without a hitch. It's on Short Debate, and we had no descending votes in Committee and I hope that we don't have any here on the floor. I ask for your approval."

Speaker Matijevich: "Representative Van Duyn has moved for the passage of House Bill 2534. Representative Hastert."

Hastert: "Would the Sponsor yield?"

Speaker Matijevich: "He indicates he will. Proceed."

Hastert: "Representative Van Duyn, just some information. What...Is there a revenue impact on this?"

Van Duyn: "I'm sorry. Is there what?"

Hastert: "Is there a revenue impact on this Bill?"

Van Duyn: "No. Well, maybe indirectly, because the clarification of these...this equipment as pollution control devices does give the businesses that are engaging in this extraction of gas out of the landfills that...that tax deduction under what is termed as pollution control devices."

Hastert: "So what this does is allow companies like Getty and Waste Management and those types..."

Van Duyn: "Well not Waste Management..."

Hastert: "Well they had a Bill in last week to do the same thing. It allows them to take this gas out of the landfills and not pay taxes. Is that right?"

Van Duyn: "This is strictly for their equipment, but of course that's the general att...procedure. They are going to extract the gas and refine it to the degree that's compatible with what is in the pipeline and then they do

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sell it, yes. But the tax impact that you asked about is only on the equipment. It clarifies the language so that this equipment that they use there does come under the heading of pollution control devices and then they do get a tax break. It allows them...Well, it encourages that expansion."

Hastert: "Thank you."

Speaker Matijevich: "We're on Short Debate, but we'll allow Representative Koehler now. Representative Koehler, do you have..."

Koehler: "Thank you, Mr. Speaker. I just wish to clarify the previous discussion. I had asked that very same question and according to the information that I have received with regard to the tax status of the pollution control devices, if this Bill should pass, is that these...these operations would not qualify for special tax deductions, because they're primary purpose would not be pollution control. They're primary purpose would, of course, be to sell the gas. Therefore, they would not qualify for federal tax deductions, because they're primary purpose is not pollution control."

Speaker Matijevich: "Representative Van Dwyne, to close."

Van Dwyne: "Thank you, Mr. Speaker. I just ask for an affirmative vote."

Speaker Matijevich: "Representative Van Dwyne has moved for the passage of House Bill 2534. Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 96 'ayes', 11 'nays', 2 answering 'present'. House Bill 2534, having received the Constitutional Majority, is hereby declared passed. House Bill 569, Braun. Is Carol Braun in the Assembly? Carol Braun? Representative Ewing, for what purpose do you

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rise?"

Ewing: "I hit the wrong button. I'm a Cosponsor of this Bill, and I should be green."

Speaker Matijevich: "Out of the record. House Bill 1069, Steczo. The Clerk will read the Bill. Out of the record? Out of the record. House Bill 1123, Wolf. The Clerk will...Out of the record. House Bill 1448, Terzich. The Clerk will read the Bill."

Clerk Leone: "House Bill 1448, a Bill for an Act to amend an Act in relationship to the compensation of sheriffs, coroners, county treasurers, county clerks, recorders and auditors. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Terzich."

Terzich: "No, Mr. Speaker I would like to have this out of the record. I don't have the votes for this yet. Maybe next week."

Speaker Matijevich: "Alright. Out of the record. Nothing like being honest. House Bill 1587, Bonan. The Clerk will read the Bill. Out of the record. House Bill 1632, Marzuki. The Clerk will read the Bill. Out of the record. House Bill 1757, Giglio. The Clerk will read the Bill. Read the Bill."

Clerk Leone: "House Bill 1757, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Matijevich: "Representative Giglio."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1757 is a simple Bill in that it corrects some inequities we have in the Public Aid Code. What it does, it provides that the financial aid to an eligible applicant or recipient is given from the date that he signs the application. What's happened now is these people who are in dire need of their assistance sign the

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application and, by the time somebody in the Department decides to sign it and give the okay or it's misplaced on a desk or it's lost for 30 or 45 to 60 days, then when it's processed that's the day that the recipient starts receiving the monies he's suppose to. This Bill says that if they wait any length of time it goes back to the day that the recipient signed it who it is entitled to it. And that's all it does. I would ask for your favorable support."

Speaker Matijevich: "Representative Giglio has moved for the passage of House Bill 1757. The Lady from Cook, Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, if we were talking about only a few people in a small program, this might be a reasonable idea. But when you're talking about aid to aged, blind or disabled, general assistance and aid to families with dependent children programs, you're talking about a very large scale, and this minor Bill would cost the state at least \$34,000,000. So I hope that in considering this equity for the taxpayers will also be considered and that the House will defeat this Bill. Thank you."

Speaker Matijevich: "The question is, 'Shall House Bill 1757 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question there is 65 'ayes', 45 'nays', and House Bill 1757, having received the Constitutional Majority, is hereby declared passed. House Bill... Representative Giorgi. Nash 'aye'. House Bill 1839, Representative Doyle. Out of the record. House Bill 2332, Bowman. Out of the record. 2345, out of the record. 2355, Flinn. The Clerk will read the Bill."

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Clerk Leone: "House Bill 2355, a Bill for an Act to amend the Radiation Protection Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from St. Clair, Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, this is the so-called Nuclear Radiation Act, and what House Bill 2355 does is negate the present rule of the Department of Nuclear Safety. Way back in November of last year, the Department promulgated some rules and came before the Joint Committee on Administrative Rules and the Committee objected to six different points. After a number of meetings subsequent to that meeting and even up to two and a half weeks ago, when the Committee was generous enough to give more time to the Department to try to offer a compromise rather than to have a confrontation with Joint Committee on Administrative Rules and the Department, the Department came back with some changes which were generally considered superficial. They didn't mean anything. They ignored the fact that they were not permitting grandfathering in spite of the fact that that was one of the main contentions in the original Bill by the House to guarantee that there would be grandfathering of the present people in that business. The question was raised in the Senate on June 28, 1982 as to concerning the licensing of these people and the Senate Sponsor, Senator Marovitz, said that there is no licensing in this Bill. There is only accreditation. It has nothing to do with licensing. Yet, the Department insists that they have the authority to license. What it all boils down to that the Department has decided to invoke rules in spite of the Legislature and in spite of the fact that they don't have the authority and even, in some cases, admitting they don't have the authority. What they decided to do is rather put



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the cart ahead of the horse. They're going to invoke the rules over our objection, and they'll come back to the Legislature some other time. They said they had a Bill drawn up, although I haven't seen it yet. I think that we ought to pass this Bill resoundingly sending a message to the Department that we are indeed the representative of the people in the General Assembly and, before they can move with rules and regulations, that they must have our authority. And that's what it amounts to. Mr. Speaker, I would yield to any questions, but I would ask not Representative Olson be allowed to close since he is the hyphenated Sponsor."

Speaker Matijevich: "Representative Flinn has moved for the passage of House Bill 2355. Representative Nelson."

Nelson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill that I offered an Amendment to that was not accepted by this Body and; therefore, I'm rising in opposition to the Bill at this time. I don't doubt that what the Sponsor says is correct; that there is a deep division between JCAR and the Department, but I think that that is not the issue. I think the issue has to do with radiation safety in the State of Illinois, and it seems to me that you or I or your family would not want to go to someone who was a radiologist who was not certified and could not pass the test that has be promulgated by the Department of Nuclear Safety. The issue is simply that. Should we grandfather in people who cannot pass the test? And I would suggest to you that the standards that have been set have been reasonable, fees have been collected and licenses, at this point, have been issued. What may very well happen if we pass this Bill is that money will have to be refunded and the licenses will have to be revoked. That seems to me to make no sense whatsoever, and I would urge

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you to vote "no" against House Bill 2355 in the hopes that we might reasonably work out between JCAB and the Department of Nuclear Safety a compromise that would result in the Department complying with JCAB's requests. Thank you."

Speaker Matijevich: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of House Bill 2355. As a Member of the Joint Committee, I sat through the hearings on the objected to rules and regs, and I am somebody who was very sympathetic to what the Department was trying to do and very reluctantly came to the conclusion that they clearly did not have the authority, under the law, to do what they did. And that's the reason the Joint Committee objected to this full-blown licensing scheme. The Department, however, has seen fit to go ahead, and this is what you might call a 'we mean it' Bill in terms of protecting the integrity of the General Assembly and of the Joint Committee that the Department should, in fact, abide by the law. I would very much like to see the Department start a new Bill, go through the process, negotiate it out to do a lot of the things that they propose to do in their rules and regs. But until they accomplish that, they should abide by the law. They shouldn't attempt to go beyond it, and we need this legislation passed today to make clear that no agency is above the law."

Speaker Matijevich: "Representative Olson, to close."

Olson: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would merely embellish what Representative Flinn and Representative Levin have discussed on this issue. Those of us who are Members of JCAB are... had knowledge of this issue for a good number of months and what we are finding is an intransigent attitude on the part of the

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agency in question. They are acting out of their statutory authority. This General Assembly, in 1977, put in place the Illinois Administrative Procedures Act, and we intend to serve your interest in their stead. We support this Bill."

Speaker Matijevich: "The question is, 'Shall House Bill 2355 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. Take the record. On this question there are 93 'ayes', 17 'nays', 2 answering 'present', and House Bill 2355, having received the Constitutional Majority, is hereby declared passed. House Bill 2360 leave... Representative Harris is going to handle that Bill for Representative Topinka, and leave for House Bill 2360 to be returned to the Order of Second Reading for an agreed Amendment. Leave. The Bill is now on Second Reading. Are there any Amendments, Mr. Clerk? We are waiting for an Amendment. Do we have it? Amendments..."

Clerk Leone: "Floor Amendment #4, Topinka, amends House Bill 2360 as amended."

Speaker Matijevich: "Representative Harris, on Amendment #4."

Harris: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 2360 deals with a very serious problem, misallocation of sales tax revenue, and the Amendment which is proposed, Amendment #4, is an agreed Amendment with the Department of Revenue, which provides confidentiality of the reports which are made from the Department of Revenue to the local municipalities regarding sales tax. It provides for the names and street addresses of those persons who are registered with the Department, but not the amounts of tax dollars which are involved. And I would ask your favorable consideration."

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Speaker Matijevich: "Representative Harris has moved for the adoption of Amendment #4. Is there discussion? Hearing none, all in favor of the adoption say 'aye', opposed 'nay'. The Amendment is adopted. Third... Third Reading. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Matijevich: "Third Reading. Leave of the House that this Bill be considered in Third Reading. Leave. Read the Bill."

Clerk Leone: "House Bill 2360, a Bill for an Act relating to the Department of Revenue and counties and municipalities. Third Reading of the Bill."

Speaker Matijevich: "Representative Harris."

Harris: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. As just mentioned, House Bill 2360 deals with the problem of the misallocation of sales tax revenue which has occurred in several parts of our state. The problem has, we feel, been resolved with this Bill. It is an agreed Bill with the Department of Revenue and the various merchant organizations involved and once again, I would ask your favorable consideration."

Speaker Matijevich: "Representative Harris has moved for the passage of House Bill 2360. Is there any discussion? Hearing none, those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 109 'ayes', no 'nays', and House Bill 2360, having received the Constitutional Majority, is hereby declared passed. House Bill 2380, is Representative John Dunn in the chamber? I don't see him there. Out of the record. House Bill 2387, Representative Pierce. Clerk will read the Bill."

Clerk Leone: "House Bill 2387, a Bill for an Act to amend the

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Physical Fitness Service Act. Third Reading of the Bill."

Speaker Matijevich: "Gentleman from Lake, Representative Pierce. 2387, physical fitness. You're a perfect specimen. Out of the record. House Bill 2389, Greiman. Clerk will read the Bill."

Clerk Leone: "House Bill 2389, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Matijevich: "Gentleman from Cook, Representative Greiman."

Greiman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2389 corrects an inequity that occurred by reason of the delaying of the effective date of this Bill. In... Last year we passed Public Act 83-975, which dealt with the unused sick leave for teachers who retired, after, you know, their retirement period. And the Bill was to be effective on January the 1st, 1984, but the Governor amendatorily vetoed another Section of the Bill, which meant that we did not consider it until the November Veto Session, at which time we adopted the Amendatory Veto and the effective date was then delayed until July 1st of 1984, which means that teachers who are retiring at the end of this school year in June will have to either not take their salary for the month of June or will retire with benefits that we meant to give them when we enacted this last year. This Bill merely moves back the effective date from July 1st of 1984 to June 1st of 1984. It removes... It backs it up 30 days so that teachers who are retiring can be under the Act as they were originally intended to be."

Speaker Matijevich: "Representative Greiman has moved for the passage of House Bill 2389. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Matijevich: "Indicates he will. Proceed."

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Cullerton: "Is this Bill for the people who are going to be sick in June?"

Greiman: "No, not sick in June."

Cullerton: "Well, maybe we can have a discussion about the theory behind accumulating sick days. What's the theory behind that?"

Greiman: "Well, Mr. Cullerton, that's not the issue. The issue is to whom it should be applicable. You know, I didn't sponsor the Bill last time, but it seems to me that the General Assembly passed it intending that it be... that these people be given these rights."

Cullerton: "Thank you."

Speaker Matijevich: "Question is, 'Shall House Bill 2389 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 109 'ayes', nay... none answering 'nay'. 'Aye' Hastert. 110 'ayes', no 'nays', and House Bill 2389, having received the Constitutional Majority, is hereby declared passed. House Bill 2410, Representative Keane. Clerk will read the Bill. Out of the record. House Bill 2418, Rea. Clerk will read the Bill. Read the Bill."

Clerk Leone: "House Bill 2418, a Bill for an Act to amend the Illinois Purchasing Act. Third Reading of the Bill."

Speaker Matijevich: "Representative Rea."

Rea: "Thank you, Mr. Speaker, Members of the House. This is an Illinois preference Bill. It amends the State Purchasing Act and provides an in-state bidder must be given preference over in... over an out-of-state bidder, rather, and if the bidder... the in-state bidder is no more than five percent greater than that of the out-of-state bidder. This is a Bill that we passed out of the House substantially last Session, and it got hung up in the

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Senate towards the end and was not called. And I would certainly ask for a favorable vote because we should be providing jobs and business here in the State of Illinois, and those are the businesses that do pay taxes and support our institutions and the state services of the State of Illinois. And I would ask for a favorable Roll Call."

Speaker Matijevich: "Representative Bea has moved for the passage of House Bill 2418. Representative Karpiel."

Karpiel: "Thank you, Mr. Speaker. I really don't want to take the time of the House to ask the Sponsor the same questions that I asked in Committee, so let me just say that I am opposed to this Bill for various reasons. First of all, when we are talking about an in-state bidder, I think it's a little bit difficult to... to decide just what constitutes an in-state bidder. A lot of companies are out-of-state, have their major offices out-of-state, and just merely have a small office in-state, perhaps even just a post office box or something or a one desk place for a sales rep, and if that would... under this Bill, the way it is worded, that could be constituted as... or construed as a in-state bidder. I also think that being... this Bill also calls for that are... we would not be taking the lowest bid, but that we would be... we would then have to spend, you know, more money for services than we might be able to obtain out-of-state. Another problem with this Bill is that many states that do now have in-state bidding laws, other states have passed Bills that would be reciprocal. So that, in fact, if we have an in-state bidding Bill and other states do not, they can just say that they are not going to buy from our state, and I think that if you are talking about keeping revenue in the state and then you are talking about other states saying they are not going to buy from Illinois companies because of that

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law, then I don't think that we have any idea of whether we'll be actually keeping revenue in this state or losing more revenue than we are... than we would without the Bill. I also think that this kind of residential preference is... there's a problem with its constitutionality and there will probably be a court case. I really don't think we are gaining anything by this Bill. We could very easily lose something, and I would urge a "no" vote."

Speaker Matijevich: "The Majority Leader, Representative Jim McPike."

McPike: "Thank you. Will the Sponsor yield?"

Speaker Matijevich: "He indicates he will."

McPike: "Could you tell me if this Bill applies to the State of Illinois or also to all governmental units, for example, school districts, county boards, cities, municipalities, et cetera?"

Rea: "Applies to the State of Illinois."

McPike: "It applies only to the state?"

Rea: "To the agencies."

McPike: "State agencies?"

Rea: "Yeah."

McPike: "What would we accomplish if Missouri, Kentucky, Iowa, Indiana, Wisconsin passed identical laws? What would we accomplish?"

Rea: "Well, there are some states that already have the preference Bill."

McPike: "Well, I live on the Mississippi River across from Missouri and they do not, so what would we accomplish vis-a-vis Missouri?"

Rea: "Because you are living close to the border of another state, you should be very concerned about it. Let me give you an example."

McPike: "Well, my question was, if Missouri passes this in



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response to us, what have we accomplished?"

Rea: "Well, hopefully, and I think we have more contracts than Missouri will."

McPike: "Thanks."

Speaker Matijevich: "Representative Gene Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think we have to recognize that there are a lot of citizens of the State of Illinois who directly or indirectly would be affected by this kind of... this kind of legislation. Preferential treatment like this usually doesn't work very well, not only for the reasons that the Majority Leader alluded to in terms of a borderline situation, but you automatically build in an increase of the cost to all of the other taxpayers of the state in terms of a preference for those people who by the... whatever definition is used are defined as a resident bidder. And for those reasons, Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this Bill and would ask my colleagues on this side of the aisle and on the other side of the aisle both to join in opposition to this legislation."

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

Pullen: "Thank you, Mr. Speaker. I understand the Sponsor's frustration with the way some of the bidding has gone on public contracts in Illinois, but I'm not certain that this Bill can actually be effective; because, in order to qualify as a resident bidder, all an out-of-state or even foreign from overseas company would have to do would be to engage a manufacturer's rep that has an office in Illinois and maybe would service many clients of that sort, so that the company would be able to claim an Illinois address and telephone number. And that's not going to be a very effective Bill when it can be so easily got around. So I

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would hope that the people in the House would uphold the competitive bidding principle even if the Executive Branch of government doesn't always hold to the law as it is rather than undermining the law as it is and undermining the competitive bid principle which was put into the law for the sake of the taxpayers. Thank you."

Speaker Matijevich: "Gentleman from Cook, Representative Vitek."

Vitek: "Move the previous question."

Speaker Matijevich: "Representative Vitek has moved the previous question. Those in favor say 'aye', opposed 'nay' and the main question is put. Representative Rea to close."

Rea: "Thank you, Mr. Speaker, Members of the House. Illinois is a larger state, and we should do much better than what we are doing, even if the other states do pass similar legislation. And currently, we have several of our state institutions that are buying from out of state. A tremendous amount of this is going on, the Department of Mental Health, the Department of Corrections and several other agencies that should be buying from business here in the State of Illinois, from those who are paying taxes and helping support our institutions and providing services. The people of the State of Illinois and there are many businesses - in fact, this legislation did come... it was brought to me by business, and I feel that it's an important piece of legislation. It did pass out of the House 85 to 19 before and I would ask for a favorable Roll Call now."

Speaker Matijevich: "Representative Rea has moved for the passage of House Bill 2418. Those in favor signify by saying 'aye', those opposed by saying 'no'. Representative Ropp, one minute to explain his vote."

Ropp: "Thank you, Mr. Speaker and Members of the House. This certainly is very poor precedent. In no way should we

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impose on the taxpayers a potential five percent increase on bids that are coming within the State of Illinois. We should base it on quality and efficiency and cheapness in terms of providing that tax advantage to the taxpayers of the State of Illinois and this is certainly a precedent that would be one that would lead to future disaster. And I urge everybody to vote "no".

Speaker Matijeich: "Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 36 'ayes', 58 'nays' 2 answering 'present', and this Bill, having failed to receive the Constitutional Majority, is hereby declared lost. House Bill 2437, Hicks. Out of the record. House Bill 2450, Leverenz. Read the Bill... out. Out of the record. House Bill 2453, Dunn. Out of the record. House Bill 2454, Fangle. The Clerk will... out. House Bill 2461, Flinn. Clerk will read the Bill."

Clerk Leone: "House Bill 2461, a Bill for an Act to amend the Illinois Saving Associations Banking Act. Third Reading of the Bill."

Speaker Matijeich: "Gentleman from St. Clair, Representative Flinn. Representative Flinn, Monroe Flinn."

Flinn: "Just a minute, Mr. Speaker. I was tied up here for a minute. Could you come back to it in a minute?"

Speaker Matijeich: "How about the next one? You ready for that one, 2463?"

Flinn: "I'll be ready for both of them in just a second."

Speaker Matijeich: "Which one... which one you want to go with?"

Flinn: "2461."

Speaker Matijeich: "2461, the Bill has been read. Representative Flinn."

Flinn: "Mr. Speaker, this does for the bank... and bank... the savings and loan associations. It permits them to do the same thing we have did for the other banks and other

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lending institutions. It eliminates the cumulative voting rights. It's one that we overlooked last year when we were doing this, and it requires a two-thirds vote to eliminate cumulative voting by the people who... the stockholders. I ask for passage of the Bill."

Speaker Matijevich: "Representative Flinn has moved for the passage of House Bill 2461. Representative Cullerton."

Cullerton: "Sponsor yield?"

Speaker Matijevich: "Indicates he will."

Cullerton: "How many banking institutions does this Bill affect?"

Flinn: "One."

Cullerton: "What's the name of that?"

Flinn: "Bank or Savings and Loan Associations."

Cullerton: "Okay, thank you."

Speaker Matijevich: "Question is, 'Shall House Bill 2461 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 105 'ayes', no 'nays', 2 answering 'present'... Bullock 'aye'. 106 'ayes', no 'nays', 2 answering 'present', and House Bill 2461, having received the Constitutional Majority, is hereby declared passed. House Bill 2463, Flinn. Clerk, read the Bill."

Clerk Leone: "House Bill 2463, a Bill for an Act to amend Sections of an Act to provide for the regulation of mortgage bankers. Third Reading of the Bill."

Speaker Matijevich: "Gentleman from St. Clair, Representative Flinn."

Flinn: "Thank you, Mr. Speaker. House Bill 2463 requires that the mortgage bankers' foreclosure rate directly relate to the number of government insured residential mortgages originated by the mortgage banker. All it does is gives a true count of the foreclosures in accordance with the

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mortgages that are made by the lender himself and not the purchase mortgage. It's a figure they are doing all the time now and we find that they are doing it illegal. This is another one that came from JCAB. We are trying, Mr. Speaker, to legalize what they are doing now. It's a mere clean-up Bill is all it is."

Speaker Matijeich: "Representative Flinn has moved for the passage of House Bill 2463. Being no discussion, all those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 105 'ayes', no 'nays', 2 answering 'present', and House Bill 2463, having received the Constitutional Majority, is hereby declared passed. House Bill 2469, Bowman. Clerk will read the Bill."

Clerk Leone: "House Bill 2469, a Bill for an Act to amend Sections of the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Matijeich: "Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill amends the Public Aid Code. It is recommended by the Joint Committee on Administrative Rules and passed out of the Committee on Human Services 11 to 1. Basically what has happened is that the General Assembly has created, in statute, classifications for medical assistance; that is to say classifications of recipients... eligible recipients of medical assistance. Now, in my opinion and that of the Joint Committee and the opinion of the Committee on Human Service, when the General Assembly sets up classifications, that's it. That a department is not then free to go in and create new classifications or additional categories and treat people differently as between the categories that it created. But in fact, that

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is what the Department of Public Aid has done. They have added categories, or more precisely, have subdivided categories that we provided for in law and they are treating people differently as between these subcategories. Now, if the General Assembly thinks that those subcategories are appropriate, then the General Assembly ought to put that into law, and the Department, if they think it's a good idea ought to come to the General Assembly and say let's create some additional categories. But, it seems to me that the General Assembly has spoken on the issue, that we have created a set of categories that we think are appropriate for regulating and providing medical assistance and that should be that. The issue is a procedural one. It is not a substantive one. We can consider changing the law later perhaps, if we want other categories. But I think, at the present time, we will have to make it clear to the Department that they do not have the authority to willy nilly add, change, delete, whatever any categories. That the General Assembly's word is final. I ask that the House join me in approving this legislation."

Speaker Matijevich: "Representative Bowman has moved for the passage of House Bill 2469. Being no discussion, those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 102 'ayes', 7 'nays', 1 answering 'present', and House Bill 2469, having received the Constitutional Majority, is hereby declared passed. House Bill 2489, Levin. Clerk will read the Bill."

Clerk Leone: "House Bill 2489, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Matijevich: "Gentleman from Cook, Representative Levin."

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Levin: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This too Bill comes from the Joint Committee on Administrative Rules. Various rules of the Department of Public Aid require that aid applicants or recipients verify information submitted to the Department. The Joint Committee objected to these rules on the grounds that they did not clearly state the Department's policy regarding acceptable means of verification. In response to the Department's refusal to modify the rules to address the Joint Committee's objections, the Joint Committee prepared this legislation which provides that whenever a rule of the Department requires that information be verified, the rule shall specify the acceptable means of verification or shall list examples of acceptable verification. I ask for your support."

Speaker Matijevich: "Representative Levin has moved for the passage of House Bill 2489. There being no discussion, those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 100 'ayes', 6 'nays', and House Bill 2489, having received the Constitutional Majority, is hereby declared passed. House Bill 2492, Terzich. The Clerk will read the Bill."

Clerk Leone: "House Bill 2492, a Bill for an Act to amend the Illinois Horse Racing Act. Third Reading of the Bill."

Speaker Matijevich: "Gentleman from Cook, Representative Terzich."

Terzich: "Yes, Mr. Speaker, I'd like to have leave of the House to bring back House Bill 2492..."

Speaker Matijevich: "Gentleman asks leave to return House Bill 2492 back to the Order of Second Reading for the purpose of amendment. Does he have leave? Leave. The Bill is now on Second Reading. Are there any Amendments, Mr. Clerk?"

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Clerk Leone: "Floor Amendment #2, Terzich, amends House Bill 2492 on page one and so forth."

Speaker Matijevich: "Representative Terzich."

Terzich: "Alright, Mr. Speaker and Ladies and Gentlemen of the House, Amendment #2 makes some corrections with regards to horses and thoroughbreds, and what it does is it changes the name thoroughbred to include horses, and I would move for the adoption."

Speaker Matijevich: "Representative Terzich moves for the adoption of Amendment #2. All in favor say 'aye', opposed 'nay', and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Bopp, amends House Bill 2492..."

Speaker Matijevich: "Representative Bopp on Amendment #3."

Ropp: "Thank you, Mr. Speaker and Members of the House. For further clarification, what this Amendment says that the intent of the original Bill will exclude the grand circuit horse racing in the State of Illinois which currently now does not permit the use of Lasix, that the Amendment, as stated, will apply only to those horses that are running on parimutuel tracks in the State of Illinois."

Speaker Matijevich: "Representative Bopp has moved for the adoption of the Amendment #3. Is there any discussion? None. Those in favor say 'aye', opposed 'nay'. Amendment #3 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Matijevich: "Third Reading. Representative Terzich, for what purpose do you rise?"

Terzich: "Oh, could I have it heard now, Mr. Speaker?"

Speaker Matijevich: "Gentleman asks leave to hear the Bill on Third Reading. Does he have leave? Leave. Read the Bill."

Clerk Leone: "House Bill 2492, a Bill for an Act to amend



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Sections of the Illinois Horse Racing Act. Third Reading  
of the Bill."

Speaker Matijevich: "Representative Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House,  
what House Bill 2492 does is it allows the Lasix injections  
to be injected in the stall that the horse is in rather  
than going into a holding stall, and I would appreciate  
your support."

Speaker Matijevich: "Representative Terzich has moved for the  
passage of House Bill 2492. Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker. I'm sorry at this  
early date to stand in opposition to House Bill 2492 and my  
good friend, Representative Terzich. Please let me explain  
to you exactly what this legislation does. Last year when  
the Lasix legislation was provided in statute, passed by  
this House and the Senate, the protective measures for the  
horses, the owners and the people who go to the tracks were  
implemented. That implementation was a stall set aside  
away from the individual owners area controlled by the  
stewards and the tracks for the injection of Lasix, as well  
as a detention provision. Also the amount of Lasix that  
was provided in the Bill would be administered under the  
observation and the administration of the veterinarian.  
What this Bill does is take those protections away. You  
are removing the detention stalls. You're removing the  
control of the racing board and the industry, and it's a  
bad Bill. Believe me because I handled the Bill that put  
the protections in last Session. This eliminates all of it  
and gives total control to a few trainers, et cetera. It's  
a bad piece of legislation, believe me."

Speaker Matijevich: "Representative Piel."

Piel: "Will the Gentleman yield to a question, please?"

Speaker Matijevich: "Indicates he will."

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Piel: "Representative Terzich, I notice on our analysis that the Illinois Racing Board is against this Bill. They say that it would really interfere with their supervising of this action and they appeared in Committee and presented it this way - that it would really cause complications as far as their administering the Act and one thing and another. Could you explain to me why the Illinois Racing Board is opposed to this Bill?"

Terzich: "No, other than the fact that the... what it does is it doesn't take any of the controls over other than the fact that it just simply states that they can use their own stall rather than this here holding stall. And in addition that there are many states that have similar legislation. It doesn't take any of their controls. It may make it more convenient for the Racing Board to do this, but at the same time that these here holding stalls have been extremely filthy places that may cause injury to the horses and this has been supported by the Horse Owners' Association, as well as 'Sid Felman', who is well-known and a racing authority in the State of Illinois."

Piel: "But what I'm getting at... I don't think... you know, you make it sound very simple. I don't think that the... if the whole situation was as simple as you bring it out, that the Horse Racing Board would be opposed to the Bill. And isn't there more reason why the Horse Racing Board is against the Bill, against the legislation the way it is now proposed?"

Terzich: "Well, from what I understand that the Racing Board also opposed the Lasix Bill last year, so, you know, I mean I... I really couldn't speak then on behalf of the Racing Board."

Piel: "Oh, but, well, I'm saying okay, now that they have the situation that they... alright, they did oppose the Lasix

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Bill, but now they are administering the Bill that we passed and they are doing it adequately. We are putting more provisions on them, more stipulations and more requirements on them. Isn't this why they are opposing the Bill, because it would be harder for them to administer the law and there would be more possibilities for potential wrongdoing, cheating, et cetera, et cetera?"

Terzich: "Well, again, that the... what the Bill... it does not take any of the protections away on the administration the Lasix or the control. All it does is simply allows that the horse could remain in its familiar stall rather than in a holding stall. And I, personally, don't see that this would be that much of an inconvenience to the Racing Board to administer, you know, the control of..."

Piel: "I understand what you mean, but I think where they are trying... where they are... what they are getting at, Representative, is if you have... let's just say that you have one, two, three people administering the Lasix situation in a specific... at a specific race track, it's one thing if you've got one or two, three holding stalls, retention barns where they can watch over the horses to make sure that there is no adverse reaction and one thing and another. But if all of a sudden now they can all be in their own stalls - true, the familiarity, but it sounds very simple. Now, you've got the stalls all over the race track and where you've got one, two, or three individuals trying to, you know, administer this Act, it would be... it would seem at times and insurmountable problem, and it would be very easy for people who, you know, even though there are very few people who want to, you know, pull some type of shenanigans with this, it would be very easy for them when somebody was at the other end of the stable barn to... to pull something off, and that's... I think that's

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probably the reason that they are opposing this."

Terzich: "Well, that may be why they are opposed to it, but in the same token that the Horse Owners' Association and many other states have similar type legislation that has not caused any problem. What you are simply saying is that you are assuming that everybody is going to do some illegal action, and it's just to the contrary. What this did... the whole Bill was simply a control method, and all this Bill does not take any of the controls away. It just simply leave that person there and if anybody is caught doing anything illegal, then there are sufficient measures in the Bill to handle that situation."

Piel: "I notice that you say that other states have it, and I just notice by our analysis that Maryland, New Jersey, Pennsylvania, who all have major tracks, all have detention barns."

Terzich: "That's... uh huh."

Piel: "Thank you very much."

Speaker Matijevich: "Representative Davis."

Davis: "Thank you, Mr. Speaker and Members of the House. I rise in opposition to the Bill simply because I think Representative Piel is correct in a couple of his comments and certainly Representative Mautino, who was the Sponsor of the Lasix Bill, had all of the participants in his office at that point who had no quarrel last year with the... with the central detention system. What happens when you disperse that system is you do lose control of it, and Lasix was a very controversial issue last year and yes, the Racing Board did oppose it because it's a masking drug. When you administer Lasix, you can also administer amphetamines and other... and other uppers to horses to make them run a little faster, and Lasix masks that. And unless you are willing to put somebody in every stall to

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watch every activity, and I'm not trying to impune the Horsemen's Association, but if you set up the potential for abuse, then you are going to have abuse because there is always a few bad apples in every barrel. I think it's best that we leave the system the way it is where it can be administer, monitored and watched and not disperse that monitering function. And if Sportsmen and Hawthorn are having some problems up in northern Illinois, they ought to correct those problems in there detention facilities at this point in time. I'd recommend a strong 'no' on this. Representative Mautino is absolutely right."

Speaker Matijevich: "Representative Ropp."

Ropp: "Mr. Speaker, very briefly, when this Bill came to Committee, it did not say what it does say now and that's one of the reasons why it got out of Committee. The potential shroud of allowing people to inject their horses with uppers and downers as previously mentioned within their own stall where it is more closed, where you really can't see in those stalls, is something that we ought to be preventing and is the one thing that causes people to fear that races may be fixed. This Bill would certainly encourage that thought that races in the State of Illinois would be fixed. And I don't think that we want to do that in this state, therefore, I urge a 'no' vote."

Speaker Matijevich: "Representative Terzich, to close."

Terzich: "... I don't want... really want to close. There appears to be some confusion on this Bill and therefore, I would like to take it out of the record."

Speaker Matijevich: "Thanks a lot. Wish you would have said that fifteen minutes ago. Leave to hold that... all of that debate until the Bill comes up next time. Representative Flinn on House Eill 2502. Read the Eill."

Clerk O'Brien: "House Bill 2502, a Bill for an Act to amend

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Sections of an Act in relation to fire protection districts. Third Reading of the Bill."

Speaker Matijevich: "Gentleman from St. Clair, Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, House Bill 2502 is the one that solves the problem down around the Belleville area for fire departments. There are three rural fire departments which abut against the City of Belleville, but they don't necessarily... they are not necessarily contiguous to one another. The present law requires that they be contiguous or at least overlap in the territory before they can consolidate. And this Bill would solve a... it's a good government Bill. It would solve a problem. The three districts would like to go together so instead of having a lawyer each, they could have one lawyer for the one big fire district. It would have one set of trustees instead of three sets of trustees, and they have asked that Representative Younge and I put this Bill in, and I ask for its approval."

Speaker Matijevich: "Representative Flinn has moved for the passage of House Bill 2502. Being no discussion, all in favor say... signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 110 'ayes', 1 'nay' and... Vitek 'aye'. 111 'ayes', 1 'nay', and House Bill 2502, having received the Constitutional Majority, is hereby declared passed. House Bill 2505, Flinn. Clerk will read the Bill."

Clerk O'Brien: "House Bill 2505, a Bill for an Act to amend Sections..."

Speaker Matijevich: "Out of the record. Out of the record. House Bill 2513, Karpel. Clerk will read the Bill."

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Clerk O'Brien: "House Bill 2513, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Matijevich: "Representative Karpziel."

Karpziel: "Last year we passed Senate Bill 574 which legislated that on vacant land which is platted and subdivided into separate lots and then improved by developers, that on that land the assessed valuation be determined each year for the same purposes for which the land was last assessed, namely vacant land. This was done to help the homebuilders because they had these large lots, these large quantity of land that had been subdivided and it was just sitting there and they were being taxed at current market value. That... So we passed the Bill last year to give them relief, but it has caused a problem in the assessment practices. This Bill, House Bill 2513, merely requires that the Department of Revenue not include in its sales ratio studies the property which has been platted and on which the assessed valuation has not been increased pursuant to the provisions of last year's Bill. This is simply a Bill to keep the assessments from being disrupted, and it was brought to my attention by the Township Assessors' Association. And it is being supported by the Township Officials of Illinois, and it also... it does not involve Cook County. And I'd appreciate an 'aye' vote."

Speaker Matijevich: "Representative Karpziel has moved for the passage of House Bill 2513. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, the Lady yield for a question?"

Speaker Matijevich: "Yes, proceed."

Cullerton: "Representative Karpziel, of course the significance of whether such land is included in the sales ratio studies of the Department of Revenue is that it affects the county multiplier, is that correct?"

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Karpiel: "That's correct, or a township multiplier."

Cullerton: "So, my question is will this Bill increase... have a tendency to increase the multiplier or decrease the multiplier?"

Karpiel: "Well, with this Bill, there would be no multiplier. For instance, in Kane County... Kane County assesses... all the townships there assess at 33 and 1/3 as they are supposed to do, and with the Bill that we passed last year which took these approved lots off the... or took them out of the assessed valuation and had them be assessed as vacant land, if you put that in a sales ratio study when one is sold, that would... that makes a multiplier go on that piece of property."

Cullerton: "Do you think that you cannot answer the question whether or not the multiplier will tend to go up if this Bill is passed?"

Karpiel: "With this Bill... Well, it would reflect the multiplier where it should be. In the case... as I say, in Kane County, they don't have a multiplier, or they have a multiplier of one."

Cullerton: "Okay, how about another county where they don't have a multiplier of one? Will it... will it tend to send the multiplier where it should be and that be up?"

Karpiel: "It would make the multiplier the same as it would be. For instance, in Dupage County where the township assessors do not assess at 33 and 1/3 for the most part, there is a county multiplier put on Dupage County for that reason. With this Bill, that multiplier would be the same as it would be, you know, it would be before the Bill last year was passed. It would be the same multiplier that they should have reflecting their assessment. The effect of last year's Bill is that it raises multipliers."

Cullerton: "So this Bill will lower multipliers?"



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Karpiel: "It will maintain the multiplier at the... at the... at the number that it should be. In the case of Kane County, they don't have a multiplier before this... if we don't pass this Bill, they are given a multiplier unfairly."

Cullerton: "You are very good at this. No further questions."

Karpiel: "Thank you."

Speaker Matijevich: "Representative Hastert."

Hastert: "Mr. Speaker, Ladies and Gentlemen of the House, I stand in support of the Bill. I think Representative Karpiel said it well. The only thing you have to remember is that if you take an artificial increase and between what the value is leveled at and what the sale price was and that reflects in the multiplier, it raises everybody's... everybody's sales ratio, and it doesn't really reflect true value and especially on those people whose homes are... and properties are assessed at 33 and 1/3 and should receive a one multiplier and because of this artificial technical problem, it would increase a higher multiplier. And this... and this Bill would address that problem. It's timely, it should be done now, and I ask for your affirmative vote."

Speaker Matijevich: "Representative Satterthwaite."

Satterthwaite: "Well, Mr. Speaker and Members of the House, I rise in support of this Bill, although I hope that the Body understands that the reason that this Bill is necessary is because of a very bad Bill that was passed last year. And here we are now doing one little thing to help to address the inequities and the problems that that Bill created last year. I think that it's extremely sad that we are leaving that Bill on the record, but the Revenue Committee has spoken and have refused to support a Bill that would have repealed last year's bad law. Now, that we are in the mess of giving unfair assessed valuation to some people, we

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certainly need to have this Bill in order to give a little bit of equity back to all the other people who didn't get the tax break that was given in last year's Bill. So one bad Bill deserves another and we should support this Bill to help erase just slight bit of the inequity of last year's Bill."

Speaker Matijevich: "Representative Slape."

Slape: "Yes, thank you, Mr. Speaker. I rise in support of House Bill 2513, which is an attempt to correct a very minor mistake in probably one of the most creative pieces of legislation that every came out of this House, a Bill that was passed last year. And I would ask the Body to support this Bill so we can correct that one minor and small oversight that we did make last year. Thank you."

Speaker Matijevich: "Representative Karpziel to close."

Karpziel: "Alright, thank you, Mr. Speaker. Just in essence what this Bill does, is that it is because of the Bill that we passed last year, it created a technicality in the assessment... or the Department of Revenue practices and which give the multiplier where none is due and this would help everybody. Please vote 'yes'."

Speaker Matijevich: "Representative Karpziel has moved for the passage of House Bill 2513. Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 110 'ayes', no 'nays'. House Bill 2513, having received the Constitutional Majority, is hereby declared passed. House Bill 2515, Cullerton. Clerk will read the Bill."

Clerk O'Brien: "House Bill 2515, a Bill for an Act in relation to the interest rates on savings and loan associations and state banks. Third Reading of the Bill."

Speaker Matijevich: "Gentleman from Cook, Representative

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Cullerton."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The idea for this Bill came from a friend of mine who is an attorney who was doing a closing and he discovered... at the time of the closing, he was representing the seller. In this particular case, it was unusual because the seller was probably losing money on the sale of the house and because of adverse financial circumstances, he had to sell the house. And so, my friend was trying to get as much money for him as he possibly could, and in going over the closing documents, he discovered that even though the date of the closing was the first date of the month, the bank had charged him interest on the money that they had loaned him, the mortgage, for the entire rest of the month. So that even though he was paying off the debt on the first day of the month, the bank was going to charge interest for the rest of the month. The person at the bank told them that it was legal to do that and that's why they were going to continue to do that, and said if you don't like it to try to change the law. So that's what I am trying to do, and fortunately, the banking lobbyists are responsible enough to realize that this is something that should be changed and they have either taken no position or are in favor of the Bill. There was an Amendment that I put on at the request of the savings and loan associations to make sure that it's clear that it doesn't apply to any existing contracts. Basically what the law says is that savings and loan associations and state chartered banks may not charge or compute interest for any period of time after the date on which the total indebtedness is paid in full. So, it's a consumer oriented measure that I think is something in which should be... it's very obvious to me that it's something which is very

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fair and I would appreciate your support. Be happy to answer any questions."

Speaker Matijevich: "Representative Cullerton has moved for the passage of House Bill 2515. Representative Klemm."

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

Speaker Matijevich: "Proceed."

Klemm: "Just that... I don't have any problem with the Bill, just for clarification, Representative Cullerton. About existing contracts that, perhaps, are already in place, is there a possibility that the percentage or the interest calculation was maybe based on a payment at the last period that is proper and this would foreclose the proper negotiations or existing contracts to put a borrower and a debtor, perhaps, in a different position? I could see for new contracts that nobody is going to be hurt by it. I'm wondering if, perhaps, contracts by a bank that... mortgage payments, they would be... end up receiving one payment less than what they really both had agreed on."

Cullerton: "No, this doesn't apply to existing contracts and just to emphasize what the problem is, we are not talking about an agreement made between the bank and the borrower. We are just talking about a situation where... depending on what day you close in the month, if you close on the last day of the month, then they don't charge you for the next month's interest, but if you close on the first day of the month, they charge you for the whole month. But in either case, you have paid off all of the loan and the bank shouldn't be entitled to interest on money that they have not lent you."

Klemm: "Well, a staff member just mentioned that you had an Amendment that clarified that? Maybe that's... that's what I was asking because you did mention that and I wasn't aware you did that. Then apparently it has been clarified."

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Alright, thank you. No other questions."

Speaker Matijevich: "Representative Sam Wolf."

Wolf: "Thank you, Mr. Speaker. Will the Sponsor yield to a question?"

Speaker Matijevich: "Proceed."

Wolf: "Representative Cullerton, you might have answered this, but would this have any bearing on existing mortgages which have a built-in 60, 90 or 120 day interest penalty for prepayment?"

Speaker Matijevich: "Representative Cullerton."

Cullerton: "No, it doesn't effect prepayment penalties at all."

Wolf: "Thank you."

Speaker Matijevich: "Being no further discussion, the question is, 'Shall House Bill 2515 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? The Clerk will take the record. Clerk will take the record. On this question there are 109 'ayes', no 'nays', 1 answering 'present'. House Bill 2515, having received the Constitutional Majority, is hereby declared passed. House Bill 2530, Representative... out of the record. House Bill 2553, Representative Stuffle. The Clerk will... out of the record. House Bill 2591, Satterthwaite. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 2591, a Bill for an Act to amend Sections of an Act to create the State University Civil Service System. Third Reading of the Bill."

Speaker Matijevich: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, this Bill amends the State Civil... the State University Civil Service System Act and does exactly the same as Representative Zwick's Bill did last year for state employees, creating the possibility for an employee to have a family responsibility leave and it gives the authority to

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the Civil Service Board to set up the conditions under which that leave will be granted. The Bill passed out of Committee with no dissenting votes. I know of no opposition and be happy to answer questions."

Speaker Matijevich: "Representative Satterthwaite has moved for the passage of House Bill 2591. Is there any discussion? Hearing none, those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 102 'ayes', 10 'nays', and House Bill 2591, having received the Constitutional Majority, is hereby declared passed."

Speaker Madigan: "Page 11 of the Calendar on the Order of Concurrence, there appears House Bill 133, Representative Terzich."

Clerk O'Brien: "House Bill 133, a Bill for an Act to amend various Act to replace obsolete terminology together with Senate Amendments #1 and 2."

Speaker Madigan: "Mr. Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 133, I move to concur with Senate Amendments 1 and 2. What it does is it revises the enterprise zone system. It certifies it up to 12 enterprise zones a year instead of eight in order to enable more cities to deal with their economic problems while the problems are more pressing. Also it provides that designating ordinance may be amended to expend benefits and incentives to make technical corrections to the ordinance, and also specifies that the department submitting reports evaluating the effectiveness of the program includes a number of business establishments and dollar value of new construction improvements replacing the corporate income in housing start figures for each zone. It also contains a hold

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harmless clause for school districts whose equalized assessed valuation increased due to the EZ property assessment increases. This is an extremely important Bill for the State of Illinois to attract new business and to add these incentives and I would urge your support in concurring with Senate Amendment 1 and 2."

Speaker Madigan: "Gentleman has moved that the House concur in Senate Amendment #1 and 2 to House Bill 133. Is there any discussion? Mr. Davis."

Davis: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Motion. The enterprise zone concept is working admirably well in Illinois. I think the expansion is necessary. Frankly, I'm very proud of our enterprise zone in the multi-county Des Plaines River Enterprise Zone. Amendment #2 expands that one slightly, but I think the changes made in the Bill... or in this revision are absolutely necessary and it's important that this Bill be on the Governor's desk because there is a time frame that has to be met next week and I certainly rise in support of the Bill and encourage all Members to vote 'aye'."

Speaker Madigan: "Is there any further discussion? Mr. Terzich to close."

Terzich: "I appreciate your support."

Speaker Madigan: "The question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 133. Those in favor will signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question there are 105 'ayes', 1 person voting 'no'. The House does concur in Senate Amendments #1 and 2 to House Bill 133. On page eight of the Calendar on the Order of House Bills Third Reading, there appears House Bill 2600. Mr. Bullock, do you wish to call your Bill. Mr.

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Clerk, read the Bill."

Clerk O'Brien: "House Bill 2600, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Madigan: "Mr. Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2600 is a School Problems Commission Bill. The Bill deletes some obsolete language, but it makes only two changes. First of all... 2600."

Speaker Madigan: "Proceed, Mr. Bullock."

Bullock: "First of all, the legislation amends the School Code concerning the general state aid school formula. For FY '85 and thereafter the number of low income eligible students in a school district shall be computed on the Education Consolidation and Improvement Act of 1981 and Chapter 1 counts. It makes no substantive changes in the legislation, but basically we are trying to track a federal enactment in order that we receive the maximum dollars in our public school fund... our public school systems. The Federal Education Consolidation and Improvement Act of 1982, Chapter 1, requires that all state consolidated agencies use the most current available data to derive the count of low income students. I know of no opposition to the Bill. It is a School Problems Bill and it is also supported by the State Board of Education. I'd ask for an 'aye' vote."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 111 'ayes', no one voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2605, Mr. Stuffle. Do you



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wish to call your Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2605, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Madigan: "Mr. Stuffle."

Stuffle: "Mr. Speaker, Members of the House, this is the second Bill that along with Representative Fullock's the School Problems Commission approved. It amends the school aid formula. It merely provides for taking off the limitations which were put in the formula in '72, '73, which prevented windfall gains by school districts at that time with the phase in of the resource equalizer. I know of no opposition to it. It's a bipartisan Bill by Representative Hoffman and myself. Those limitations are no longer appropriate. In fact, at this time serve as a bar to school districts who, rather than being wealthy, happen to be capped in their resource gaining abilities. And I would ask for your affirmative vote on House Bill 2605."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 105 'ayes', no on voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2609, Mr. Hallock. Gentleman indicates that he does not wish to call his Bill. House Bill 2633, Representative Barnes. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2633, a Bill for an Act to amend Sections... a Bill for an Act making appropriation to the Illinois Labor Relations Board. Third Reading of the Bill."

Speaker Madigan: "Representative Barnes."

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Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2633 is the Illinois Education Labor Relations Board. It was created in 1983 to oversee the operations of collective bargaining for teachers and other educational employees. It plans to hire 43 employees with this funding. It's \$1,500,000."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 93 'ayes', 16 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2634, Representative Barnes. The Lady indicates that she does not wish to call her Bill. House Bill 2635, Representative Barnes. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2635, a Bill for an Act making appropriation for the Environmental Protection..."

Speaker Madigan: "Representative Barnes."

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2635 appropriates \$500,000 for the Environmental Protection Trust Fund Commission for the purpose of dealing with water pollution in Waukegan harbor. I would ask for an 'aye' vote."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 107 'ayes', no one voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2647, Representative Barnes."

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Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2647, a Bill for an Act making appropriation for the ordinary and contingent expenses for the Liquor Control Commission. Third Reading of the Bill."

Speaker Madigan: "Representative Barnes."

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2647 appropriates \$1,026,900 for the Illinois Liquor Control Commission, the dramshop fund. I would ask for an 'aye' vote."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 106 voting 'aye', no one voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2650, Representative Barnes. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2650, a Bill for an Act making appropriation for the ordinary and contingent expense for the Military and Naval Department."

Speaker Madigan: "Representative Barnes."

Clerk O'Brien: "Third Reading of the Bill."

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2650 as amended appropriates \$9,862,600 to the Illinois Military and Naval Department. It transfers the National Guard Scholarship Program from the Scholarship Commission to the Military and Naval Department, adds \$970,000 for scholarships and \$32,700 for two new positions and also adds \$25,000 for construction."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye', all those

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opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 105 'ayes', 3 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2665, Mr. McCracken. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2665, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

Speaker Madigan: "Mr. McCracken."

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2665 would allow municipalities to sell surplus real estate by marketing it in a traditional real estate manner by listing it with an agent. Current law provides that only the sealed bid process may be used for this purpose. It has proved inadequate to assure full fair market value realization upon sale. I ask for your favorable vote."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 96 'ayes', 5 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2689, Representative Barnes. Mr. Clerk... Representative Barnes, do you wish to proceed? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2689, a Bill for an Act making certain appropriations and amending certain appropriation Acts. Third Reading of the Bill."

Speaker Madigan: "Representative Barnes."

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

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Bill 2689 is a supplemental Bill and it appropriates \$58,714,700 and it adds 2.1 million to the Waukegan Port District for construction projects and landscaping and adds \$1,496,700 as a supplemental for the Department of Labor's Bureau of Employment Security. It also gives \$100,000,000 to the Department of Revenue, \$11,000,000 to the Department of Public Aid, \$500,000 to the Department of Energy and Natural Resources and \$115,500 to Commerce and Community Affairs. The purpose is for Lottery prizes and refunds, also to pay some legal judgments and \$500,000 to the 'Firmalad' in Batavia. I would ask for an 'aye' vote."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is 'Shall this Bill pass?' All those in favor will signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 88 'ayes', 5 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Calendar Supplemental #1, there appears a Motion by Representative Pullen relative to House Bill 1399. Representative Pullen."

Pullen: "Mr. Speaker, I move to suspend Rule 79(d) so that House Bill 1399 may be considered immediately."

Speaker Madigan: "Mr. Greiman."

Greiman: "Thank you, Mr. Speaker. Firstly, I would assume it takes an extraordinary majority for this... for this Motion to pass, and I would suggest, Mr. Speaker, that I do intend to verify the Roll Call for this Motion. It just seems to... Now, to the Motion itself, and I would request at the appropriate time the opportunity to make that request, Mr. Speaker. It seems to me that this has sat on the Order of Concurrence. Our rules very specifically state that one

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day... one day is the time necessary for a Conference Committee Report to sit on our desks. That's a sensible rule. We do it with difficulty. Sometimes we waive the rule because it's the end of the Session, because the pressures are great on us. But there is no great pressure here. There is nothing here... And if you are a right-to-life Legislator, you aren't going to lose your standing because you waited and did the appropriate thing in the appropriate time. You... you are what... you know, you vote the way you vote on substantive issues. That's just fine. But it seems to me forcing an issue which need not be forced when we have to sit here and waive our rules, thoughtful rules, for no purpose at all. We can do this Tuesday. It will be on the Calendar Tuesday appropriately. If the Speaker moves to that Order of Business, it will be called, I'm sure, and it may or may not have the appropriate number of votes. But I can't imagine any possible reason why we must do this with such recklessness and quickness that we have to abandon our rules, and I ask that we just wait and do it at the appropriate time and respect our rules."

Speaker Madigan: "Mr. Greiman, I'm told by the Parliamentarian that this Motion will require 60 votes. The Parliamentarian is a good Jewish boy, and he said 60 votes. The question is, 'Shall the Motion by Representative Fullen to suspend the provisions of Rule 79(d) be adopted?' All those in favor will signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 72 'ayes', 27 'nos', and for what purpose does Mr. Greiman seek recognition?"

Greiman: "Just to give us a... a little opportunity to verify the Roll, Your Honor...Your... I'm in my other life right now,

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Mr. Speaker... an opportunity to verify the Affirmative Roll Call, notwithstanding - I did understand 60 votes - but there are lots of empty seats here. We'll take a look at them."

Speaker Madigan: "Mr. Clerk, would you proceed to a verification of the Affirmative Roll Call by reading those who have recorded themselves in the affirmative?"

Clerk O'Brien: "Barger. Barnes. Berrios. Parcels. Breslin. Brummer. Brunsvold. Bullock. Capparelli. Churchill. Curran. Daniels. Davis. DiPriwa. Domico. Ralph Dunn. Ewing. Farley. Flinn. Dwight Friedrich. Giglio. Giorgi. Hallock. Hannig. Hastert. Hawkinson. Hensel. Homer. Karpel. Keane. Klemm. Koehler. Krska. Kulas. Laurino. Leverenz. Matijevich. Mautino. Mays. McCracken. McGann. McMaster. Mulcahey. Neff. Oblinger. O'Connell. Olson. Panayotovich. Pangle. E. Pedersen. W. Peterson. Piel. Pullen. Bea. Bonan. Eopp. Byder. Saltsman. Slape. Stuffle. Tate. Terzich. Tuerk. Van Duyme. Vinson. Wait. Winchester. Wojcik. Wolf. Younge. Yourell. And Mr. Speaker.

Speaker Madigan: "Mr. Greiman, do you have any challenges?"

Greiman: "Mr. Berrios."

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

Remove Mr. Berrios from the Roll Call."

Greiman: "Mr. Domico."

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

Remove Mr. Domico from the Roll Call."

Greiman: "Mr. Farley."

Speaker Madigan: "Mr. Farley. Remove Mr. Farley from the Roll Call."

Greiman: "Mr. Giglio."

Speaker Madigan: "Mr. Giglio. Remove Mr. Giglio from the Roll Call."

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Greiman: "Mr. Laurino."

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

Greiman: "Mr. Mulcahey."

Speaker Madigan: "Mr. Mulcahey is in the center aisle."

Greiman: "Mr. O'Connell."

Speaker Madigan: "Mr. O'Connell. Mr. O'Connell in the chamber?

Remove Mr. O'Connell. Mr. Greiman."

Greiman: "Yes, Panayotovich. I was waiting from Your Honor...

for the Speaker to address me. Panayotovich."

Speaker Madigan: "I'm sorry. Who was the last name before..."

Greiman: "The last name before that was Mr. O'Connell."

Speaker Madigan: "Mr. O'Connell. Is Mr. O'Connell in the

chamber? Has Mr. O'Connell been removed? Fine Mr...

Panayotovich."

Greiman: "Panayotovich."

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

Panayotovich."

Greiman: "Ms. Younger."

Speaker Madigan: "Representative Younger. Remove Representative

Younger."

Greiman: "Mr. Vinson."

Speaker Madigan: "Remove Mr. Vinson."

Greiman: "Mr. Pederson."

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

Greiman: "Mr. Peterson."

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

Greiman: "Ms. Koehler."

Speaker Madigan: "Representative Koehler. Is the Lady in the

chamber? Remove Representative Koehler."

Greiman: "That's all, Mr. Speaker."

Speaker Madigan: "Representative Koehler has returned. Restore

Representative Koehler to the Roll Call. Mr. Clerk. On

this question there are 64 'ayes', 27 'no', and the Lady's



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Motion is adopted. On Supplemental Calendar #1, on the Order of Conference Committee Report, there appears House Bill 1399, Representative Pullen."

Pullen: "Thank you, Mr. Speaker. Thank you, Ladies and Gentlemen of the House. Someone asked me yesterday whether this Bill does everything that I would want to do with respect to abortion. My answer, frankly, was no. That would take a one line Bill. However, this Bill is necessary in order to allow the Illinois Abortion Act to be enforced. It conforms the various provisions of the Illinois Abortion Act and the Parental Notification on Abortion Act to recent court decisions in various Federal Court rulings. In some cases it repeals Sections that have been found unconstitutional according to the court and in other cases, it rewords Sections in order to conform them to statutes that the court has upheld in other states. The result of this, in general, will be that our abortion statute will affect virtually no abortions other than late term or third trimester or viable fetus abortions. The Illinois Abortion Act, when it was first passed, had certain restrictions involving first trimester abortions, additional involving second trimester... or fewer rather... no, additional, and additional involving third trimester abortions. First trimester and second trimester abortions apparently cannot be regulated particularly, according to courts, and so most of what is left, after this Conference Committee Report is adopted, will affect late term abortions. That certainly would not be my choice if I had my way, but it is what is necessary in order for our statute to be enforced. There is an additional provision that goes beyond the issue of court decisions and that is solely to prohibit abortions based solely on the basis of the sex of the baby, and that is written very carefully so that it would affect only

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those where the physician has absolute knowledge that that is the only reason for the abortion to be done. I will be happy to answer any questions about specific provisions. I don't want to take the time of the House unless the House wishes that, and I urge adoption of this Conference Committee Report."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is, 'Shall the House adopt the Conference Committee Report on House Bill...' For what purpose does Mr. Greiman seek recognition?"

Greiman: "I...I just had one question. I...I... If I may?"

Speaker Madigan: "Proceed."

Greiman: "I had no opportunity to read this since this was put on my desk about ten minutes ago, but I do notice that on page 13, Section C, this removes the prohibition law that says any person which solicits or offers or receives kickbacks or bribes in connection with performance of an abortion, it takes that out. Now, don't you...don't you feel that somebody soliciting kickbacks and bribes ought to...ought to have to answer to the law at least for what's in there in a Class A misdemeanor. You're taking that out? Are you liberalizing this law, Ms. Pullen?"

Pullen: "Well, of course, if we're conforming it to Federal Court decisions, we're liberalizing it, Sir. I...I... If..."

Greiman: "You mean the Federal Court said that...said that kickbacks were okay?"

Pullen: "The Federal Court knocked out most of the provisions that were inserted in this law in response to the Sun-Times series. I think this is one of those."

Greiman: "Well, you think it, or you know it? I mean, we're taking away a pretty serious crime in Illinois where we're saying that people shouldn't get kickbacks for abortions. I...I agree with that. I don't disagree with that. And I

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think that you should know whether it's, in fact, unconstitutional or not know it isn't before we...before you ask us to pass this in the spirit of a moment. It might be the thing we might want to reflect on."

Pullen: "Well, I will answer you truthfully, Sir. I do not know whether that was specifically held unconstitutional or not. I know that it would not be taken from the law if there were not such a reason to do so. It's certainly not the intent of this Sponsor to say it's perfectly okay to go out and give kickbacks."

Greiman: "Well, the intent of the Sponsor, I take it, is to pass this Bill as rapidly as she can. And it seems to me that these are precisely the kind of questions that are raised. That's only one page I've looked at. I think there are dozens of questions to be raised and the truth is that the Sponsor can't answer it because we're rushing to judgment on this Bill. Now, I think that we're entitled to know whether we're letting people who solicit for abortions and get kickbacks, whether we're letting those folks off the hook. I don't want to let them off the hook if it makes sense. There's other things in here that I don't understand exactly, why we take out human being and we substitute Homosapien. I think I know what a human being is without having the genus somehow... I mean, unless we are protecting the Neanderthals and that may be the case here, too. But, I...I suspect that...or Cro-Magnon. I mean is there something about Cro-Magnon children you don't like or what? I just don't understand why... Why use the word Homosapiens? Human beings is not a precise enough explanation for you?"

Pullen: "Well, Sir, I'm glad to hear that you admit that unborn children are human beings, but the point is that is necessary in order to conform this with court decisions

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where the courts apparently don't think they are human beings."

Greiman: "Well now, what Federal Court has ever used... said you have to use the word Homosapien? You don't have any court decision on that, do you, Ms. Fullen?"

Pullen: "They have already declared them non-persons. We're hoping they'll at least admit they're Homosapiens."

Greiman: "Well, I...I guess what I'm really saying to the House... To the Bill. What I want to say to the House is that this is put on our desks. We ought to spend some time looking at it. We ought to have the Sponsor be able to answer a question or two of us. We are an embarrassment from time to time when we pass these Bills out, because they are held unconstitutional. And I just think we ought to spend some time in getting this in an appropriate fashion, so we send it right from here to the Governor to the Veto Session to the Federal Court."

Speaker Madigan: "There being no further discussion, the question is, 'Shall the House adopt the Conference Committee Report on House Bill 1399?' All those in favor will signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Ladies and Gentlemen, if we would please refrain from voting other people's switches. Now on a Verified Roll Call on the Motion that preceded this Roll Call, there were 64 affirmative votes. And given this issue, you can reasonably presume that the vote will be the same. So, Mr. Clerk, let's dump this Roll Call and do it again. Mr. Greiman is already seeking recognition for the purpose of a verification, so let us vote our own switch and none other. The question is, 'Shall the House adopt the Conference Committee Report on House Bill 1399?' Those in favor vote 'aye', those opposed vote 'no'. Representative Fullen."

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Pullen: "If I may, in explaining my vote, answer the Gentleman's question. I am informed by Counsel that the reason that particular Section is being taken is that it appears elsewhere in the statutes in a separate law, and it is being taken out because it is unnecessary."

Speaker Madigan: "Would someone change Mr. Farley's vote to a 'present' and also Mr. Giglio? Have all voted who wish? The Clerk shall take the record. On this question, there are 66 'ayes' and 29 'nos'. And the Chair recognizes Mr. Greiman."

Greiman: "Yes, Mr. Speaker, thank you. I would ask for a verification of the Affirmative Roll Call."

Speaker Madigan: "Mr. Clerk, proceed to read those voting in the affirmative for the purpose of a verification."

Clerk O'Brien: "Barger. Barnes. Breslin. Brummer. Brunsvold. Bullock. Capparelli. Churchill. Curran. Daniels. Davis. DeJaegher. DiPrima. Domico. Doyle. Ralph Dunn. Ewing. Flinn. Dwight Friedrich. Giorgi. Hannig. Hastert. Hawkinson. Hensel. Homer. Johnson. Karpel. Keane. Koehler. Krska. Kulas. Laurino. Leverenz. Matijevich. Mautino. McAuliffe. McCracken. McGann. McMaster. Mulcahey. Neff. Oblinger. Olson. Panayotovich. Pangle. B. Pedersen. W. Peterson. Piel. Preston. Pullen. Rea. Ronan. Roff. Ryder. Slape. Stuffle. Tate. Terzich. Tuerk. Van Dwyne. Wait. Winchester. Wojcik. Wolf. Yourell. Mr. Speaker."

Speaker Madigan: "Mr. Greiman, would you verify Mr. Flinn in the front of the chamber? Mr. Jaffe."

Jaffe: "Please vote 'no', please."

Speaker Madigan: "Record Mr. Jaffe 'no'. Record Mr. Saltsman as 'aye'. So the beginning count is 67. Mr. Greiman."

Greiman: "Yes, thank you. Mr. Yourell."

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

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Greiman: "Mr. Panayotovich."

Speaker Madigan: "Mr. Panayotovich. Remove Mr. Panayotovich."

Greiman: "Mr. Neff."

Speaker Madigan: "Mr. Neff. Is Mr. Neff in the chamber? Mr. Neff is in the front of the chamber. Eight in the front of the chamber."

Greiman: "Mr. Olson."

Speaker Madigan: "Mr. Olson..."

Greiman: "I see him. I see him."

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

Greiman: "Mr. Leverenz."

Speaker Madigan: "Mr. Leverenz. Mr. Leverenz. Remove Mr. Leverenz."

Greiman: "Mr. Johnson."

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

Greiman: "Mr. Hastert."

Speaker Madigan: "Mr. Hastert is in the rear of the chamber."

Greiman: "Mr. Barger."

Speaker Madigan: "Mr. Barger is in the rear of the chamber."

Greiman: "Mr. Wait."

Speaker Madigan: "Mr. Wait. Mr. Wait..."

Greiman: "I see."

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

Greiman: "I see him. And Mr. Ryder."

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

Greiman: "That's all I have, Mr. Speaker."

Speaker Madigan: "Thank you, Mr. Greiman. On this question, there are 63 'ayes', 30 voting 'no'. The House does adopt the Conference Committee Report on House Bill 1399. Mr. Clerk, would you read the Adjournment Resolution?"

Clerk O'Brien: "Senate Joint Resolution 107. Resolved by the

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Senate of the 83rd General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the Senate adjourns on Thursday, April 26, 1984, it stands adjourned until Monday, April 30, 1984, 12:00 noon. And when the House of Representatives adjourns on Friday, April 27, 1984, it stands adjourned until Monday, April 30, 1984 at 10:00 a.m."

Speaker Madigan: "You've all heard the Resolution which provides that we shall return on which day, Mr. O'Brien? So we will have a Perfunctory Session on Monday, but you are all due back to this great place on Tuesday at 12:00 noon. And the Chair recognizes Mr. McPike on the Adjournment Resolution."

McPike: "Thank you, Mr. Speaker. I move for the adoption of the Adjournment Resolution."

Speaker Madigan: "The Gentleman moves for the adoption of the Adjournment Resolution. Those in favor say 'aye', those opposed say 'no'. The Resolution is adopted. I would advise the Members not to leave the chamber, because there are several people seeking recognition, I suspect, for the purpose of announcement, and there are some problems with posting. So, I would advise the Members not to leave the chamber. However, I would like to introduce a former Member in the rear of the chamber, Repre...former Representative Robert DiPrima. It's nice to see you again, Bob. McParkland. Bob McFarkland. For what purpose does... Representative Ewing."

Ewing: "Mr. Speaker, I'd like to move to waive the appropriate rules on posting so that the following three Bills could be posted for next week. This has been cleared on both sides of the aisle. The first Bill is House Bill 3093 to be posted for Executive and 3094, two Bills for Executive, and 3104 for Labor and Commerce."

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Speaker Madigan: "You've all heard the Motion. Is there a leave?"

Leave is granted. Representative Currie."

Currie: "Thank you, Mr. Speaker. I'd like to make the same Motion for House Bill 1663 in House Human Services Committee. That request, too, was cleared with the Committee Chairman and the Minority Spokesman on that Committee."

Speaker Madigan: "You've all heard the Motion. Is there a leave?"

Leave is granted. Representative Karpziel."

Karpziel: "Yes, thank you, Mr. Speaker. I'd like to make the same Motion to hear House Bill 3125 in the Human Services Committee next Tuesday. And I have cleared that with both sides of the aisle."

Speaker Madigan: "You've all heard the Motion. Is there a leave?"

Leave is granted. Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like the same leave for House Bill 3097 and 3205."

Speaker Madigan: "Mr. Hoffman, have you spoken with the...anybody...?"

Hoffman: "No, I just got it from Mr. Woodyard."

Speaker Madigan: "Have you spoken to the Committee Chairman?"

Hoffman: "No. They are Bills that are Mr. Woodyard's Bills. I'm making a Motion at his request. One of them is in... Revenue and Conservation. Some of our Members were under the impression that they had until Friday of this week to make a request to have the Bills posted. As you know, Mr. Speaker, some Committees posted all Bills that were assigned to them."

Speaker Madigan: "Sure. I understand that, Mr. Hoffman. Which Committee are these Bills assigned to?"

Hoffman: "Revenue and Conservation."

Speaker Madigan: "Revenue and..."



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Hoffman: "Energy and Environment."

Speaker Madigan: "Energy and Environment. I really think at a minimum we ought to clear it with the Committee Chairman. I'm not trying to be an obstructionist, but whenever these motions are made from the Majority side, why we instruct them to check with the Minority. So is there anyone who has cleared these motions with the other side? Mr. Bullock. Mr. Bullock."

Bullock: "Thank you, Mr. Speaker. I'd like to have House Bill 2899 posted for Human Services Committee."

Speaker Madigan: "You've cleared this with the..."

Bullock: "With the Chairman and the Minority Spokesman."

Speaker Madigan: "...Minority Spokesman? You've all heard the motion. Is there a leave? Leave is granted. For what purpose does Mr. Piel seek recognition?"

Piel: "Mr. Speaker, you just said that he had to clear it with both sides of the aisle, and he had said that he clear it with the Chairman. Now was it cleared with the Minority Spokesman or was it not?"

Speaker Madigan: "I thought Mr. Bullock said that he had cleared it with the Minority Spokesman. Turn on Mr. Bullock."

Bullock: "Thank you, Mr. Speaker. I had a mouth full of food. Representative Vinson, wherever he is, Mr. Piel, if you check with him, I'm sure he'll tell you."

Piel: "When did you clear it with him? Earlier today? Today?"

Speaker Madigan: "Mr. Bullock, I'm told that your matter has already been cleared that...that the matter... Okay. I mean we've already suspended the posting requirements earlier in the day. All Bills that were approved by the Rules Committee this morning have already had the posting requirements suspended. If you are seeking recognition on Bills which were approved by the Rules Committee this morning, the posting requirements for those Bills were

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suspended at the very beginning of the Session. Mr. Hallock."

Hallock: "Thank you, Mr. Speaker. I will make the same Motion with regard to House Bill 3089 and 3203 so they may be heard in the Executive Committee on Wednesday. And I have cleared this with both sides of the aisle."

Speaker Madigan: "You've all heard the Motion. Is there a leave? Leave is granted. Mr. Preston."

Preston: "Thank you, Mr. Speaker. I'd like to make the same Motion in regards to House Bill 2997 unless that was already done earlier to suspend the posting requirements so that that might be heard on Tuesday before the Transportation Committee. I've cleared it with both sides of the aisle."

Speaker Madigan: "That's already been done."

Preston: "Alright. Thank you."

Speaker Madigan: "Mr. Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I wish to remind the Members of the Appropriations II Committee that we have a recessed meeting. We will meet immediately after Session in Room 118. There are a number of people who are waiting to have their Bills heard and have been waiting for some time now. And so I hope we can get a quorum together so that we may hear these Bills and proceed expeditiously."

Speaker Madigan: "Okay. Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, do I understand correctly that there is no way by which I may officially change a vote on a Bill that was passed today?"

Speaker Madigan: "The Parliamentarian tells me that is the rule."

Satterthwaite: "Then could the record at least show that I wish to change my vote even though it is not possible to officially do so on House Bill 2600 from 'yes' to 'no'?"

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Speaker Madigan: "Okay. Let the record reflect Representative Satterthwaite's statement. Mr. Van Duynes."

Van Duynes: "Thank you, Mr. Speaker. I have spoken with Representative Farley, and I am now briefly talking with the... Representative Tuerk about 2482, and Representative Farley assured me today that he has talked to the Committee Clerk and that 2482 will be posted. That was as of this morning. Do I have to have leave of the House to bypass through?"

Speaker Madigan: "What is the Bill number, Mr. Van Duynes?"

Van Duynes: "2482."

Speaker Madigan: "2482."

Van Duynes: "And I have talked to the Chairman this morning, and he has instructed the Committee Clerk to post the Bill for next week, but the question I'm asking you, am I in time, or do I have to have leave of the House? And if so, I would make that Motion."

Speaker Madigan: "Mr. Van Duynes, we will return to you. Mr. Ronan."

Ronan: "Thank you, Mr. Speaker. I'd like to waive the posting requirement. These Bills were inadvertently left out of the Transportation Committee. I've cleared it with the other side of the aisle, the Minority Spokesman for the Transportation Committee. House Bill 2888, 2911, 2913, 2963, 2964, 2965, 2966, 2972, 2994, 2997 and 3233."

Speaker Madigan: "Is there leave? Leave is granted. Mr. DiPrima."

DiPrima: "Yes, Mr. Speaker. Lawrence McParkland talking here. I would like to move to suspend the posting requirements for House Resolution 801 so that it may be heard in the Veterans Committee next Wednesday. And I would like to follow up with a reminder that the Combined Veterans Organization of the State of Illinois are honoring the

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Members of this Body at a banquet on Wednesday, May 2, at the D.A.V. Hall out on the lake here. I'll give you the directions and everything for you next Tuesday. And all I want to know is who isn't going to come. So far the only one is Virginia Frederick. Thank you."

Speaker Madigan: "Mr. DiPrima, have you spoken with the Minority Spokesman on the Veterans Committee? Who is the Minority Spokesman on the Veterans Committee? Mr. Mays, do you approve of this? You've all heard the Motion. Is there a leave? Leave is granted. Mr. Woodyard."

Woodyard: "Thank you, Mr. Speaker. I would move to waive the posting requirements for House Bill 3205 in Energy and Environment. And I have cleared that with the Chairman, Chairman Van Dyne."

Speaker Madigan: "You've all heard the Motion. Is there a leave? Leave is granted. Is there anything further? Mr. McGann."

McGann: "Thank you, Mr. Speaker. I ask leave of the House to have House Resolution 810 heard in the Revenue Committee. It has been cleared by both sides of the aisle."

Speaker Madigan: "You've all heard the Motion. Is there leave? Leave is granted. Is there anything further? Mr. Clerk, on the Order of Resolutions."

Clerk O'Brien: "Agreed Resolutions. House Resolution 867, Davis; 868, Ronan - Laurino; 870, Breslin; and 865, Ralph Dunn."

Speaker Madigan: "Mr. Giorgi."

Giorgi: "Mr. Speaker, 865 Resolution by Dunn, proclaims Mayor Holzhauser Week in Nashville; 867 by Davis, tells us of a National Volunteer Week ordered by President Reagan; 868 by Ronan - Laurino, honors the Alvernia's Sixtieth Anniversary; Breslin's 870, urges the media to show restraint in publicizing the names of minors' sex victims. And I move for the adoption of the Agreed Resolutions."

Speaker Madigan: "Those in favor of the Agreed Resolutions say

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'aye', those opposed say 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Is there any Death Resolutions?"

Clerk O'Brien: "House Resolution 866, by Representative Rhen, with respect to the memory of Mr. Alvin Coleman; House Resolution 869 by Representative Younge, with respect to the memory of Mr. David Henry Brown, Jr.; House Resolution 871 by Representative Huff, with respect to the memory of Charles Edward Poole."

Speaker Madigan: "Mr. Giorgi moves for the adoption of the Death Resolutions. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Death Resolutions are adopted. Is there any further business to come before the Body? Chair recognizes Mr. McPike for the Adjournment Motion."

McPike: "Thank you, Mr. Speaker. I move the House stands adjourned until next Tuesday at the hour of 12:00 noon."

Speaker Madigan: "You've all heard the Motion. Those in favor say 'aye', those opposed say 'no'. And the Motion is adopted which provides that we shall stand adjourned providing for 15 minutes of perfunctory time for the Clerk and that we will return next Tuesday at 12:00 noon. And further providing that there will be a Perfunctory Session on Friday at 10:00 a.m. and on Monday at 10:00 a.m."

Clerk O'Brien: "Committee Reports. Representative Leverenz, Chairman of the Committee on Appropriations I, to which the following Bills were referred, action taken April 26, 1984, reported the same back with the following recommendations: 'do pass' House Bills 2631 and 2645; 'do pass as amended' House Bills 2610, 2624, 2625, 2638, 2642, 2649 and 26...2765. Representative Jaffe, Chairman of the Committee on Judiciary, to which the following Bills were referred, action taken April 26, 1984, reported the same back with

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the following recommendations: 'do pass' House Bills 2584, 2797 and 551; 'do pass as amended' House Bills 2556, 2799 and 2475; 'do pass as amended Short Debate' House Bill 2578. Representative Huff, Chairman from the Committee on Local School District Reorganization, to which the following Bills were referred, action taken April 26, 1984, reported the same back with the following recommendation: 'do pass as amended' House Bills 1186, 1188, 1190 and 2278."

Clerk Leone: "Reading of Constitutional Amendments. House Joint Resolution Constitutional Amendment #1. Resolved by the House of Representatives of the 83rd General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the state, for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Sections 8 and 13 of Article I of the Constitution to read as follows: Article I. Section 8. Rights After Indictment. In criminal procedures, the accused shall have the right to appear and defend in person and by counsel, and to demand the nature and cause of the... In criminal procedures, the accused shall have the right to appear and defend in person and by counsel, to demand the nature and the cause of the accusation and have a copy thereof, to meet the witness face to face and to have process to compel the attendance of witness in his behalf, and to have a speedy public trial by an impartial jury of the county in which the offense is alleged to have been committed, except that the General Assembly, by law, may abolish the right of jury trial for prosecutions of offenses punishable by a fine of no more than \$500. Section 13. Trial by Jury. The right of trial by jury as heretofore enjoyed shall remain inviolate,

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except that the General Assembly, by law, may abolish the right of jury trial for prosecutions of offenses punishable by a fine of no more than \$500. Schedule. This Amendment of Section 8 and 13 of Article I of the Constitution takes effect on January 1st following its approval by the electors of this state. First Reading of this Constitutional Amendment as amended on Third Reading. House Joint Resolution Constitutional Amendment #6. Resolved by the House of Representatives of the 83rd General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the state, for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Section 9 of Article IV of the Constitution to read as follows: Article IV. Section 9. Veto Procedure. Every Bill passed by the General Assembly shall be presented to the Governor within 30 calendar days after its passage. The foregoing requirement shall be judicially enforced. If the Governor approves the Bill, he shall sign it and it shall become law. If the Governor does not approve the Bill, he shall veto it by returning it with his objections to the House in which it originated. Any Bill not so returned by the Governor within 60 days after it is presented to him shall become law. If recess or adjournment of the General Assembly prevents the return of the Bill, the Bill and the Governor's objections shall be filed with the Secretary of State within such 60 calendar days. The Secretary of State shall return the Bill and the objections to the originating House promptly upon the next meeting of the same General Assembly at which the Bill can be considered. The House to which the Bill is returned shall immediately enter the Governor's objection upon its

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Journal. If within 15 calendar days after such entry that House, by a record vote of three-fifths of the Members elected, passes the Bill, it shall be delivered immediately to the second House. If within 15 calendar days after such delivery the second House, by a record vote of three-fifths of its Members elected, passes the Bill, it shall become law. The Governor may reduce or veto any item of appropriation in a Bill presented to him. Portions of a Bill not reduced or vetoed shall become law. An item vetoed shall be returned to the House in which it originated and may become law in the same manner as a vetoed Bill. An item reduced in the amount shall be returned to the House in which it originated and may be restored to its original amount in the same manner as a vetoed Bill except that the required record vote shall be a majority of the Members elected to each House. If a reduced item is not so restored, it shall become law in the reduced amount. The Governor may return the Bill together with specific recommendations for the correction of technical errors or matters of form to the House in which it originated. The Bill shall be considered in the same manner as a vetoed Bill; however, the specific recommendations are accepted by a record vote of the majority of the Members elected to each House. Such Bill shall be presented again to the Governor and if he certifies, within 20 days of its receipt by the Governor, that such acceptance conforms to his specific recommendations, the Bill shall become law. If he does not so certify, he shall return it to...as a vetoed Bill, within 20 days of its receipt by the Governor, to the House in which it originated. Schedule. This Amendment shall take effect beginning with the General Assembly next convening after its adoption by the electors. First



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Reading of this Constitutional Amendment as amended on Third Reading. House Joint Resolution Constitutional Amendment #14. Resolved by the House of Representatives of the 83rd General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the state, for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Section 1 of Article X of the Constitution to read as follows: Article X. Education. Section 1. Goal - Free Schools. A fundamental goal of the people of this state...of the people of the state is the educational development of all persons to the limits of their capabilities. The state shall provide for an efficient system of high quality public education institutions and services. Education in public schools through the secondary level shall be free. There may be such other free education as the General Assembly provides by law. The state shall finance at least 1/2 of the cost of the system of public education. This Amendment shall take effect upon its adoption by the electors of this state. First Reading of this Constitutional Amendment as amended on Third Reading. House Joint Resolution Constitutional Amendment #26. Resolved by the House of Representatives of the 83rd General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the state, for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to add Section 11 to Article IX of the Illinois Constitution, an added Section to read as follows: Article IX. Section 11. Tax Limitations. There is hereby established a limit on taxes imposed by the General Assembly for deposits in the

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General Revenue and Common School Funds of the state for any fiscal year. The state shall not impose taxes of any kind which, together with any transfers into the Fund, except revenues received from the Federal Government, shall exceed seven percent of the average annual personal income of Illinois of the next to the last full calendar year preceding the calendar year in which the fiscal year begins and the prior two calendar years. Personal Income of Illinois is the total income received by persons in Illinois from all sources, including transfer payments, as defined and officially reported by the United States Department of Commerce or its successor agency. No expenses of State Government from the General Revenue or Common School Funds shall be incurred for any fiscal year which exceeds in amount the revenue limit established by this Section. For any fiscal year in the event that revenues to the General Revenue and Common School Funds exceed the revenue limits established in Subsection (a) of this Section, this excess shall be transferred to the Budget Stabilization Fund in the State Treasury which is hereby created. Emergency expenditures from the Budget Stabilization Fund may be made only if all the following conditions are met: 1. The Governor requests the General Assembly to declare an emergency. 2. The request is specific as to the nature of the emergency and the dollar amount of the emergency. And 3. The General Assembly thereafter declares an emergency in accordance with the Governor's request by a Joint Resolution adopted by three-fifths of the Members elected to each House. The Bill providing for the appropriation of funds for the emergency must be passed by a three-fifths vote of the Members elected to each House. If it is determined that the amount in the Budget Stabilization Fund is less than

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the amount needed to meet an emergency stabilization, taxes in excess of the limit established in Subsection (a) of this Section may be imposed and collected only if all of the following conditions are met: 1. The Governor requests the General Assembly to declare an emergency. 2. The request is specific as to the nature of the emergency, the dollar amount of the emergency and the method by which the emergency will be funded. And 3. Upon receiving the request the General Assembly declares an emergency in accordance with the specifications of the Governor's request by a Joint Resolution adopted by two-thirds vote of the Members elected to each House. The Bills providing for the appropriation of funds for the emergency must be passed by a two-thirds vote of the Members elected to each House. The emergency must be declared in accordance with these procedures prior to incurring any of the expenses which constitutes a specific emergency request. The revenue limitation may be exceeded only for the fiscal year in which the emergency is declared. In subsequent fiscal years the revenue limits of Subsection (a) of this Section shall again take effect. An emergency shall not be declared in two successive fiscal years without the approval of a majority of the qualified electors of the state voting thereon. Income earned from the funds maintained in the Budget Stabilization Fund shall occur to the Fund...shall accrue to the Fund. For any fiscal year in the event that the amount in the Budget Stabilization Fund exceeds two percent of the revenue limit established by Subsection (a) of this Section, the General Assembly shall provide for distribution of the excess revenues in any of the following three methods: 1. Distribution to the various state pension funds established by law in proportion to the respective actuarial reserve deficiencies

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of the several funds based on the benefits in effect at the time of the effective date of this Section. Funds distributed under this method shall be used only to reduce the actuarial reserve deficiencies of the various State pension funds. 2. Distribution of the retirement of outstanding general obligation bonds of the state. Funds distributed under this method shall not be used to pay current principal and interest charges but shall only be used to retire outstanding general obligation bonds. And 3. Distribution in the form of reducing or the rebating of state taxes. (d) The General Assembly shall provide by law for the implementation of the provisions of this Section. For the purpose of this Section, the General Revenue Fund means all money belonging to or for the use of the state, paid into the State Treasury and not belonging to any specific fund in the State Treasury. And (2) Common School Fund means money belonging to or for use of the state, paid into the State Treasury and expended for financing public education through the secondary level. This Amendment takes effect upon its adoption by the electors of this state. First Reading of this Constitutional Amendment. Being no further business, the House will now stand adjourned till 10:00, April 27th for Perfunctory Session."

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